

# **North Tyneside Council**

## **Report to Director of Regeneration and Economic Development**

### **Date: 21 March 2023**

**Title:** Traffic Regulation Order – Waiting Restrictions, West Bailey, Killingworth

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**Report by:** Nick Saunders, Senior Traffic Engineer

**Report to:** John Sparkes, Director of  
Regeneration and Economic  
Development

**Wards affected:** Camperdown

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#### **PART 1**

##### **1.1 Executive Summary:**

This report seeks a delegated decision to advertise and, in the event that no objections are received, make variations to restrictions on waiting and loading which involve the introduction of full-time waiting and loading restrictions on West Bailey and its junctions with Cypress Gardens and Garth 16, Killingworth and the establishment of a school keep clear restriction (operational Monday to Friday, 8am to 6pm) on Cypress Gardens, Killingworth.

##### **1.2 Recommendation(s):**

It is recommended that the Director of Regeneration and Economic Development makes a delegated decision

- (1) that notices for the proposal should be prepared and advertised in line with relevant statutory requirements;
- (2) that in the event that no objections are received following the period of consultation required by statute, that the circumstances do not warrant the holding of a Public Inquiry; and
- (3) that if no objections are received following the period of consultation required by statute, the Traffic Regulation Order shall be made.

##### **1.3 Forward Plan:**

Seeking delegated decisions to advertise and, in the event that no objections are received, to make Traffic Regulation Orders is a standing item on the Forward Plan.

##### **1.4 Council Plan and Policy Framework**

The proposals in this report relate to the following priority in Our North Tyneside, the Council Plan 2021 to 2025:

- A green North Tyneside
  - We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside carbon net-zero by 2030
- A secure North Tyneside
  - We will continue to invest £2m per year in fixing our roads and pavements.

## **1.5 Information:**

### **1.5.1 Background**

The Authority has undertaken parking assessments of the area in the vicinity of Bailey Green Primary School and Bailey's Butterflies nursery in accordance with Annex 6 of the North Tyneside Parking Strategy. These assessments were undertaken in May-June 2022, following the submission of parking restriction request forms by local residents concerned about indiscriminate parking particularly at school start and end times. A site meeting was also undertaken with ward councillors regarding parking outside 'Bailey's Butterflies' nursery. A proposal to introduce waiting, loading and school keep clear restrictions in this area was subsequently developed.

A proposal to introduce a zebra crossing on West Bailey to the east of its junction with Hamsterley Drive which will improve pedestrian links to the school and nursery has also been brought forward: it includes footway widening on the north side of West Bailey adjacent to the school and associated amendments to the bus stop at this location to improve access to the stop for pedestrians and buses. The proposed waiting restrictions will support the safe use of the proposed pedestrian crossing.

This proposal necessitates variations to the existing waiting and loading restrictions contained in existing Traffic Regulation Orders (TROs).

### **1.5.2 Proposal in relation to waiting restrictions**

It is proposed to implement full-time waiting and loading restrictions on a number of sections of West Bailey between Garth 16 and Cypress Gardens, as shown on the plan at Appendix 1. It is anticipated that these will prevent obstructive parking including at junctions and on footways, particularly at school start and end times, and facilitate the use of the existing cycle lanes on West Bailey. The restrictions will also facilitate the use of a proposed zebra crossing and relocated bus stop on West Bailey.

It is also proposed to introduce a school keep clear restriction (operational between Monday and Friday, 8am - 6pm) on Cypress Gardens. This will prohibit vehicles from stopping in front of the nursery ensuring that safe access is maintained whilst the nursery is open.

### **1.5.3 Consultation**

Ward members were informed of the intended proposal by email in November 2022.

Engagement on the scheme was carried out in December 2022, via an informal postal consultation to properties affected by the proposed restrictions as well as the school and nursery. Feedback from this engagement has informed the final proposal.

#### 1.5.4 Proposed next steps

Proposals that restrict traffic movements are subject to statutory legal process as described in section 2.2: this includes the local authority giving public notice of the proposals and taking such other steps as it may consider appropriate for ensuring adequate publicity. In North Tyneside, this includes notices advertising proposals being displayed on affected streets and on the Authority's website. This enables members of the public or businesses to object to the proposals and the proposed making of a TRO and/or varying of existing TROs. Any objectors are sent a response and invited to reconsider their objection. Any objections not withdrawn are referred to the Cabinet Member for Environment for consideration in accordance with the Mayor's Scheme of Delegation.

#### 1.6 **Decision options:**

The following decision options are available for consideration by the Director of Regeneration and Economic Development:

##### Option 1

To approve the recommendations as set out in paragraph 1.2 above.

##### Option 2

Not to approve the recommendations as set out in paragraph 1.2 above.

Option 1 is the recommended option.

#### 1.7 **Reasons for recommended option:**


Option 1 is recommended for the following reasons:


The proposals will improve road safety in the vicinity of the school and nursery whilst supporting cycling, walking and wheeling in this area.

#### 1.8 **Appendices:**

Appendix 1 Plan of scheme

Appendix 2 Equality Impact Assessment – West Bailey Zebra Crossing and Waiting Restrictions

 Bailey Green Primary  
School - Proposed Pa

 EqlA-West Bailey  
Zebra Crossing and

#### 1.9 **Contact officers:**

Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598  
Andrew Flynn, Integrated Transport Manager, 0191 643 6083

## **1.10 Background information:**

- (1) [North Tyneside Transport Strategy](#)
- (2) [North Tyneside Parking Strategy](#)
- (3) [Road Traffic Regulation Act 1984](#)
- (4) [Local Authorities' Traffic Orders Regulations 1996](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

Funding to advertise and implement the proposal is available from the 2022/23 (Parking Management) Local Transport Plan capital budget.

### **2.2 Legal**

Proposals that involve revocations or amendments to existing TROs and any new such orders are subject to statutory legal process set out in the Road Traffic Regulation Act 1984 and the Regulations that flow from that Act, namely, the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. Details are formally advertised, including a 21-day period for objections. Before making a TRO the Authority must consider all objections made and not withdrawn, and can decide whether to make the TRO unchanged, to make the TRO with modifications or not to proceed with making the TRO.

The Authority is required to publish at least one notice detailing the proposal to vary waiting and loading restrictions in a local newspaper in addition to taking such other steps as it deems appropriate for ensuring adequate publicity is provided. The Authority is also required to make documents relating to the proposal available for public inspection. In North Tyneside, in addition to being advertised in a local newspaper, notices advertising the proposal are displayed on the Authority's website and on roads affected by the order. Documents relating to the proposal are also available for public inspection at the Authority's offices at Quadrant. Objections to the proposal may be made within a period of 21 days starting from the date the notice was published.

In accordance with the Mayor's Scheme of Delegation, if any objections cannot be resolved, then the Cabinet Member for Environment is asked to consider those objections made and not withdrawn and to determine if a TRO should be made.

Within 14 days of the making of the proposed TRO varying the existing TRO in respect of the proposals set out in the report, the Authority must notify any objectors, publish a notice of making in a local newspaper and take such other steps as it deems appropriate for ensuring adequate publicity is given to the making of the TRO. In North Tyneside, in addition to being advertised in a local newspaper, notices of making are displayed on the Authority's website and on roads affected by the TRO. Documents relating to the order are also available for public inspection at the Authority's offices at Quadrant.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal consultation**

Internal consultation has involved the Cabinet Member for Environment. Ward members' views on the proposal were sought as described in section 1.5.3.

### **2.3.2 Community engagement**

Views on the proposal were sought as described in section 1.5.3. The proposal is to be advertised in line with statutory process as set out in section 1.5.4.

## **2.4 Human rights**

Any human rights implications must be balanced against the duty that the Authority has to provide a safe highway for people to use. It is not considered that the proposed restrictions will have a negative impact on individuals' human rights.

## **2.5 Equalities and diversity**

An Equality Impact Assessment for the West Bailey, Killingworth – proposed zebra crossing and waiting restrictions proposals has been undertaken and is attached as Appendix 2 to this report. It is noted that a number of the identified potential impacts are positive: these relate principally to improved accessibility for people who currently experience difficulty using footways and crossing the road. A potential negative impact was noted in connection with the proposed loading restrictions as they apply to all vehicles including blue badge holders, however it was noted that the proposal had been amended following consultation with local residents. Actions are specified to reduce a further potential negative impact relating to access arrangements during construction work.

## **2.6 Risk management**

There are no risk management implications arising directly from this report. Strategic and operational risks associated with transport matters are assessed via the established corporate process.

## **2.7 Crime and disorder**

There are no crime and disorder implications directly arising from this report.

## **2.8 Environment and sustainability**

There are potential positive implications in that the proposals support the use of more sustainable modes of transport in preference to car use. The proposals therefore support the target within the Carbon Net-Zero 2030 Action Plan to reduce car-based school trips.

**PART 3 - SIGN OFF**

- Chief Finance Officer ☐
- Monitoring Officer ☐
- Assistant Chief Executive ☐