

# North Tyneside Council

## Report to Director of Regeneration and Economic Development

**Date: 04 December 2023**

**Title:** Traffic Regulation Order – Removal of parking bay, Rear Marine Avenue, Whitley Bay.

**Report by:** Samantha Lacy, Network Business Manager

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

**Wards affected:** Whitley Bay

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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 permit parking at rear Marine Avenue, Whitley Bay, that include the removal of a single permit parking bay on the rear lane and replacement with waiting restrictions (double yellow lines).

#### **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 to remove a parking bay at the rear of Marine Avenue, Whitley Bay 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 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 proposal to remove a single permit parking bay was developed to address concerns amongst some residents regarding all-day parking causing visibility and access issues for residents attempting to park in off-street parking provision. It is anticipated this proposal will help facilitate better visibility and safer turning movements for those residents attempting to access the off-street parking provision, and subsequently will reduce the amount of on-street parking in the surrounding areas.

The Authority has undertaken parking assessments in accordance with Annex 6 of the North Tyneside Parking Strategy. These assessments were undertaken in 2022 and identified visibility and access issues to off-street parking provision for residents of Marine Avenue.

This proposal necessitates variations to the existing traffic movement restrictions contained in existing Traffic Regulation Orders (TROs).

### 1.5.2 Proposal in relation to waiting restrictions

It is proposed to remove an existing permit parking bay in the rear lane and replace it with waiting restrictions (double yellow lines) as set out on the plan at Appendix 1.

It is anticipated that the proposal will facilitate better visibility and safer turning movements for those accessing off-street parking.

### 1.5.3 Consultation

Ward members were updated on the proposal by email in May 2023.

Early engagement on the scheme was carried out in June 2023, via an informal postal consultation with residents affected by the proposed restrictions. Four responses were received in favour of the proposals, with two responses indicating they felt that the proposal removed parking for residents. Officers responded to explain that the proposal was intended to ensure residents can safely access off-street parking provision at the rear of Marine Avenue, and this may subsequently reduce the amount of on-street parking nearby by facilitating safe access. One resident indicated some access issues occur on Ilfracombe when trying to turn into Marine Avenue rear lane, and so the proposal was amended to include a 'keep clear' marking to help facilitate safe access to the lane itself. No further responses were received during the consultation, and the two resident who were not supportive were informed that there is an opportunity to object to the scheme following statutory advertising.

### 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 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 proposal will facilitate a higher turnover of parking spaces for visitors to the local area and nearby retirement home.

## **1.8 Appendices:**

Appendix 1 Plan of scheme

Appendix 2 Equality Impact Assessment – Rear Marine Avenue



Rear Marine Avenue  
- Proposed removal o



EqIA-Rear Marine  
Ave Parking Bay.docx

## **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 2023/24 (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 proposals to vary traffic movement and/or 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 any 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**

The proposals within this report do not have direct implications in respect of the Human Rights Act 1998.

## **2.5 Equalities and diversity**

An Equality Impact Assessment for the parking restrictions has been undertaken and is attached as Appendix 2 to this report. This identifies positive potential impacts: these relate to improved accessibility for visitors to the local area who currently experience difficulty negotiating footways and crossing the road. Actions are specified to reduce the potential negative impacts relating to blue badge holders and 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 no environment and sustainability implications directly arising from this report.

### PART 3 - SIGN OFF

- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive