

Highways Committee

2 December 2010

A690 Moor House Lay-by, Rainton Gate Prohibition of Driving Order



Report of Terry Collins, Director of Neighbourhood Services Cabinet Portfolio Member Councillor Bob Young.

1.0 Purpose of the report

- 1.1 To advise members of the outcome of investigations into proposals to introduce a Prohibition of Driving Order in this lay-by which is located adjacent to the northbound carriageway of the A690 to the south of Rainton Gate. (see attached plan).
- 1.2 This report requests that members support the introduction of the Prohibition of Driving Order.

2.0 Background

- 2.1 For some time now concern has been raised about the serious anti-social behaviour of some people using this lay-by, especially those using it as an overnight stop. In order to prevent this happening, and after much consideration, it is proposed to close the lay-by for vehicular use. Local members Carol Woods and Maureen Wood are providing the funding for the Traffic Regulation Order and the supporting works.
- 2.2 It is proposed to use a Prohibition of Driving Order which will be self-enforcing as the restricted section of road will have lockable gates at both ends. This is similar to the existing restriction that is in place to Woodbine Cottage and Ivy Cottage. There are several premises and users of the lay-by that require access to the restricted area and appropriate exemptions have been included in the order to accommodate these access requirements. These additional exemptions to the standard ones are listed below:
 - Persons requiring access to Gardener's Cottage via gate 2
 - Buses/coaches requiring access to Moor House Scout Centre
 - Police and VOSA for monitoring and enforcement purposes

- 2.3 The proposed Prohibition of Driving Order will extend from the midpoint of the southern access to Moor House Lay-by to a point 5 metres north east of the northern boundary to Gardener's Cottage.
- 2.4 The initial consultation on the proposal was carried out in July/August 2010 and no objections were received.
- 2.5 The Traffic Regulation Order was formally advertised in October 2010 and one objection was received from a resident of West Rainton.

3.0 **Objections**

3.1 The resident from West Rainton objected on the following grounds:

- *'The lay-by is the only parking facility on the east bound carriageway of the A690 between the centre of Durham and Rainton Bridge Industrial Estate which includes traffic (heavy commercial vehicles) leaving the A1(M), as a result it is an important part of the road infrastructure in the area and significant to road safety.'*
- *'The closure of the lay-by will directly affect road safety on the A690 resulting in stationary vehicles parking on the carriageway, as the lay-by is used for the collection and drop-off point for children staying at the Moor House centre.'*

3.2 Response: The lay-by provides a useful facility for drivers to carry out legitimate activities such as resting, answering mobile phones, taking refreshments etc. It was often used as an overnight stop by some HGV drivers but it is preferable that HGVs use a formal lorry park from security/facilities points of view. Unfortunately the serious anti-social activities taking place in the lay-by have tipped the balance in favour of closure of the lay-by.

Legislation is in place to prevent over-night parking in lay-bys, however this is often extremely difficult to utilise due to most drivers being foreign and untraceable.

It is proposed to close the lay-by by using lockable gates. By doing this and issuing a strictly controlled number of keys, it affords the opportunity to allow buses/coaches to use the southern gate to access the lay-by when there are large events at the Scout Centre. The Scout Centre would open/close the gates when these events take place. Hence buses/coaches would not need to stop on the A690. In addition it is proposed to increase the radius on the entry to the lay-by at the northern access to make it easier for coaches to access the Scout Centre and the other property that take access at this point when the gates are closed.

3.3 In subsequent correspondence the objector also suggested that:

- the lay-by only be closed overnight between 7pm and 7am

- close only 2/3's of the lay-by and construct a new access
- the entire lay-by should no longer be adopted if it is closed off

3.4 Response: A part time closure would be impractical, have ongoing revenue costs and be potentially dangerous. A 2/3's closure would not remove the anti social behaviour issues and a new access would be unaffordable. There is public utility apparatus in the lay-by and hence it needs to remain as adopted highway to ensure that access is available to that apparatus from the public highway. As normal there will be a standard exemption in the traffic regulation order for apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984.

3.5 Despite responding to the objector's concerns we have not yet received confirmation that the objection has been withdrawn.

4 Statutory Consultations

4.1 The police have been consulted and they will not oppose the provision of the proposed traffic regulation order. They have requested that the road in West Rainton behind the petrol garage be monitored to ensure that the existing problem in Moor House Lay-by is not moved to this location by overnight parking of HGVs. They have also asked that the accident record on the A690 be monitored to ensure that there is not an increase on the route in this vicinity due to the proposed changes.

5.0 Local Member Consultation

5.1 The local members, Councillors Carol Woods and Maureen Wood, have been consulted and are minded to support the scheme.

6.0 Recommendations and reasons

6.1 It is recommended that members support the proposal to:

- Introduce a Prohibition of Driving Order at the specified location in Moor House Lay-by, Rainton Gate
- Carry out the monitoring of the road in West Rainton behind the petrol garage as requested by the police
- Monitor the accident record on the A690 in this vicinity.

7.0 Background papers

Copies of correspondence have been placed in the Members' Resource Centre.

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Appendix 1: Implications

Local Government Reorganisation

None

Finance

Funding will be provided by the Local Member Local Area Measures Allowance, Members Neighbourhoods budget associated with the Area Action Plan and Local Area Programme.

Staffing

None

Equality and diversity

None

Accommodation

None

Crime and disorder

The measures will remove the serious anti social behaviour associated with the existing lay-by

Environment

Prevents fly tipping and the leaving of rubbish of all kinds in the lay-by

Human rights

None

Localities and rurality

None

Young people

Removes potential dangers to young people using the Moor House Scout Centre

Consultation

Residents and statutory consultation carried out between 7 and 28 October 2010.