



## Highways Committee

**Date** Friday 1 March 2019  
**Time** 9.30 a.m.  
**Venue** Committee Room 2 - County Hall, Durham

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meetings held on 20 and 23 November 2018 (Pages 3 - 16)
4. Declarations of Interest, if any
5. Bishop Auckland - Parking & Waiting Restrictions Order 2019 - Report of Corporate Director of Regeneration and Local Services (Pages 17 - 26)
6. Durham City North East - Parking & Waiting Restrictions Order 2019 - Report of Corporate Director of Regeneration and Local Services (Pages 27 - 34)
7. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**

Head of Legal and Democratic Services

County Hall  
Durham  
21 February 2019

To: **The Members of the Highways Committee**

Councillor C Kay (Chairman)  
Councillor S Morrison (Vice-Chairman)

Councillors D Bell, H Bennett, G Bleasdale, J Chaplow, J Considine, S Dunn, A Gardner, D Hicks, K Hopper, S Hugill, K Liddell, O Milburn, R Ormerod, J Rowlandson, P Sexton, J Shuttleworth, A Simpson, J Turnbull and M Wilson



**DURHAM COUNTY COUNCIL**

At a Meeting of **Highways Committee** held in Council Chamber - County Hall, Durham on **Tuesday 20 November 2018 at 9.30 a.m.**

**Present:**

**Councillor C Kay in the Chair**

**Members of the Committee**

Councillors D Bell, H Bennett, G Bleasdale, J Chaplow, J Considine, S Dunn, A Gardner, D Hicks, K Hopper, S Hugill, K Liddell, O Milburn, S Morrison (Vice-Chairman), R Ormerod, J Rowlandson, J Shuttleworth, A Simpson, J Turnbull and M Wilson

**1 Apologies for Absence**

Apologies for absence were received from Councillor P Sexton.

**2 Substitute Members**

There were no substitute members present.

**3 Minutes**

The minutes of the meeting held on 13 September 2018 were agreed as a correct record and signed by the Chair.

**4 Declarations of Interest**

Councillor R Ormerod declared an interest in relation to Item No. 7 (Redhills/Crossgate Area – Parking and Waiting Restrictions) as he lived on a street affected by the proposals.

Councillors D Bell and M Wilson declared an interest in relation to Item No. 5 (Bearpark and Ushaw Moor Waiting Restrictions) as local members. Councillor D Bell had agreed to fund an element of the scheme from his neighbourhood budget, should the decision to introduce the scheme be approved. Councillor Wilson had requested a review of the traffic order relating to Bearpark.

**5 Bearpark and Ushaw Moor - Parking and Waiting Restrictions Order 2018**

The Committee considered a report of the Corporate Director of Regeneration and Local Services regarding three requests to an existing road traffic regulation order affecting Woodland Road at Bearpark and the Whitehouse Lane area of Ushaw Moor (for copy see file of Minutes).

The Committee were informed that a request to amend the order had been received from local members, Bearpark Parish Council and local residents. The effect of the proposals was to introduce the following:

- (i) A 'no waiting at any time' parking restrictions to address ongoing visibility issues associated with both junctions at Welby Drive/C18a Whitehouse Lane, Victoria Court C18a Whitehouse Lane; and Hall Avenue C18a Whitehouse Lane;
- (ii) A 30 minute time limit (operational Mon-Sat, 9am-5pm) on C18a Whitehouse Lane to accommodate a parking space outside of a Pharmacy, the bay is to encourage a higher turnover of availability close to the local amenities; and
- (iii) Removal of 'school keep clear' road markings and associated traffic sign on C17 Woodland Road (opposite Cook Avenue).

Three similar objections had been received from people living in the Whitehouse Lane area. The proposals would have a direct impact on them.

There were no objections to the proposal relating to Bearpark as the restrictions related to an unused former gated entrance to Durham Community Business College, which was now permanently locked.

The objections relating to the Ushaw Moor area expressed concern that the introduction of no waiting at any time parking restrictions would cause parking issues for visitors, workmen and homeowners who like to park outside their home. They also felt that their own parking would be compromised and would be forced into parking their vehicles in the yard to the rear of their properties.

The Strategic Traffic Manager explained that the introduction of the no waiting at any time restrictions would improve road safety and visibility from the junction of Welby Drive/C18a Whitehouse Lane and Victoria Court and Hall Avenue with the C18a. He added that some properties had parking space to the rear and the width of Welby Drive would allow for a number of parked cars.

Councillor D Bell explained that the road in question was extremely busy and there were real safety concerns regarding sightlines and parked cars.

Councillor J Turnbull explained that he had no objection to the proposals but sought assurance that all of the restrictions were enforceable and would be enforced.

The Strategic Traffic Manager informed the Committee that it was usual that restrictions in the type of area concerned would be acknowledged by motorists and confirmed that the restrictions would be enforceable, carried out on a priority basis and areas targeted where it was felt there was an issue.

**Moved** by Councillor Turnbull, **Seconded** by Councillor J Shuttleworth and

**Resolved**

That the Committee endorse the proposal and proceed with the implementation of the Bearpark and Ushaw Moor Waiting and Parking Restrictions Order, with the final decision

to be made by the Corporate Director of Regeneration and Local Services under delegated powers.

## **6 Ferryhill - Parking and Waiting Restrictions 2018**

The Committee considered a report of the Corporate Director of Regeneration and Local Services regarding changes to parking and waiting restrictions in Ferryhill following a review of current restrictions and proposed amendments put forward (for copy see file of Minutes).

The Committee were informed that Ferryhill Town Council had submitted an official petition of 497 signatures requesting that consideration be given to the creation of a 24 hour taxi rank area within the town.

The review of the existing traffic regulation order also gave consideration of amendments to address obstructive parking on Sadler Street, town centre taxi provision and loading facilities on Darlington Road.

Further amendments to the scheme were made following the initial consultation with affected frontages and all statutory stakeholders which resulted in a formal set of proposals being advertised on 13 August 2018.

A number of objections had been received. The objections were summarised within the report and had been addressed. One objector who owned a business adjacent to the proposed taxi restrictions felt that the restriction should also permit loading/unloading by local business owners. The Strategic Traffic Manager informed the Committee that there was an existing loading only area (6am – 6pm) approximately 20 metres from the objector's premises.

A suggestion to consider the possibility of permitting loading from the taxi area was investigated, however, it was found not to be feasible in this instance.

Another objector, a business owner on Parker Terrace (Darlington Road) felt that the introduction of a loading bay at the location was arbitrary and unnecessary. They commented that the restriction would actually restrict access to the businesses in the affected area. In response, the Strategic Traffic Manager informed the Committee that the request was for the restriction originated from another business in the area as they were struggling to load and unload heavy stock to their premises. Under the circumstances it was considered that the proposed loading bay would be well used and a useful addition.

In terms of the taxi rank people were able to park on the taxi rank on a night but not during the day. The Town Council were of the view that there was ample opportunity for people to park elsewhere during an evening and that taxi provision should be provided for, therefore it was felt appropriate to have taxis available on the rank 24 hours.

Councillor J Shuttleworth informed the Committee that he had spoken to both local members, Councillors Avery and Makepeace who were in agreement with all of the proposals and moved the recommendation. Councillor A Gardner seconded the recommendation.

## **Resolved**

That the Committee endorse the proposal and proceed with the implementation of the Ferryhill Waiting and Parking Restrictions Order 2018, with the final decision to be made by the Corporate Director of Regeneration and Local Services under delegated powers.

## **7 Redhills/Crossgate Area - Parking and Waiting Restrictions**

The Committee considered a report of the Corporate Director of Regeneration and Local Services regarding a number of proposed changes to the Redhills/Crossgate Area Parking and Waiting Restrictions Order 2018 (for copy see file of Minutes).

The Committee were informed that the Council regularly reviewed traffic regulation orders to ensure that the restrictions held within them were relevant and appropriate. The request to review the Redhills and Crossgate area of Neville's Cross, originated from the local members and local residents who felt that a number of issues, namely repeated obstructive parking, visibility and safety issues needed addressing.

An initial informal consultation exercise was undertaken with statutory consultees and directly affected frontages in December 2017 and January 2018. Several objections were received at the time from directly affected properties. The objections received were addressed which resulted in some amended plans being drawn up for consultation. Once again, any objections were addressed and amended plans were issued in March 2018 to all directly affected properties and statutory consultees.

The Committee were informed that following this, a further additional request was received from a local resident asking the Council to give consideration to issues being experienced at the junction of Archers Court and Redhills Lane. Letters and plans were sent out to directly affected properties in August 2018. There were no informal objections and the amendments had support from the Police. The proposals were advertised formally on site and in the local press between 13th September and 5th October 2018.

Four formal objections, all of which originated from St Monica Grove were received. There was support from the Local Councillor who felt that the road safety benefits outweighed the potential issues that could be generated by displacement of vehicles and felt that the scheme was in the best interests of road safety and visibility.

Objections received regarding the displacement of vehicles were regrettable, however, the key point was that the restrictions would stop people parking on a double-bend which was unsafe.

One objector also asked if residents parking permit scheme could be introduced, however, the result of survey work determined that a resident permit parking scheme could not be pursued for St Monica Grove. The council's policy in this regard was that more than 40% of kerbside space had to be occupied by non-residents for over six hours in the survey period and more than 85% of kerbside space occupied by any vehicles during the same six hours. In terms of St Monica Grove 25% of kerbside space was occupied for non-residential vehicles and 35% of kerbside space for any vehicles during the survey period.

Councillor R Ormerod felt there were clear safety reasons to stop people parking in specific locations throughout the estate concerned which was causing real difficulties. Councillor R Ormerod pointed out that the reference to Elm Road in report should read Elm Avenue.

Moved by Councillor J Turnbull, Seconded by Councillor O Milburn and;

### **Resolved**

That the Committee endorse the proposal to proceed with the implementation of the Redhills/Crossgate area Waiting and Parking Restrictions Order with the final decision to be made by the Corporate Director under delegated powers.

## **8 Spennymoor - Parking and Waiting Restrictions Order 2018**

The Committee considered a report of the Corporate Director of Regeneration and Local Services regarding a scheme to:

- introduce and amend parking restrictions on Holborn Street to regulate parking and improve accessibility;
- amend time limited parking bays within the town centre to ensure a consistent time limit; and
- introduce waiting restrictions across the front of Thomas Wright House, Byers Green to aid access and visibility.

(for copy see file of Minutes).

The Strategic Traffic Manager informed the Committee that the scheme would standardise existing traffic regulations throughout Spennymoor Town Centre.

Consultation took place on the 23rd November 2017 and the formal advert was published and displayed in the local media and on site between 5th May 2018 and 26th May 2018.

A number of objections were received which were summarised within the report. The Strategic Traffic Manager informed the Committee that a separate petition had been submitted in relation to objection five of the report. The petition sought the change of use for these bays from disabled bays to unrestricted parking bays.

The Committee were advised that the petition was not part of the initial proposal and had not been consulted upon. Under the circumstances it was felt that it should be considered as a separate matter should the Committee be minded to do so. It was explained that balance needed to be provided in town centres and having centrally located disabled bays were seen as being extremely important in achieving such balance.

There were no objections raised by the statutory consultees and there were no objections received at the formal advertising stage by local businesses or residents. The objections received, except the petition, were all received during the informal consultation phase.

Councillor A Gardner informed the Committee that a lot of work had been carried out by Councillors G Darkes, L Maddison and K Thompson with regard to the proposals put forward.

Referring to the petition received from the Penny Gill Public House, Councillor Gardner explained that the pub was used by many bikers and pointed out that there were five disabled bays to the rear of the Weatherspoon's pub and a further two disabled bays outside of a betting shop, therefore it could be argued that the amount of disabled bays currently located in the area in question were not required.

The Strategic Traffic Manager thanked Councillor Gardner for his comments and reiterated that the petition should be dealt as a separate matter with involvement from the local members and be taken forward in due course.

Councillor J Shuttleworth felt that the restrictions consulted upon appeared sensible and moved the recommendation to endorse the proposals, with the petition to be dealt with at another time. Councillor S Dunn seconded the recommendation.

### **Resolved**

- (i) That the Committee endorse the proposal and proceed with the implementation of the Spennymoor Waiting and Parking Restrictions Order 2018 with the final decision to be made by the Corporate Director under delegated powers; and
- (ii) That the petition received be dealt with as a separate matter.

## **9 Tow Law - Parking and Waiting Restrictions 2018**

The Committee considered a report of the Corporate Director of Regeneration and Local Services regarding a proposal to introduce formal waiting restrictions on the unclassified entrance road to Blessed John Duckett RC Primary School (for copy see file of Minutes).

The Committee were informed that a number of road safety and congestion issues had been raised concerning the traffic around Blessed John Duckett RC Primary School which had been reported to the County Council by the Head teacher of the Primary School. There were currently no parking restrictions outside of the school, which was causing the area to become congested at the start and end of the school day.

The restrictions proposed included a 'no stopping, Monday - Friday, 8am-9am and 2pm-4pm restriction would be installed to the front of the school turning area/car park. A 'No Waiting, Monday – Friday, 8am – 9pm & 2pm – 4pm' restriction would be introduced on both sides of the entrance road from its junction with the B6301 Smith Street to a point immediately to the east of the school car park. The restrictions would ease congestion and improve road safety at the location.

The Committee noted that the carriageway in the area was unadopted and ownership had been researched. The legal status of the road was public footpath but as motor vehicles had been using it for over 20 years, they had claimed a prescribed right of use. The length of public footpath was maintainable at public expense. Therefore as with other areas of unadopted road/path in the County it was possible to install road markings or restrictions provided the Council consulted in line with Statutory Instrument 2489.

A number of objections had been received. The objections were summarised within the report with the common theme of vehicle displacement being of primary concern.

The Strategic Traffic Manager informed the Committee that the restrictions had been proposed to improve road safety and accessibility around the school entrance. There were alternative adjacent unrestricted parking areas which could be utilised by motorists and the objections received regarding the unadopted road had been addressed.

Councillor A Gardner explained that people did not want to walk a very short distance, preferring to park vehicles and cause the issues being experienced. Councillor Gardner was concerned about displacement of vehicles, particularly, displacement to the cul-de-sac to the rear, which appeared to be the next closest point to park. Councillor Gardner felt that if the restrictions were introduced, it would generate complaints from local residents in other areas.

The Strategic Traffic Manager explained that the restrictions could cause potential inconveniences for other residents, which would have to be monitored. However, there were many suitable alternatives for people to park further away.

Councillor J Shuttleworth felt that the safety of the school children was of paramount importance and fully supported the request by the school and in doing so, moved the recommendation.

Councillor J Turnbull accepted that the restrictions were needed outside the school in terms of safety and was supportive of the proposal providing that enforcement would take place, otherwise the scheme would be a waste of money.

**Resolved**

That the Committee endorse the proposal and proceed with the implementation of the Tow Law Waiting and Parking Restrictions Order 2018 with the final decision to be made by the Corporate Director under delegated powers.

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## **DURHAM COUNTY COUNCIL**

At a Special Meeting of **Highways Committee** held in The Dales Conference Room, Enterprise House, Harmire Enterprise Park, Barnard Castle, Co Durham DL12 8XT on **Friday 23 November 2018 at 11.30 a.m.**

**Present:**

**Councillor C Kay in the Chair**

**Members of the Committee:**

Councillors G Bleasdale, J Considine, A Gardner, K Hopper, S Hugill, K Liddell, S Morrison (Vice-Chairman), J Rowlandson, P Sexton, J Shuttleworth, J Turnbull and M Wilson

### **1 Apologies for Absence**

Apologies for absence were received from Councillors D Bell, D Hicks, O Milburn, R Ormerod and A Simpson.

### **2 Substitute Members**

There were no substitute Members.

### **3 Declarations of Interest**

Councillor J Rowlandson declared an interest in the item of business under consideration relating to the creation of a new Bridleway and Public Footpath. He was a member of the Town Area Action Partnership which had funded works to the former railway line. The Member left the meeting during deliberations and took no part in the decision.

### **4 Public Footpaths No. 10 Barnard Castle Parish and No. 21 Marwood Parish and new Bridleway and Footpath Streatlam and Stainton, Marwood and Barnard Castle Parishes**

The Committee considered a joint report of the Corporate Director of Regeneration and Local Services and the Head of Legal and Democratic Services regarding an application to divert Public Footpath No. 10 Barnard Castle and No. 21 Marwood, and a proposal to create a new Public Bridleway and a new Public Footpath (for copy see file of Minutes).

Members were informed by the Rights of Way Team Leader that the proposal to create a new Public Bridleway would connect the final section of the former Barnard Castle to Bishop Auckland railway line from Dent Gate Lane through to Strathmore Road. It would also create a new public footpath to connect the new Bridleway with Public Footpath No. 4 Streatlam and Stainton Parish.

An application to divert Public Footpath No. 10 and Public Footpath No. 21 Marwood had been made following discussions with the managers of Teesdale School who were concerned that the presence of a footpath between the school buildings created security and pupil safeguarding issues, and prevented the secure enclosure of the school grounds.

The Access and Rights of Way Team Leader explained that the Committee had undertaken a site visit prior to the meeting.

The Legal Framework was outlined to the Committee. For the information of the members of the public in attendance the Officer outlined the legal process for making a Diversion Order and Creation Order, should the Committee resolve that the Orders be made. Members of the public were concerned that that they were unable to make formal representation, and were advised that Orders must be published and the public would have an opportunity at that point to do so.

Objections to the proposals had been received from the Open Spaces Society, Barnard Castle Ramblers and Barnard Castle Town Council, which were included in the report. Jo Bird, Open Spaces Society who was also representing the Ramblers had advised that she was unable to attend the meeting and the Committee was asked to take into account the written representations of those groups.

Councillor Rowlandson addressed the Committee as a local Member and advised that he was in support of the proposals for a new Public Bridleway and Footpath which would create a circular route. With regard to the proposed diversion of Public Footpaths No. 10 and No. 21 he understood that this was an issue for local residents. The footpath along the A688 was narrow but was already used by children to walk to school and there was a wider footpath on the opposite side of the road. He considered the safety of pupils at Teesdale School to be important and was in support of enclosing the school for their security.

A statement from local Member Councillor R Bell was read out as follows: 'As a member of the AAP we have been trying to open up the railway line as an official footpath/bridleway for some time. It is well-used unofficially already. Closing the path through the school will, it is true, inconvenience some people but given the school's problems with dog fouling and security generally it is hard to argue against it'.

Town Councillor Harrison spoke on behalf of Barnard Castle Town Council which objected to the proposal to divert Public Footpaths No.10 and No. 21. The Town Council considered that the proposals should be discussed at a public meeting to allow the public to give their views, but was satisfied that this Committee meeting satisfied that request. The Town Council was of the view that proposals failed the statutory tests under Section 119 of the Highways Act 1980, in that the route would be substantially less convenient to the public and would be a significant diversion from the existing path. Whilst he appreciated that the interests of the landowner were a consideration, the proposals would have a detrimental effect on the enjoyment of the public of the path as a whole.

Dr Gorch, Deputy CEO North East Learning Trust and Executive Headteacher addressed the Committee on behalf of Teesdale School. All staff were concerned about the safety of pupils using the footpath which cut through the school grounds and left them open to danger. If it was not for the vigilance of staff, the procedures the school had in

place and the assistance of the police, these dangers may not be averted. The whole school must be enclosed. Dr Gorch referred to concerns from pupils who had said that they felt anxious, unsafe and that they were being watched. A Senior HMI Inspector had undertaken a safeguarding review on 11 November 2018 which identified the footpath as being a risk and left the school vulnerable to incidents. Managers and the Trust were rightly exploring enclosure of the school. Access to the fields had been prevented during the summer leave to prevent a real risk of danger. The school was built 60 years ago at which time it would have been fit for purpose but this was not the case now. The grounds remained a constant worry and enclosing the school was a significant factor in contributing to the safety of pupils.

Mr Crosby, Estates Manager for the North East Learning Trust referred to the impact of the proposals on access to the Leisure Centre. Proposals to secure the school site by fencing would close the step-off access to the Centre, which is not part of the public footpath, and would divert users further along the route to access the building, and he made the point that the closure of the current step-off to the Leisure Centre would move walkers further down the Public Right of Way even if the Order was not confirmed.

At this point Councillor Rowlandson left the meeting.

The Access and Rights of Way Team Leader responded to the concerns raised about access to the Leisure Centre, and advised that in preliminary discussions with Mr Crosby, the potential for the current route to be made available to the public on a permissive basis out of school hours had been considered. This would allow the public to use the shortest route to the Leisure Centre, with permissive access at the school's discretion.

Members discussed the proposals. Councillor Sexton stated that the footpath alongside the A688 was of concern. Although he accepted that children already used the path to walk to school from Stainton, he was concerned about the safety of older or less-abled people. He was sorry that the school was experiencing problems and understood the need for security but noted that no evidence had been submitted to support that incidents had occurred. The proposed route was not only inconvenient but dangerous. The Member questioned if security was an issue for the school when the gates had been open that morning on their visit.

Councillor Shuttleworth also expressed concern about the safety of the footpath alongside the A688 which he considered was an accident waiting to happen. He understood the need for security measures in City Centre schools but would not expect it to be an issue in this location.

Mr Anderson, Highways Officer advised that a Highways Inspector had made regular visits to the location at different times of the day to establish usage of the footpath. This type of footpath was not unusual across the County. It was not a heavily trafficked path and he would not expect footfall to increase to such an extent that it would be deemed unsafe. There was also a wider footpath on the other side of the road.

Councillor Gardner also expressed his concerns about the footpath. The path was narrow and would not be suitable for use by double-buggies for example. He had also seen on the site visit that cars moved over towards the opposite lane to avoid pedestrians, which was dangerous. The Councillor had also noted on the visit that the main gate was open and

therefore asked if security was the main reason for the application. The Member considered that the access from The Hub was no worse than the access around the other side of the site. The difficulty was the length of the route from the school gate to the Leisure Centre; he questioned if the public would want this route cut off during the school year. He concluded that he was in support of the new Bridleway and Public Footpath but could not support the proposed diversion.

Councillor Hopper asked if the Governing Body of the school had on record the security issues and if provision had been made in the School's Management Plan.

Dr Gorchach responded that the security of the school was constantly under review. She confirmed that incidents were recorded and the police kept informed.

Councillor Turnbull asked if there was a stipulated width for a footpath. Mr Anderson explained that the minimum width was 1m, the standard width being 1.8m. If this footway was located in Galgate, the busier part of the town where footfall was higher, it would not be considered safe, but given the location and the availability of a footway on the opposite side, the footway width was deemed to be acceptable.

At this point, the Chairman invited a member of the public to speak, who had indicated that he wished to do so at the start of the meeting. The member of the public stated that the Councillors had addressed his concerns and he had nothing further to ask.

Councillor Shuttleworth moved that the Creation Order for a new Bridleway and new Public footpath as outlined in the report be made, but that the proposed diversion of Public Footpaths No. 10 Barnard Castle and No. 21 Marwood be refused. This was seconded by Councillor Gardner.

Upon a vote being taken it was **Resolved:**

That

- a) the making of a Diversion and Definitive Map and Statement Modification Order under Section 119 of the Highways Act 1980 for Public Footpaths Nos. 10 Barnard Castle and 21 Marwood be refused on the grounds that the proposals did not meet the statutory criteria set out in the Act The diversion route was substantially less convenient for the public and would have a negative impact upon the public's enjoyment of the path as a whole. In addition the section of the diversion route alongside the A688 was unsafe for footpath users.
- b) The making of a Creation and Definitive Map Modification Order under the provisions of Section 26 of the Highways Act 1980 for Public Bridleways Nos. 34 Marwood, 13 Streatlam and Stainton and 18 Barnard Castle, and Public Footpath No. 4a Streatlam and Stainton, be agreed. The Order shall subsequently be either confirmed or referred to the Secretary of State for determination.

## **5 Any Other Business**

### **Barnard Castle HGV Action Group**

The Chairman invited Mr P Hunt of Barnard Castle HGV Action Group to address the Committee to highlight problems caused by HGVs travelling through the centre of the town. Mr Hunt advised that the Group was set up 2-3 years ago to consider solutions to problems of damage, traffic noise, pollution and gridlock caused by HGVs travelling through the town centre and market place, the only route between the town and the A66.

The Group's objectives included a relief road with weight limit in the town centre which had been included in the County Durham Plan, however this was a long-term solution, and short term measures were being explored. The Group hoped that a permit scheme could be introduced in the town on a trial basis and were in discussions with Durham County Council on this, but also requested that the stop line at the traffic lights at Abbey Bridge be moved back 5m to help HGVs negotiate this single lane bridge more easily. This was a measure that could be implemented quickly.

#### **Resolved:**

That the information be received.

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1 March 2019

**Bishop Auckland – Parking & Waiting  
Restrictions Order 2019**



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**Ian Thompson Corporate Director of Regeneration and Economic  
Development.**

**Councillor Carl Marshall, Cabinet Portfolio Holder for Regeneration  
and Economic Development.**

**Electoral division(s) affected:**

Bishop Auckland Town.

**Purpose of the Report**

- 1 In accordance with part 3A of the Council's Constitution, Members are asked to make a decision in principle only which will then guide the Corporate Director in the exercise of delegated decision making. The final decision is therefore one for the Corporate Director, under delegated powers.
- 2 To advise Members of objections received to the consultation concerning changes to the traffic regulation order in Bishop Auckland.
- 3 To request that members consider the objections made during the informal and formal consultation period.

**Executive summary**

**1 Rear of the Newgate Centre, Tenters Street.**

A request was received to introduce a loading only area in a bid to address obstructive parking and improve access for HGV's to the rear of the Newgate Centre. There is support from the local County Councillors, the Town Council and Durham Constabulary. There have been six objections to the proposals.

## **2 Durham Road**

A request was received from Durham Constabulary to introduce formal restrictions to address obstructive parking, improve visibility and safety issues. There is support from Durham Constabulary and the Local County Councillors. There have been two objections to the proposals.

## **3 Gib Chare/Durham Chare**

A request was received from a Local County Councillor in a bid to address obstructive parking and improve pedestrian access to Castle Chare where the historical fountain and pedestrian routes are. There is support from the Local County Councillor and Durham Constabulary. There is one objections to the proposals.

### **Recommendation(s)**

Committee is recommended to:

- (a) Endorse the proposal and proceed with the implementation of the Bishop Auckland: Waiting and Parking Restrictions Order. With the final decision to be made by the Corporate Director under delegated powers.

## Background

- 1 Within Civil parking Enforcement operational guidance the County Council are committed to regularly reviewing traffic regulation orders to ensure that the restrictions held within them are relevant and appropriate.
- 2 Requests were received to address ongoing obstructive parking, visibility and safety issues within various areas across the Bishop Auckland area.

### 3 **Locations and Request Details:**

- Rear of the Newgate Centre, Tenters Street – A request was made by the manager of the Newgate Centre in a bid to address obstructive parking and improve access to the loading area for HGV's to the rear of the Newgate Centre. There is support from the Local County Councillors and Durham Constabulary.
- Durham Road – A request was received from Durham Constabulary in a bid to address obstructive parking, improve visibility and safety concerns. There is support from Durham Constabulary and the Local County Councillors.
- Escomb Road – Several requests were received from local residents in a bid to address the current permit parking and to make some alterations of the timings and to extend the restrictions. There is support from Durham Constabulary and the Local County Councillors.
- High Bondgate – Several requests were received to introduce permit parking. Surveys were conducted and the area met the criteria required to introduce the restrictions. There is support from Durham Constabulary and the Local County Councillors.
- Gib Chare/ Durham Chare – A request was received from a Local County Councillor in a bid to address obstructive parking and improve pedestrian access to Castle Chare where the historical fountain and pedestrian routes are. There is support from the Local County Councillor and Durham Constabulary.

### 4 **Proposed Restrictions and Locations Detailed:**

#### 'No Waiting at Any Time' restrictions

- Durham Road

#### 'Permit Parking' restrictions

- Escomb Road

- High Bondgate

'No Waiting and No Loading/Unloading at any time' restrictions

- Gib Chare/ Durham Chare

Loading/Unloading only area

- Rear of the Newgate Centre, Tenters Street

'Limited Waiting' parking bays - Mon-Sat 8am-6pm 30mins no return within 1hr

- Rear of the Newgate Centre, Tenters Street

'Disabled badge holders only' restricted bay – 3 hr limit no return within 1 hr

- Rear of the Newgate Centre, Tenters Street

Restricted parking bays – 'No Stopping at any time except Taxis'

- Rear of the Newgate Centre, Tenters Street

- 5 The initial consultation exercise was undertaken with statutory consultees and directly affected frontages for The Newgate Centre, Tenters Street September 2018 and October 2018.

There were five objections received at this point from directly affected frontages. Support was received from Durham Constabulary, Local County Councillors, the Town Council and the manager of The Newgate Centre. A decision was made to progress with the TRO (Traffic Regulation Order) and move to the formal consultation stage.

- 6 Following this, additional requests were received for Durham Road, Escomb Road, High Bondgate, and Gib Chare/ Durham Chare. A survey was conducted for High Bondgate to determine if the area was suitable for permit parking and it met the relevant criteria.

An informal consultation exercise was undertaken with statutory consultees and directly affected frontages in October 2018. Support was received from Durham Constabulary, the Town Council and the Local County Councillors.

Two objections were received from Durham Road and one objection from Gib Chare/ Durham Chare from directly affected frontages. A decision was made to progress to the formal consultation stage.

- 7 The proposals were advertised formally on site and in the local press between 15<sup>th</sup> December 2018 – 7<sup>th</sup> January 2019. There was one formal objection from the Newgate Centre, Tenters Street. There was support from the Local County Councillors and Town Council.

## **8 Objections – Rear of the Newgate Centre, Tenters Street**

Informal

- 1 response in favour of the proposals
- 5 responses against the proposals

Formal

- 1 response against the proposals

### Objection 1, 2, 3, 4 and 5 (Objected at the informal consultation stage)

Objector 1 is a local business owner from Newgate Street. They state that the area is good for work colleagues and customers to park.

Objector 2 is a local business owner from the Newgate Centre. They state there is no free parking for staff members of local businesses.

Objector 3 is a local business owner from Newgate Street. They state that businesses should be allowed permits to park vehicles. They also own a flat above their shop and tenants require a space to park.

Objector 4 is a local business owner of Newgate Street. They state that their colleagues require access to rear of premises.

Objector 5 is a local business owner of the Newgate Centre. They state that the proposals will create less of a footfall in the shopping centre.

### Objection 6 (Objected at the formal consultation stage)

Objector 6 is a local business owner of Newgate Street. They state they require parking outside of their business for staff parking and wish for two parking permits.

### Response

The proposed restrictions are to enable current and potential new businesses to have access to the loading area of the Newgate Centre. The area is currently unrestricted and this means vehicles often parked and are blocking access to the loading area. Some vehicles are believed to be owned by staff commuting to work who leave their vehicles in this location for the full duration of the day.

Also included within the proposals are limited waiting parking bays to allow customers to park and use the local businesses, a disabled bay and taxi only parking bays.

Vehicles blocking access to the loading area have a detrimental effect on the businesses within the Newgate Centre and Newgate Street. This could also deter potential new businesses from taking residence within the area.

Alternative parking is available in the surrounding area as well as the Newgate Centre car park and car parks on North Bondgate, Tenters Street and Kingsway.

## **9 Objections – Durham Road**

Informal

- 21 responses in favour of the proposals
- 2 responses against the proposals

Formal

- No formal objections received

### Objection 1 (Objected at the informal consultation stage)

The objector is a local resident. They state that having no waiting at any time restriction on both sides of Durham Road makes no sense and will cause inconvenience with no benefit. They state that restrictions should only be installed on the north side of the carriageway.

### Response

Durham Constabulary requested the restrictions to improve road safety, visibility and reduce obstructive parking as vehicles currently park on the unrestricted sections of Durham Road forcing overtaking vehicles to cross the solid white lines.

The no waiting at any time restrictions will reduce the need to undertake this manoeuvre. The restrictions are required on both sides of the carriageway to ensure vehicles are not forced across the solid white lines.

### Objection 2 (Objected at the informal consultation stage)

The objector is a local resident. They state that the problem is near the dip (Durham Chare area) with speeding vehicles.

### Response

The aim for the proposal are to improve road safety with regards to parked vehicles on Durham Road as per the request from Durham Constabulary.

Speed issue should be reported via the Durham Constabulary's local Police and Communities Together (PACT) meetings. Details of the meetings taking

place can be found online or by telephoning Durham Constabulary on their non-emergency telephone number 101.

## **10 Objections – Gib Chare/ Durham Chare**

Informal

- 1 response in favour of the proposals
- 1 response against the proposals

Formal

- No formal objections received

### **Objection 1 (Objected at the informal consultation stage)**

The Objector is a local resident and owns a property on Durham Chare. They state that the proposals will restrict six cars from parking and force them into the Willows and the Dell. They say they would not object if residential permit parking was to be introduced.

There has also been a petition from local residents requesting residential permit parking.

### **Response**

The proposals were requested by a local County Councillor in a bid to address obstructive parking and improve pedestrian access to Castle Chare where the historical fountain and pedestrian routes are located.

Alternative unrestricted parking is available in the surrounding area.

It has been explained to the objector that once the restrictions are introduced a survey will be conducted to determine if residential permit parking for the Willows and the Dell meet the criteria. This should ideally be carried out once a decision is made with regards to the new proposals as it will give a true representation of the parking situation going forward.

## **11 Locations with No Objections**

- Escomb Road – 14 responses in favour, 0 against
- High Bondgate – 7 responses in favour, 0 against

## **Conclusion**

12. It is recommended that the Committee agree to endorse the proposal and proceed with the implementation of the Bishop Auckland: Waiting and Parking Restrictions Order. With the final decision to be made by the Corporate Director under delegated powers.

## **Background papers**

Correspondence and documentation in Traffic Office File

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IMPLEMENTATION\Proposed 01 Layout\Settlement\Bishop Auckland\Traffic  
Regulation Orders (Parking Restrictions)\2018 Sept

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**Contact: Peter Broxton**

**Tel. 03000 263 986**

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## **Appendix 1: Implications**

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### **Legal Implications**

All orders have been advertised by the County Council as highway authority and will be made in accordance with legislative requirements.

### **Finance**

LTP Budget.

### **Consultation**

Is in accordance with SI:2489.

### **Equality and Diversity / Public Sector Equality Duty**

It is considered that there are no Equality and Diversity issues to be addressed.

### **Human Rights**

No impact on human rights.

### **Crime and Disorder**

This TRO will allow effective management of traffic to reduce congestion and improve road safety.

### **Staffing**

Carried out by Strategic Traffic.

### **Accommodation**

No impact.

### **Risk**

Not Applicable.

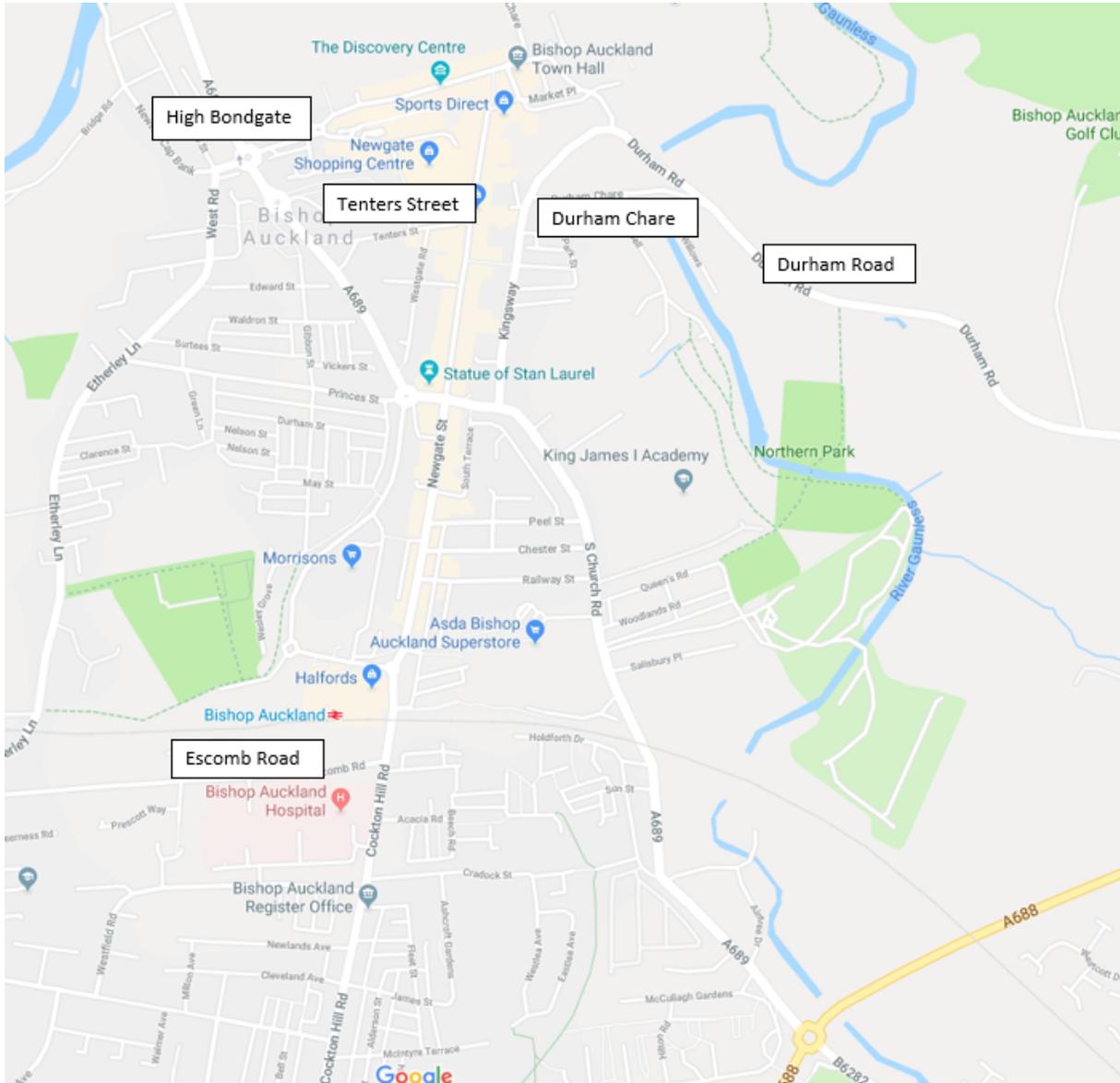
### **Procurement**

Operations, DCC.

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## Appendix 2: Location of Proposals

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1 March 2019

**Durham City North East – Parking & Waiting Restrictions Order 2019**



**Ian Thompson Corporate Director of Regeneration and Economic Development.**

**Councillor Carl Marshall, Cabinet Portfolio Holder for Regeneration and Economic Development.**

**Electoral division(s) affected:**

Elvet and Gilesgate.

**Purpose of the Report**

- 1 In accordance with part 3A of the Council's Constitution, Members are asked to make a decision in principle only which will then guide the Corporate Director in the exercise of delegated decision making. The final decision is therefore one for the Corporate Director, under delegated powers.
- 2 To advise Members of objections received to the consultation concerning changes to the traffic regulation order in Durham City North East.
- 3 To request that members consider the objections made during the informal and formal consultation period.

**Executive summary**

- a) Gilesgate and St Giles Close

Requests were received to introduce permit parking in a bid to address obstructive parking and improve parking availability for residents. There is support from both local County Councillors and Durham Constabulary. However there have been seven objections to the proposals.

**Recommendation(s)**

Committee is recommended to:

- (a) Agree to endorse the proposal and proceed with the implementation of the 'Durham City North East: Waiting and Parking Restrictions Order'. With the final decision to be made by the Corporate Director under delegated powers.

## Background

- 1 The County Council are committed to regularly reviewing traffic regulation orders to ensure that the restrictions held within them are relevant and appropriate.
- 2 Requests were received from Fowlers Yard working group and local residents to address ongoing obstructive parking, visibility and safety issues. The Scheme is part of a wider TRO covering the Elvet and Gilesgate area.

### 3 **Locations and Request Detailed:**

- Fowlers Yard – A request was received from the Fowlers Yard working group to address obstructive parking and improve the loading and unloading facilities. There was support from Durham Constabulary and a Local County Councillor.
- Gilesgate and St Giles Close – Requests were received from local residents in a bid to address long stay commuter parking in the area. There is support from Durham Constabulary and a Local County Councillor.

### 4 **Amend Existing Restrictions and Locations Detailed:**

From 'No Waiting at Any Time' To 'No Waiting and no loading/unloading at Any Time' restrictions

- Fowlers Yard

### 5 **Proposed Restrictions and Locations Detailed:**

Loading/Unloading only area

- Fowlers Yard

'Permit Parking' restrictions

- Gilesgate
- St Giles Close

### Gilesgate and St Giles Close

- 6 Requests were received from local residents of Gilesgate and St Giles Close to introduce 'permit parking'. A survey was conducted to determine if the area was suitable for permit parking and the relevant criteria was met.
- 7 The initial consultation exercise was undertaken with statutory consultees and directly affected frontages for Gilesgate and St Giles Close in May 2018.

There were seven objections received at this stage from directly affected frontages. Support was received from Durham Constabulary and a Local County Councillor. A decision was made to progress with the TRO (Traffic Regulation Order) and move to the formal consultation stage.

### Fowlers Yard

- 8 Following this, an additional request was received from Fowlers Yard working group to address obstructive parking and improve access for loading/unloading in the area.

A consultation exercise was undertaken with statutory consultees and directly affected frontages in September 2018 and October 2018. Support was received from Durham Constabulary and Local County Councillors.

No objections were received from directly affected frontages. A decision was made to progress to the formal consultation stage.

### Formal Consultation

- 9 The proposals were advertised formally on site and in the local press between 20<sup>th</sup> December 2018 – 14<sup>th</sup> January 2019. There was one formal objection from Gilesgate and St Giles Close Proposals. There was support from the Local County Councillor and Durham Constabulary.

## **10 Objections – Gilesgate and St Giles Close**

### Informal

- 26 response in favour of the proposals
- 6 responses against the proposals

### Formal

- 1 response against the proposals

### 6 Objections (Objected at the informal consultation stage)

Objector 1 is a local resident and states it does not currently cause any problems and adds unnecessary complications and expense.

Objector 2 is a local resident and states they feel the proposals will cause more problems than it will solve.

Objector 3 is a local resident and owner of two properties that they rent out as holiday homes. They state the proposals will not solve the problem of long term student parking as they will be eligible for a permit.

Objector 4 is a local resident. They state they do not see a major problem with parking on Gilesgate, and permits would be extra hassle and expense.

Objector 5 is a local resident. They states it would push the problems to the cul-de-sac and St Giles Close. 2-3 permits per household would be total chaos. Leave it alone.

Objector 6 is a local resident who returned a ballot card (voting card issued to residents during the informal consultation along with a cover letter and proposal plans) in favour of the proposals, however a letter was received with an objection stating that the voting system was biased and unfair. They feel 75% of votes is excessive, there is no provision on ballot card for a neutral, cards not returned are deemed as a vote against, 3 permits per household is excessive and believe the ballot is what you would expect from a third world dictatorship rather than DCC let alone the United Kingdom.

#### Objection 7 (Objected at the formal consultation stage)

Objector 7 is a local resident and owner of two properties that they rent out as holiday homes. They have objected at the informal consultation stage also. They state they believe there is no current parking issues, they do not want to pay for permits for their holiday homes. Main issue is with students leaving vehicles for long periods often not near houses they rent. They want DCC to speak with Universities to get students not to bring vehicles to the city.

#### Response

The proposed restrictions are intended to improve the parking availability for residents of Gilesgate and St Giles Close. The area is at present unrestricted meaning vehicles can be parked at this location without time limit. Some vehicles are believed to be staff commuting to work or students who leave their vehicles in this location for the full duration of the day.

Within the proposals there are times that only residents with permits will be able to park their vehicles, reducing the amount of all day parking in this location.

The majority of residents have replied in favour of the scheme with 26 responses in favour and a total of 7 against.

Durham County Council's parking policy states that the restrictions are only implemented if 75% or more residents affected are in favour of the scheme.

The permit area will be installed as a Controlled Parking Area (CPA) allowing residents to have up to 3 permits per household if they do not have off street parking available. However this does not mean all properties will opt to purchase all three permits.

Residents who rent out properties, or who have vehicles parked in the area infrequently can purchase resident visitor permits (scratch cards).

Alternative parking is available within the city (park and ride, pay and display and private car parking areas) for commuters and non-permit holders.

## **11 Locations with No Objections**

Fowlers Yard – 2 responses in favour, 0 against

### **Options (if appropriate)**

- (a) None

### **Main implications**

- (a) None

### **Conclusion**

- (a) It is recommended that Members agree to endorse the proposal and proceed with the implementation of the Durham City North East: Waiting and Parking Restrictions Order. With the final decision to be made by the Corporate Director under delegated powers.

### **Background papers**

- (a) Correspondence and documentation in Traffic Office File

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### **Other useful documents**

- (a) None

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**Contact: Peter Broxton**

**Tel: 03000 263986**

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## **Appendix 1: Implications**

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### **Legal Implications**

All orders have been advertised by the County Council as highway authority and will be made in accordance with legislative requirements.

### **Finance**

LTP Budget.

### **Consultation**

Is in accordance with SI:2489.

### **Equality and Diversity / Public Sector Equality Duty**

It is considered that there are no Equality and Diversity issues to be addressed.

### **Human Rights**

No impact on human rights.

### **Crime and Disorder**

This TRO will allow effective management of traffic to reduce congestion and improve road safety.

### **Staffing**

Carried out by Strategic Traffic.

### **Accommodation**

No impact.

### **Risk**

Not Applicable.

### **Procurement**

Operations, DCC.

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