

Delegated Decision

November 2022

Chester-Le-Street & Birtley

Parking & Waiting Restrictions Amendment Order

Ordinary Decision/Key Decision No.



Report of Corporate Management Team

Amy Harhoff Corporate Director of Regeneration, Economy & Growth

Electoral division(s) affected:

Chester-Le-Street North, Chester-Le-Street East & Chester-Le-Street West Central

Purpose of the Report

Set aside objections and the making of the Traffic Regulation Order (TRO) following the Highways Committee conducted on 10th November 2022 to introduce parking and waiting restrictions in Chester-Le-Street.

Executive summary

The County Council are committed to regularly reviewing Traffic Regulation Orders to ensure that the restrictions held within them are relevant and appropriate.

Representations have been received requesting a review of existing, and provision of additional, restrictions in Chester-Le-Street.

Having considered these requests, Officers have determined that the changes listed below would be of benefit in terms of improving road safety and reducing congestion. It is therefore proposed to amend the current Chester-Le-Street & Birtley Parking & Waiting Restrictions Order to allow the identified changes to be implemented.

All Local Member and Durham Constabulary have been consulted.

Consultation Period:

	From	To
Statutory Consultees	04.02.22	25.02.22
Informal Consultation	29.03.22	20.04.22
Formal Consultation	22.09.22	13.10.22

The TRO has received 9 expressions in favour and 13 objections.

The objections were considered by Highway's Committee on 10th November 2022. Committee Voted unanimously to set aside these objections and endorse the proposed TRO. With the final decision to be made by the Corporate Director under delegated powers.

Recommendation

Set aside objections and make TRO.

Proposals, Objections & Responses

Location 1 – Bullion Lane (to introduce no waiting at any time restrictions)

Proposal Background

Bullion Lane is located within Chester-Le-Street's West-Central ward. It is located adjacent to Chester-Le-Street train station and forms a crossroad junction with South Approach. As a result of this, the area can be heavily trafficked at certain times of the day.

On the south-eastern corner of the crossroads, the existing council yard has been demolished and housing is currently being constructed. At the planning stage, the County Council's planning department have anticipated an increase in vehicle occupancy associated with the new development. They believe that this will lead to obstructive parking which will restrict traffic flow around the crossroads. Planning Conditions require an appropriate scheme be introduced to address these concerns before full development of the site can be completed.

It is therefore proposed to introduce 'no waiting at any time' restrictions on South Approach leading into Bullion Lane on both sides, to prevent obstructive parking and reduce congestion.

Informal Consultation:

Total Properties balloted	Number in favour	Number opposed
2	1	1

Formal Consultation:

Consultation dates	Expressions in favour	Expressions against
18.08.22 – 08.09.22	0	0

Summarised objections & responses:

Objections:

1 property objected to this proposal after the closure of the informal consultation period, the reasons for their objection has been summarised below:

- “I have read the most recent plans, and I am both upset and disappointed to learn that the plans include intentions to put double yellow lines outside/adjacent to my home.”
- “It has been brought to my attention (via a neighbour) that the parking opposite my home will now be permit only.”
- “I feel we are being penalised and in turn, being made to pay for permits to allow our second vehicles and any visitors to park outside our home.”

DCC Response:

- There is concern that the increase in residential properties, and with it the influx of additional vehicles, will lead to increased levels of obstructive parking around the crossroads of Bullion Lane and South Approach.
- This level of obstructive parking would restrict traffic flow and visibility for all approaching users; therefore, restrictions have been proposed in locations where there are legitimate concerns for road safety.

- Whilst there are already existing permit holder only restrictions adjacent to No.'s 2-18 Bullion Terrace, which have been in place since 2016, there are no further proposals to introduce any additional permit restrictions on Bullion Lane.

Location 2 – Edward Street (to extend existing restricted waiting, 8am-5pm, restrictions)

Proposal Background

Edward Street is located to the west of Chester-Le-Street’s heavily commercialised Front Street. There are existing ‘restricted waiting, 8am-5pm’ restrictions either side of its junction with Clarence Terrace which look to improve visibility for all road users approaching this junction.

We have received reports from local residents, supported by the local elected member, that vehicles accessing the local facilities are parking obstructively around this junction and the existing markings do not extend far enough into Edward Street to maintain a running lane of traffic.

It is therefore proposed to extend these existing restrictions either side of Edward Street to prevent obstructive parking and improve visibility and traffic flow for approaching road users.

Informal Consultation:

Total Properties balloted	Number in favour	Number opposed
4	1	1

Formal Consultation:

Consultation dates	Expressions in favour	Expressions against
18.08.22 – 08.09.22	0	1

Summarised objections & responses:

Objections:

1 property has objected to this proposal at both the initial and formal consultation stage, the reasons for these objections have been summarised below:

- “This idea you’re proposing is isolating tenants and furthermore limit them to a parking space.”
- “I’d be in favour of a permit scheme, as people parking here don’t live here at all.”

DCC Response:

- We have received numerous reports over recent years concerning the limited access/egress around the junction from Edward Street into Clarence Terrace as a result of Obstructive parking. This has led to a reduction in visibility for approaching traffic and limited access for larger vehicles to manoeuvre which does pose significant concern for road safety.
- It has been highlighted to us on a number of occasions that Edward Street is stretched in accommodating on-street parking on both sides and whilst we have received a number of requests to restrict parking for the full extent of one side Edward Street, it is evident that the perceived benefits in reducing obstructive parking would not outweigh the significant parking displacement.
- The proposals of extending ‘restricted waiting, 8am-5pm’ restrictions around the immediate junction will prevent commuter vehicles from parking in this location whilst maintaining resident on-street parking on an evening.
- The extension of these restrictions, on the northern side of the road, by an additional gable end to Albert Street will ensure there is a constant running lane of traffic when vehicles are approaching the junction for access/egress.
- Initial requests for a permit parking scheme must be accompanied by support from at least 25% of the households in the street and supported by the local Councillors or is raised by the local Councillor on behalf of the residents.

Location 3 – Elmway (to introduce no waiting at any time restrictions)

Proposal Background

Elmway is located to the north-west of Chester-Le-Street. It is accessed via its junction with Pelton Lane. Elmway is a narrow residential street which acts as an access road to a larger network of residential estates.

Officers from Durham County Council’s Traffic Section attended a site meeting in May 2021 with representatives of Durham Constabulary, Councillor Tracie Smith and local residents to identify areas of significant road safety concern.

It was noted that vehicles parking around the Elmway access road, particularly around its junction with Hollycrest, restricted visibility and accessibility for all approaching road users. Advisory markings were initially placed here to deter obstructive parking but they have had a limited effect.

It is therefore proposed to formalise the existing markings as ‘no waiting at any time’ restrictions to further prevent obstructive parking and improve traffic flow.

Informal Consultation:

Total Properties balloted	Number in favour	Number opposed
4	1	1

Formal Consultation:

Consultation dates	Expressions in favour	Expressions against
18.08.22 – 08.09.22	0	2

Summarised objections & responses:

Objections:

3 local residents have objected to this proposal, the reasons for these objections have been summarised below:

- “I am disabled and cannot park outside of my home now. I find it hard to walk any distance.”
- “Where would visitors to these flats park? What these signs would do is isolate the residents of the Elmway flats.”
- “Enforcing ‘no waiting at any time’ will only move the problem elsewhere.”
- “DCC should invest the money in this to solve the issue altogether and help bring the estate in line with the times.”
- “The residents in general agree that the bend in question is a problem and do not object to the action being taken but feel that the left side of the bend as you go in to Elmway is unnecessary long and should be in line with the length on the right-hand side.”

DCC Response:

- It was highlighted that when vehicles park either side of Elmway, immediately and leading up to the junction with Hollycrest, visibility is restricted for all approaching road users. This has resulted in a number of head-to-head confrontations with vehicles.
- Advisory white markings were introduced here as an immediate measure to address obstructive parking, although unfortunately they have had limited impact in reducing the identified road safety concerns.
- Restrictions are proposed for the current extent of the existing keep clear markings only and whilst they prevent parking, vehicles are permitted to load/unload from these restrictions for as long as necessary.
- These restrictions also permit any vehicle displaying a valid blue badge to park over them (provided they are not parked in a manner which causes obstruction) for up to 3 hours. Residents with a blue badge/disability requirements will therefore be permitted to park on these restrictions until a more suitable parking space becomes available.

- Away from these restrictions, vehicles are permitted to park anywhere on the adopted highway providing their vehicle is taxed, tested and parked in a non-obstructive manner.
- Durham County Council's Highway's department are currently working with Councillor Tracie Smith to budget an extension within the existing car park to the rear of 145-155 Elmway. If successful, this will improve the off-street parking availability for local residents.

Location 3, Elmway, was removed from this amendment order at Members request and will be re-visited following a further member site meeting.

Location 4 – Front Street (to amend existing restricted bay restrictions)

Proposal Background

Front street is the heart of Chester-Le-Street's commercialised town centre. At the southern end of Front Street there are currently formalised 'no waiting at any time excepts taxis 6pm-6am' restrictions to support the increased hospitality/food and beverage industry presence.

Whilst the current restrictions do not allow vehicles other than taxis to park in the designated bays, they do permit any vehicle to load/unload for as long as required. In accordance with this type of restriction, civil enforcement officers typically allow a 5-minute observation period for loading/unloading prior to issuing a penalty charge notice.

It has been reported via local members, Councillors Karen Fantarrow and Bill Moist, that vehicles have begun to abuse the current restrictions on an evening. This has led to the displacement of taxis who have begun queueing north into Front Street. It has been noted that the increased travel distance between the bars/restaurants and available taxis has subsequently led to increased antisocial behaviour in the area.

It is therefore proposed to amend the current 'no waiting' element of the existing restriction to 'no stopping except taxis, 6pm-6am'. This restriction does not need to be accompanied by an observation period and will allow for effective civil enforcement to improve accessibility for the intended road user group.

Informal Consultation:

Total Properties balloted	Number in favour	Number opposed
24	0	2

Formal Consultation:

Consultation dates	Expressions in favour	Expressions against
18.08.22 – 08.09.22	0	0

Summarised objections & responses:

Objections:

2 local business have objected to this proposal, the reasons for these objections have been summarised below:

- “The parking bay has been reduced. It should at least reach the limit of 176 [*Front Street*].”
- “There are grounds to extend it further without obstructing the bus stop.”
- “There is no need for taxis to stop this far up the street! There is many night time businesses at the top of Front Street that absolutely need spaces for quick pick ups and drop offs.”

DCC Response:

- The taxi ranks were introduced here originally to address a number of road safety problems that were occurring on an evening:
 - Taxis were pulling up anywhere they desired between West Lane and Ropery Lane Roundabout.
 - The level of public order incidents, including damage and undesirable behaviour at shop frontages, were increasing as people were drawn to this end of the town.

- The nearest place for any single length of kerbside space to be created for taxi provision, and away from the main access to a licensed premise, was where the main rank is now located on the east side of the road.
- It was recognised that on occasion traffic through Front Street may be slowed, especially if a bus stops in the bus stop opposite, however, there have been limited concerns with congestion as a result of buses using the available bus stops and ultimately this has helped maintain lower vehicle speeds in the area, which we would not want to undo.
- These proposals will amend the type of restriction only to encourage more effective enforcement and will not alter the existing layout of the bays. Extending the bays further north on the eastern of Front Street would risk restricting the turning circle of southbound buses attempting to access West Lane.

Location 5 – Tuart Street (to introduce no waiting at any time restrictions)

Proposal Background

Tuart Street is a narrow residential street located immediately west of the heavily commercialised Front Street. In a bid to tackle long-stay commuter parking, permit parking restrictions were previously introduced on the adjoining Co-Operative Street which has unfortunately led to an increase in obstructive parking within Tuart Street, particularly around its junctions with adjacent residential streets.

We have received reports from local residents that vehicles parking on and around the junctions within Tuart Street obstruct visibility and restrict access/egress. Advisory markings were previously introduced here to deter parking around these junctions; however, they have had limited effect.

It is now proposed to formalise these advisory markings as 'no waiting at any time' restrictions, which will allow enforcement to prevent obstructive parking and improve access/egress within Tuart Street.

The informal consultation initially included proposals to extend existing permit restrictions into Tuart Street, however, a satisfactory in-favour majority was not achieved and these proposals were withdrawn.

Informal Consultation:

Total Properties balloted	Number in favour	Number opposed
53	6	5

Formal Consultation:

Consultation dates	Expressions in favour	Expressions against
18.08.22 – 08.09.22	0	1

Summarised objections & responses:

Objections:

6 objections from local residents were recorded. As the informal consultation initially included proposals to extend existing permit restrictions into Tuart Street, of the 5 objections received as part of the informal consultation, only 1 directly objected to proposed 'no waiting at any time' restrictions, however the reasons for each objection have been summarised below:

- "I object to double yellow lines outside my house! Reducing the available parking further."
- "Money making scheme as per!"
- "I need a disabled bay for obvious reasons, we here are either pensioners or disabled. The parking outside mine needs to be allocated to Morningside Court."

DCC Response:

- We have received reports from local residents that when vehicles park around the accesses to Morningside Court, West View & Co-Operative Street Rear, access/egress can be obstructed due to the lack of manoeuvrable space on the highway. Parking immediately on and either side of these junctions also restricts the view of approaching traffic for all road users, which poses concern for road safety.

- Advisory white markings were introduced here as an immediate measure to address obstructive parking, although unfortunately they have had limited impact in reducing the identified road safety concerns.
- The restrictions are proposed for the current extent of the existing keep clear markings only and whilst they prevent parking, vehicles are permitted to load/unload from these restrictions for as long as necessary
- In line with Durham County Council's Parking Policy, disabled persons bays will not be introduced for use by an individual resident, or property, in residential areas. However, these restrictions will still accommodate vehicles displaying a valid blue badge (providing they are not parked in a manner which obstructs the highway) for up to 3 hours, until a more suitable parking space becomes available.
- Proposals to extend the existing permit restrictions on Co-Operative Street into Tuart Street were also pursued as part of the initial consultation, however the desired criteria was not satisfied to progress this scheme.

Main implications

Consent to the progression of the following parking and waiting restrictions:-

To introduce:

'No waiting at any time' restrictions at:

- Bullion Lane
- Tuart Street

'Restricted Waiting, 8am-5pm' restrictions at:

- Edward Street

'Restricted Bays' at:

- Front Street
 - 'Restricted waiting, 6am-6pm / No Stopping except taxis 6pm-6am'

- 'Limited waiting, 6am-6pm, 30 minutes, No return within 1 hour / No Stopping except taxis 6pm-6am'

To amend:

'No waiting except taxi' restrictions at:

- Front Street

Conclusion

Having considered the view of members with regards to objections received, said objections to be set aside, proceed to seal and bring into force the proposed TRO.

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Appendix 1: Implications

Legal Implications

Enforceable TRO

Finance

Strategic Traffic.

Consultation

Statutory Instrument 2489

Equality and Diversity / Public Sector Equality Duty

It is considered that there are no Equality and Diversity issues to be addressed as the proposed restrictions, as detailed above, will maintain provision for those with a valid disabled blue badge.

Climate Change

It is considered that there are no Climate Change issues to be addressed.

Human Rights

No impact on Human Rights.

Crime and Disorder

No impact on Crime and Disorder

Staffing

No impact on staffing.

Accommodation

No impact.

Risk

No change to the risk impact.

Procurement

Durham County Council Legal Services.