

Highways Committee

8 March 2012



Various Streets, Chester-le-Street Proposed Waiting Restrictions

Report of Terry Collins, Corporate Director Neighbourhood Services

Councillor Bob Young, Cabinet Portfolio Holder for Strategic Environment

Purpose of the Report

- 1 To advise Committee of representations received to the proposed introduction / alteration of waiting restrictions in five separate streets in Chester le Street.
- 2 It is recommended that the Committee endorse the proposals having considered the representations to the proposals and proceed with the implementation of the parking restrictions in the five streets in Chester le Street as per the plans in Appendix 2

Background

- 3 For a number of years Durham County Council has identified areas of concern in relation to parking and access causing road safety issues in Chester le Street as a whole. The Council has worked closely with Durham Constabulary and our Parking Team in Strategic Traffic to identify solutions which would assist and improve the situations at these various locations. This close working ensures that the resolutions we propose can be enforced by both Durham Constabulary for moving traffic offences and the Parking Team under Civil Parking Enforcement.
- 4 Thirteen locations were identified as suffering from parking issues and congestion and the proposals are designed to improve road and pedestrian safety. The locations are B6313 North Burns, B1284 Lumley New Road, C184 Front Street, C91 Ropery Lane, Unc South Burns, Unc Wesley Terrace, Unc Station Road, Unc West Lane, Unc Lombard Drive, Unc Plantaganet Ave/Rear of Ropery Lane, Unc Queens Park, Un-named Link Road and Unc Crichton Avenue.
- 5 B6313 North Burns, B1284 Lumley New Road, C184 Front Street, C91 Ropery Lane, Unc Station Road, Unc Lombard Drive, Unc Queens Park and the Unc un-named Link Road, received no responses against the proposals at either the informal or legal consultation stages. The only responses received were in favour of the proposals therefore they are not referred to in this report.

- 6 The Five Locations which received representations / objections are Unc Crichton Avenue, Unc Plantaganet Ave / Rear Ropery Lane, Unc South Burns, Unc Wesley Terrace and Unc West Lane.

Proposals

- 7 The proposal for Crichton Avenue is to replace the existing advisory Keep Clear road markings with a no waiting at any time restriction. Representations have been made by the local residents and Durham Constabulary about road safety concerns with respect to parking on the short access road and bend into Crichton Avenue, increasing potential conflict between vehicles turning into Crichton Avenue from the A167 and vehicles exiting Crichton Avenue. Vehicles often have to leave the A167 at a higher speed than would otherwise be normal due to the speed of traffic on the A167 and the potential for rear end shunts.
- 8 There are current advisory 'Keep Clear' Markings but these are not adhered to and as they are advisory only cannot legally be enforced. There have been a number of reported near miss incidents from residents of them meeting vehicles head on as they have entered Crichton Avenue from the A167 because of motorists being parked on the short access road. This also results in the residents being forced onto the wrong side of the road and as there is a 90 degree bend meeting vehicles leaving Crichton Avenue head on.
- 9 The proposal for Plantaganet Avenue/Rear of Ropery Lane is to extend the existing no waiting at any time to assist with the turning movement into and out of Plantaganet Avenue and to introduce a no waiting 8 am to 6 pm on the southern side of the rear of Ropery Lane to assist in the safe passage of vehicles. These are being proposed following representations made by local residents from the area with regard to inconsiderate parking causing a road safety hazard, preventing safe access and damage to property.
- 10 The proposals for South Burns include major alterations to the existing layout as part of a larger Market Place Scheme covering B6313 North Burns, Un-named Link Road and C184 Front Street. There is an existing prohibition of Motor Vehicles which covers South Burns and currently only allows buses and Market Traders to access South Burns from the B6313 North Burns. However there are businesses which now also require vehicular access for deliveries, servicing and residential / business premise parking. Therefore our proposals are to introduce a permit parking scheme in this area.
- 11 The proposals for Unc Welsey Terrace are to change the existing advisory keep clear markings to no waiting / no loading at any time, alter part of the existing no waiting 8 am to 6 pm to no waiting / no loading at anytime and provide further no waiting 8am to 6 pm restrictions at the junction with Front Street.
- 12 The proposals for Unc West Lane are to provide two disabled bays and a loading bay to formalise the existing parking which occurs and to implement a no waiting / no loading restriction for the remainder of the length of the southern side.

Consultation

- 13 Informal consultation for Crichton Avenue was carried out with the two most directly affected residents and statutory consultees from the 27th October 2008 until 18th November 2008. A further update was provided to the residents on 15th April 2010 and again in June 2011.
- 14 Of the 2 letters sent to affected residents both replied against the original option of a no waiting / no loading at any time restriction. At the legal advertising stage we removed the loading element following the residents concerns.
- 15 Informal consultation for Plantaganet Avenue / Rear of Ropery Lane was carried out with the affected residents, businesses and statutory bodies from the 27th July 2010 until 18th August 2010.
- 16 Of the 11 letters sent out to affected residents / businesses four responses were received. 2 were in favour of the proposals and 2 were against the proposals. Durham Constabulary responded in full support of the proposals.
- 17 Informal consultation for Unc South Burns was undertaken as part of the larger scheme with affected businesses / residents and statutory bodies from the 28th April 2010 until 20th May 2010.
- 18 Out of the 35 letters sent out to affected residents / businesses for the overall scheme for the area 7 responses were received. Of these 5 were from properties on South Burns. 2 were in full support of the proposals, 1 was in support of the proposals as long as his vehicles could still park outside the business, 1 fully opposed the proposals and 1 partially opposed the proposals. Durham Constabulary and County Councillor S Henig responded in full support of the proposals.
- 19 A response was also received from Go North East requesting further consideration being given to bus turning movements. A site meeting occurred and the issues were resolved and the scheme was amended before legal advertisement to the satisfaction of the bus company.
- 20 Informal consultation for Unc Welsey Terrace initially occurred with residents and statutory bodies from 19th September 2008 until 10th October 2008 offering two proposals. Option one being to remove all parking and Option two to still allow some parking on Welsey Terrace. Option 2 was the preferred option at this time. Durham Constabulary also responded at the time in favour of Option 2.
- 21 Out of the 16 letters sent out to the affected residents in 2008 7 responses indicated a preference for Option 2, 1 response indicating no preference and 1 response opposed to either option. A further update letter was sent to the residents on 21st May 2010.
- 22 Informal consultation for Unc West Lane was carried out with the directly affected residents, businesses and statutory bodies from 10th August 2010 to 31st August 2010.

- 23 Of the 19 letters sent out to the affected properties 7 responses were received. 2 were in favour of the proposals, 2 were against the proposals and 3 offered further comments on the proposals.
- 24 All of the restrictions for the 13 identified locations were legally advertised as an amendment order to the Chester le Street and Birtley (Prohibition and Restriction of waiting, loading/unloading and parking places order) 2010. The legal advertisement period covered 29th November 2011 until 3rd Jan 2012 to allow for the holiday period. 2 objections were received during the legal advertisement period. One to Unc Welsey Terrace and One to Unc West Lane. Both objections have since been resolved.
- 25 The local Members, Councillors Simon Henig, Linda Marshall, Beaty Bainbridge and John Shiell are minded to support the proposals.

Representation / Objections and responses – Unc Crichton Avenue, Unc Plantaganet Avenue / Rear Ropery Lane, Unc South Burns, Unc Wesley Terrace and Unc West Lane.

26 Representation 1 – Crichton Avenue

A number of points were raised by both residents.

‘There is nowhere else for visitors to park outside my property’.

Whilst we appreciate this there are safer locations available elsewhere within Crichton Avenue where visitors would be able to park safely within a short walking distance.

‘From time to time I have put my caravan outside my property in order to hitch up’

We have removed the loading element from the proposals which would allow the action of the caravan being hitched on the carriageway outside of the property.

‘There is no congestion problem at present’

The issue at this location is not one of congestion; it is a road safety issue. There have been a number of reported near miss incidents from residents of them meeting vehicles head on as they have entered Crichton Avenue from the A167 because of motorists being parked on the short access road. This also results in the residents being forced onto the wrong side of the road and as there is a 90 degree bend meeting vehicles leaving Crichton Avenue head on. To date there has been no major incident.

‘Find something better to do with your time and our money’

This is classed as a personal opinion but as the Highway Authority we need to take a holistic approach of the road safety issue. The national average cost of an accident is over £75k. If one accident is prevented, or the severity reduced as a result of the implementation of these restrictions, then it can easily be established as having been cost effective.

'When the original white lines were introduced it was made clear that they were to be a deterrent to dissuade cricket supporters and anglers from free off-street parking, as these seemed to be the most regular parkers in this area'

This may have been the original intention but parking on these lines occurs on a regular basis which is not limited to cricket match days. Therefore the new restrictions would provide an overall improvement in road safety at a well used junction.

Why are the new proposals not covering the same area as the present white lines, which extend to the drive of No.4 Crichton Avenue

It is felt that the length of proposed parking restriction is adequate to prevent the obstructive parking which is the cause of concern for the majority of residents. It was not deemed necessary to prevent parking along the frontage of No 4 Crichton Avenue as there are driveways which cover the majority of this length and under Highway Law it is an offence to obstruct such a crossing facility into a premises.

Proposals such as this can only cause conflict and resentment between neighbours. This can not be a healthy nor desirable situation.

It is considered that there is currently adequate on street parking combined with off street residential parking within Crichton Avenue to accommodate the number of vehicles. We cannot guarantee parking on the highway outside of a resident's property as we must advise the highway is available for all users.

27 Representation 2 – Unc Plantagenet Avenue / Rear of Ropery Lane

Only top half of the rear of Ropery Lane as we use this entrance for loading and unloading.

Response: The proposed restrictions will not affect the business's ability to load and unload as they are on the opposite side of the road to their access.

As a resident of Plantagenet Avenue [the nearest property to the restrictions] the current concern I have with the road in question is that trade vehicles and transit vans currently travel at great speed down what is a very minor road. This causes noise issues within our property and is a great concern as young children from the residential area tend to play there. Your proposals will only increase the volume, size and speed of these already large vehicles using this very built up residential area.

Response: The proposal for Plantagenet Avenue is to extend the current restriction on its eastern side a further 6metres in a southerly direction. It is difficult to see the connection between the proposal and an "increase (in) the volume, size and speed" of vehicles on this avenue.

I am clueless to the reason why these proposals are necessary? To open up access to this small lane for large vehicles when access to and from Ropery Lane is so much wider and safer from the Lancaster Terrace entrance/exit?

I have never found any problem with the current situation and can not recall any occasion where my vehicle movement or access to my property has been impeded. This also extends to other commercial vehicles which have made deliveries to properties in the street [Including removal vans and other category B1 vehicles]. Having spoken to a number of other residents we are in agreement that these proposals are not needed. We believe that the proposals will have a detrimental impact on the road safety and quality of life in Plantagenet Avenue/ Lancaster Terrace.

The council have been made aware of damage to a property caused by vehicles attempting to negotiate Rear Ropery Lane from Plantagenet Avenue with a contributory factor being the parked vehicles on the south side of the lane which also cause congestion; can be an obstruction to the free movement of vehicles and also vehicular access to the rear of properties on Ropery Lane. The council is also in receipt of a response to this consultation which states that the proposal is "Most beneficial as it gets very congested".

28 Representation 3 – Unc South Burns

The following was raised by 2 businesses

We will lose out takeaway customers and sit in customers' thank you.
Any restriction to my taxis for picking up and dropping off will drastically affect my business

Response: There are a number of alternative parking areas available for customers of both establishments within a very short walking distance of the premises. These are available on North Burns, South Burns, Cone Terrace and also Tesco's Car Park (for Tesco's customers) which has a taxi pick up / drop off area. It should be noted that these patrons should not be within the restricted area at present anyway. Under the proposed scheme each company would be entitled to one permit which will allow a vehicle from the company to park within the restricted zone. .

The following was raised by 1 business

With permit holder bays all across our frontage we cannot get our deliveries on Tuesdays and Fridays. The Dray wagon unloads 184 kilo kegs of beer and unless they can park directly in front of our cellar hatch, it makes our deliveries impossible. We need an unloading only area across 50% of our frontage to allow pantechnicans to unload.

Response: It is hoped that once these restrictions are implemented the number of vehicles entering the restricted zone will be reduced and therefore more parking will be available. It should be noted that the market has traded for a long time on Tuesdays and Fridays and the previous owners of the business have never raised concerns about deliveries. The business has already been provided with a permit to load and unload within the existing restricted zone and this will remain. Therefore we have no proposals to introduce the loading / unloading bay as requested as this will reduce the available parking. The business may wish to consider the option of having their deliveries on a day which is not a market trading day.

29 Representation 4 – Unc Wesley Terrace

I believe that further restrictions on parking would hamper business growth. The town has become so restricted that further restrictions would fence the town and lock the gate (i.e. Chester-le-Street closed).

Response: There is only one business on Wesley Terrace. The other businesses only have rear accesses (service accesses). Whilst we appreciate the need to provide some on highway parking we do need to take a holistic view of the provision of parking restrictions which also includes looking at the situation from both the position of the pedestrian, vulnerable road users, as well as the motorist. It was therefore considered appropriate to offer the two options and to progress with the most popular option. Option two being the proposals supported by the majority of residents; Option one being to remove all parking 8am to 6pm which was rejected.

It is anticipated that the introduction of Prohibition of Waiting and Loading/unloading at Any Time restrictions at strategic locations along the southern kerbline of Wesley Terrace, and a section of Prohibition of Waiting 8am to 6pm Monday to Saturday on the southern kerbline around the cul-de-sac near to the junction with Front Street would improve road safety by discouraging unnecessary parking near to the junctions and accesses within Wesley Terrace. It will also improve the traffic movements into/out of the junction and facilitate vehicles turning round. These proposals will improve carriageway discipline and general road safety. There are also a number of car-parks available for other motorists to use within a short distance.

The following concern was raised by 1 resident at the informal stage and through an objection received at the legal advertisement stage. The objection was subsequently resolved following reduction of the restriction.

The plans advertised at the legal stage show a greater length of restriction than the existing keep clear markings in the vicinity of No 8 to No 10 Wesley Terrace.

Response: We have revisited the location and will amend the length to cover only from the boundary line of No 8/9 Wesley Terrace to the gable of No 10 Wesley Terrace at the sealing of the order stage. Therefore we feel that we have resolved this representation.

30 Representation 5 – Unc West Lane

Waste of money considering the current cutbacks
Enforcement of the current restrictions doesn't occur by police
Road is used as a car park with the same vehicles being there everyday

Response: Durham County Council have now taken on civil parking enforcement from Durham Constabulary and these types of restrictions will now receive regular enforcement. The proposals are expected to formalise the existing parking in respect of blue badge holders by providing official bays, a loading bay for the businesses and the no waiting / no loading element will remove all other parking.

Scheme will move parking further west along West Lane obstructing access to the company's off-street loading bay.

Response: The scheme, as currently proposed, will prevent legal parking by Disabled Badge Holders through the introduction of the proposed Loading Restriction along the south kerbline. This will improve the current situation whereby Disabled Blue Badge holders may park for up to 3 hours in West Lane adjacent to the access. This is why the proposal includes the provision of 2 formal disabled parking bays nearer the junction with Front Street to still allow some parking for such persons.

The introduction of a new Loading Bay may prohibit our delivery vehicle being able to get access to our store.

Response: As stated above, the proposed restrictions will help prevent the obstruction of the access to the store's loading area. The proposal will not be detrimental to the company's ability to service the store. Observation has shown that the delivery vehicles pull forward of the loading area and then reverse into the delivery bay. This movement will still be possible and the removal of the Disabled Badge Holders from the west end of West Lane will ensure that this manoeuvre can be taken unhindered without the risk of damage to parked vehicles.

Two employees in West Lane.....who could legitimately park in the two proposed bays and effectively prevent any other Blue Badge Holder from enjoying the benefit of these bays.

Response: It would be irresponsible and not in the best interests of the business concerned for the staff to park for the whole working day. However, the use of the Disabled Parking Bays will be limited to 2 hours with no return during that day. This will provide for greater use of the bays giving a reasonable turnover.

The age profile of the clientele ...many of them Blue Badge Holders... the proposal will make it more difficult to drop-off.

Response: The proposal will reduce the opportunity for Disabled Badge Holders to park in West Lane as the objective of the scheme is to confine parking and loading, in West Lane, to lengths of highway where it will not cause congestion, particularly to buses; and also access to properties from West Lane in particular to the loading bay servicing a local business. However it should be noted that there are 10 Disabled Parking Bays in the County Council owned Osbourne Road Car Park as well as another 2 Disabled Bays on Front Street itself and one in the adjacent privately run public car park.

Provide Additional Blue Badge Holders bays... in Clarence Terrace off-street car park.

Response: This is a privately managed and controlled car park and therefore not a facility which the council has any influence over.

One person who responded to the informal consultation who lives outside of the remit of the scheme provided representations as follows:

Prevent buses from using West Lane and force them to use the roundabout at the top end of Front Street.

Response: In respect of the comment relating to buses using West Lane and their diversion to the roundabout at the southern extents of Front Street, it is the right of all highway users to have the right to pass along the public highway including buses. If the council were to propose the prohibition of buses from West Lane, I think it is reasonable to assume that the bus companies would object on the grounds of the increased mileage and times incurred on journeys.

Extend the disabled parking bays towards the delivery entrance of the local business.

Response: In relation to your suggestion of extending the proposed Blue Badge Holder Bays to a point opposite the entrance to the local business loading bay access, the Council has received representation from the company expressing concerns about accessing their loading bay due to the proximity of the parking bays as currently proposed. Further checks of carriageway widths have unfortunately ruled out the provision of further bays due to the narrowness of the road at this point and the types of vehicles which use this road i.e. buses and large HGVs.

Legal Objection

Business owner was concerned that the no loading element would prevent him from receiving deliveries.

Response; We have agreed to remove the loading element from between the access into Victoria Place and Nelson Street. If blue badge holder parking becomes a problem at this location we will revisit the restrictions and consider the implementation of a loading bay. Caller was happy with this response and withdrew his objection.

Recommendations and reasons

- 31 It is **RECOMMENDED** that the Committee endorse the proposal having considered the objections and proceed with the implementation of the parking restrictions as amended in the report.

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Appendix 1: Implications

Finance – None

Staffing – None

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – None

Human Rights – None

Consultation – As described in the report

Procurement – None

Disability Issues – None

Legal Implications - None