

## Highways Committee

17 January 2013

### Whitworth Park School, Spennymoor Waiting Restrictions



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### Report of Terry Collins, Corporate Director, Neighbourhood Services

### Councillor Bob Young, Cabinet Portfolio Holder for Strategic Environment

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#### Purpose of the Report

- 1 To advise Committee of representations and objections received to the proposed waiting restrictions around the vicinity of Whitworth Park School, Spennymoor
- 2 It is recommended that the Committee endorse the proposal having considered the representations and proceed with the implementation of the advertised waiting restrictions as per the plan in Appendix 2

#### Background

- 3 Following the merger of Spennymoor Comprehensive and Tudhoe Comprehensive Schools (now known as Whitworth Park School) a planning condition was imposed that would introduce a traffic management plan around the vicinity of the Whitworth Park School.
- 4 As part of the Planning Application, Consultants commissioned by the County Council completed a Transport Assessment Report which identified a need for a two lane approach to the traffic lights from both the Grayson Road and Clyde Terrace directions to alleviate congestion. This second lane approach to the traffic signals is necessary for traffic turning right whilst allowing the free flow of traffic to either carry straight on or turn left. (See Appendix 3)
- 5 As part of the scheme, it is proposed to introduce a pedestrian phase to the existing traffic light system as a means of improving road safety for pupils at the crossroads, as well as increasing overall road safety for pedestrians throughout the day.
- 6 Within the past 4 years there has been 5 personal injury accidents in the vicinity of the traffic signals. In September 2011 a pupil from the school was hit by a vehicle whilst trying to cross Whitworth Road. This led to a health and safety investigation which directed the Council towards considering further the aforementioned pedestrian phase at the traffic signals.

### **Proposals:**

- 7 The proposed scheme includes the introduction of various waiting restrictions on Whitworth Road to help deter school gate parking problems which otherwise would lead to congestion and access problems for school buses wishing to use the main school entrance.
- 8 Waiting restrictions are necessary on Clyde Terrace and Grayson Road to prevent parked cars from obstructing the proposed two lane approach to the traffic signals in order to meet the requirements described in paragraph 4 above.
- 9 The proposal will include the introduction of a pedestrian phase to the existing traffic light system allowing school pupils and pedestrians safe crossing points across all four legs of the signalised crossroads.

### **Consultation:**

- 10 An informal consultation was undertaken with the affected residents from the 18<sup>th</sup> July 2012 to the 7<sup>th</sup> September 2012.
- 11 In addition, the principal contractor for the re-development of the school invited highway engineers to a public meeting on 15<sup>th</sup> August 2012 allowing residents to attend and make recommendations / suggestions as part of the informal consultation.
- 12 A number of views expressed during this meeting on 15<sup>th</sup> August were taken into consideration prior to the release of the statutory Traffic Regulation Order consultation which took place from the 17<sup>th</sup> August 2012 to the 14<sup>th</sup> September 2012.
- 13 Of the 69 initial consultation letters sent to properties directly affected by the proposals a total of 38 responses were received. Of the 38 responses, 4 were in favour of the proposals and 34 were against. The remaining consultees who did not respond are deemed to have no preference. A number of amendments were made following the initial comments received and, as it stands, based on the proposal put forward 8 are in favour of the proposals and 12 remain against.
- 14 During the initial consultations a petition containing 40 signatures was received from residents of Clyde Terrace / Whitworth Terrace opposing to the waiting restrictions on the Clyde Terrace approach to the traffic signals.

## Objections and Responses:

### 15 Objection 1

The proposal will remove parking from outside of residential properties, making parking difficult (9 objectors stated this reason)

*Response: The principal purpose of a highway is to facilitate the passage and re-passage of road users. As car ownership has increased, parking on-street is often tolerated having become the norm countrywide on the principle of first come, first served providing the manner of parking does not cause obstruction to other road users including pedestrians. As such, residents are not guaranteed parking in the vicinity of their homes as there is no legal right for any person to be able to park outside of their property.*

### 16 Objection 2

We do not feel there is a requirement for a two lane approach to the traffic signals (5 objectors stated this reason)

*Response: A Transport Assessment Report completed by consultants forming part of the planning application process identified a need for two lane approaches to the traffic signals from Grayson Road and Clyde Terrace to aid vehicular movement through the traffic signals therefore helping to avoid congestion. This view is supported by traffic signal specialists from the County Council's Traffic Signals Team*

### 17 Objection 3

We do not feel a pedestrian phase is required as the school crossing patrol is adequate (1 objector stated this reason)

*Response: In September 2011 a child was hit by a vehicle whilst trying to cross Whitworth Road. The school crossing patrol can only operate safely at one location (Grayson Road) and there are four possible places for pedestrians to cross. The pedestrian phase will also be of benefit to other pedestrians when crossing the road during the hours when the school crossing patrol is not in operation.*

### 18 Objection 4

A 'rat run' will be created to the rear of Clyde Terrace, with drivers attempting to jump the lights (4 objectors stated this reason)

*Response: The rear of Clyde Terrace is subject to an existing 'Prohibition of Motor Vehicles, Except for Access' restriction. The issue of 'rat running' to avoid the traffic signals has been reported to Durham Constabulary who will carryout enforcement as and when resources are available. The introduction of a two lane approach to the traffic signals from the Clyde Terrace direction will assist the free flow of traffic through the signals thus reducing congestion.*

19 Objection 5

Durham County Council should compensate residents whom will lose parking outside of their properties, as the market value of these properties will be affected (2 objectors stated this reason)

*Response: There is no legal right for any person to be able to park outside of their property. The area outside of these properties is public highway and does not form part of the adjacent dwellings. There is no obligation on a Highway Authority to provide parking on the public highway for residents.*

20 Objection 6

A 20mph speed limit should be introduced from the junction with Osbourne Road / Clyde Terrace up to the commencement of the 40mph speed limit at Middlestone Moor. (2 objectors stated this reason)

*Response: There is no evidence to suggest that a 20mph zone incorporating the traffic signals would improve pedestrian safety. The traffic signals make it a mandatory requirement for motorists to stop on the red phases. It is further recognised that a 20mph zone would likely increase congestion as there is currently a requirement to physically traffic calm 20mph zones.*

21 Objection 7

As part of the school development a parent drop off / pick up point should be created within the curtilage of the school grounds. (5 objectors stated this reason)

*Response: The Council's policy is not to provide such a facility within school grounds. The Policy promotes the use of alternative modes of transport, such as public transport, walking and cycling to and from school.*

*There is also an element of a safe guarding where third party vehicles would be allowed into school grounds, staff have far less capacity to be able to identify parents/carers to the relevant child if they are in a car and potentially jeopardising the safety of the children.*

22 Objection 8

Why weren't residents made aware of the intended waiting restrictions on Clyde Terrace during the planning consultation period? (3 Objectors stated this reason)

*Response: As with any new development or re-development project of this size, a Traffic Assessment Report is typically required to support the Planning Application. The Transport Assessment Report was not submitted to the Highway Authority until the 25<sup>th</sup> June 2012 which didn't provide adequate time to undertake such a consultation prior to or during the planning stage. The deadline to submit the documents to the planning committee was the 27<sup>th</sup> June 2012. Typical of all planning applications, the Traffic Assessment Report is a disclosure document which was available for public viewing online*

*via the planning portal website along with the other relevant planning application documents relating to the schools re-development.*

23    Objection 9

Could a parking area be created on the land adjacent to the Masters Garage, to the rear of the bus stop. (2 objectors stated this reason)

*Response: This land is not owned by Durham County Council and we are unable to provide a parking area within private land.*

### **Statutory Representations**

24    The Statutory Notice for the implementation of the waiting restrictions was advertised on site and in the local press between the 22<sup>nd</sup> September 2012 and the 15<sup>th</sup> October 2012.

25    Durham Constabulary and the North East Ambulance Service responded to the consultation giving their full support of the proposals.

26    Spennymoor Town Council have expressed their concerns regarding the loss of on-street parking outside of the residential properties on Clyde Terrace should the restrictions be imposed.

### **Local Member Consultation**

27    Both local Members, Councillors Ben Ord and Kevin Thompson have expressed their reservations during the consultation exercise regarding the loss of on-street parking outside of the residential properties on Clyde Terrace should the waiting restrictions be imposed.

### **Recommendations and reasons**

28    It is **RECOMMENDED** that the Committee endorse the proposal having considered the objections and proceed with the implementation of the waiting restrictions which will reduce congestion and improve road safety around the vicinity of Whitworth Park School, Spennymoor as per the plan in Appendix 2

### **Background papers**

29    Correspondence on Office File

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## **Appendix 1: Implications**

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**Finance** – The ‘Building Schools for the Future’ team are funding the project including the highway / traffic management works.

**Staffing** – None

**Risk** – If the scheme was not to proceed there is a risk that road safety would be compromised.

**Equality and Diversity / Public Sector Equality Duty** – None

**Accommodation** – None

**Crime and Disorder** – None

**Human Rights** – None

**Consultation** – As described in the report

**Procurement** – Works to be delivered by Highway Operations

**Disability Issues** – A creation of a pedestrian phase on the lights, will improve crossing facilities within this area

**Legal Implications** – The measures are being introduced in accordance with the current legislation