

AGENDA ITEM

REPORT TO APPEALS & COMPLAINTS COMMITTEE

15TH DECEMBER 2010

REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES

SCHOOLS NO STOPPING ORDER, STOCKTON BOROUGH – AMENDMENT TO SCHEDULE

1.0 SUMMARY

The purpose of this report is to seek Member's views on one unresolved objection received following the statutory advertising of a proposal to amend 'The Borough of Stockton on Tees (various schools, Stockton on Tees) (Prohibition of Stopping) Order 1999 as amended 2008'.

The purpose of the advertised amendment is to update the list of school names and accesses within the existing Order which covers the whole Borough. The Order specifically relates to yellow 'School – Keep Clear' zig-zag markings at school gates. The amendment is required because new schools, such as Hardwick Green have been built, some sites have closed, such as Hardwick Primary and others have amalgamated.

It is not considered appropriate for the Head of Technical Services to consider the objection as he would effectively be reviewing his own decision.

2.0 RECOMMENDATIONS

It is recommended that:-

- (i) Members give consideration to the objection raised by a resident in Hardwick and also to the comments of the Head of Technical Services.
- (ii) The local Ward Councillors and the objector are informed of the Committee's recommendation.

3.0 DETAIL

- 3.1 In June 2010 approval was given to process a necessary amendment Traffic Regulation Order to update the school names and road names of the school accesses which must be specifically listed within the Schedule for enforcement purposes.
- 3.2 The proposal was developed following a review of school accesses, more specifically the 'School-Keep Clear' zig-zag markings and signs to address parking problems in the vicinity of school gates.
- 3.3 The 'School-Keep Clear' zig-zag marking is prescribed for use outside of schools which is inclusive of nurseries and playgroups. The marking is enforceable when backed by a Traffic Regulation Order and when used in conjunction with 2 upright signs which advise the times of restriction are Monday to Friday 8am to 5pm. These times are determined by the Department for Transport on a National basis to cover the variety of start and finish times of schools and nurseries across the country.

- 3.4 The 'School-Keep Clear' zig-zag is one of the most restrictive markings available, motorists must not stop on the marking during the specified times, including to drop off / pick up passengers and blue badge holders are not exempt within the provisions of the Order. These exemptions are applicable to 24 hour waiting restrictions and day time waiting restrictions whereby boarding / alighting is permitted, loading / unloading is permitted for up to 20 minutes providing the activity is observed at regular intervals and blue badge holders are permitted to wait for up to 3 hours.
- 3.5 School gates are considered high risk in terms of road safety and parking on these markings is thereby taken very seriously. Phased remedial works to bring 'School Keep Clear' zig-zag markings up to enforceable standards by the installation of appropriate signs have been ongoing and as a result 44 out of 71 schools now have enforceable markings at their school gates.
- 3.6 As part of the review it is necessary to update the list of schools and roads within the Traffic Regulation Order. For example, there has been an amalgamation of Roseworth Primary and Redbrook Primary resulting in a name change (Rosebrook) and road name changes. There has also been a new school opened, Hardwick Green and a subsequent school closure, Hardwick Primary (Details of updated Schedule in **Appendix 1**).
- 3.7 Hardwick Green Primary School opened in 2009, the school has accesses on High Newham Road and Tithe Barn Road. There are currently no restrictions on waiting at either entrance. There is a flat top road hump and a pinch point at the High Newham Road access, priority is given to southbound traffic when travelling through the feature, northbound traffic must give way.
- 3.8 The advertised proposal would enable a 'School – Keep Clear' zig-zag marking to be laid on the school side of High Newham Road and Tithe Barn Road adjacent to the pedestrian school gates of Hardwick Green Primary, see plan TM5/549 in **Appendix 2**.
- 3.9 The Regulations (Traffic Signs Regulations and General Directions 2002) specify that the marking must be between 25.50 metres and 43.50 metres in length and 2 signs are required per marking. (**See Appendix 3**).
- 3.10 Following publication of the Statutory Notices at all sites listed in the proposed amended Schedule and in local press on 18th August 2010 one objection to the proposed inclusion of High Newham Road remains unresolved. The objection was received by the Director of Law and Democracy, an exchange of correspondence has occurred but the objection could not be resolved and the objector has requested that the matter be referred to Appeals and Complaints Committee (copies of correspondence in **Appendix 4**).

4.0 OBJECTION DETAILS

- 4.1 Janet McGregor, 17 Cleadon Walk, Hardwick, Stockton on Tees, TS19 8PN.
Detail of objection dated 3rd September 2010.

There is no provision for parking to the front of the properties on Cleadon Walk which is a walkway linking High Newham Road and Tithe Barn Road. Parking to the rear of the properties is limited and is used by residents of Cleadon Walk and Cleatlam Close. The zig-zag marking would remove parking opportunity on High Newham Road where Cleadon Walk residents park and can see their vehicles.

There is residents' concern regarding potential damage and vandalism to vehicles if they are parked out of sight and residents have installed surveillance cameras.

Request parking bays are constructed adjacent to properties.

4.2 Response to objection

The length of zig-zag marking proposed would be at the absolute minimum permitted length of 25.50 metres and would be located on the school side of High Newham Road to the north of the raised crossing point (see plan in **Appendix 4**). Prohibiting parking at this location will ensure unobstructed pedestrian and driver visibility in the direction of traffic flow that has priority at the existing feature.

The times of the restriction are Monday to Friday 8am to 5pm, it is therefore permissible to park on the zig-zag on a weekend and overnight between 5pm and 8am. Enforcement attention is targeted at other priority areas during school holidays, such as town centres. Site visits have observed parking is available to the rear of Cleadon Walk / Cleatlam Close during a standard working day. Increased demand on the available spaces on an evening and at weekends would not be affected by the proposal since this is outside of the times of restriction when the school is closed. 13 residential properties (5-18 Cleadon Walk) face out onto Hardwick Green Primary, parking for these properties is to the rear. There is an area of concrete hard standing for parking in the vicinity of the rear of no 9-14 Cleadon Walk which measures approximately 24 metres in length and could accommodate 10 cars (figure based on a 2.40 metre wide standard parking bay). The site visits have observed a maximum of 4 cars parked to the rear and a maximum of 2 cars parked on High Newham Road where the zig-zag marking would be laid. (Supporting photographs in **Appendix 5**).

High Newham Road is adopted highway and as such there are no specific rights to park. It is not practicable to construct parking bays adjacent to the properties of Cleadon Walk as it forms a well used footway linking High Newham Road and Tithe Barn Road. This link and High Newham Road are popular pedestrian routes, particularly for school pupils. If it was practicable to construct parking bays they would not be reserved for residents only or indeed specific properties since this area is not appropriate for a residents permit parking scheme.

There is an existing Residents Permit Parking Scheme in Hardwick, however this is in the Piper Knowle Road / Ketton Road area to address parking issues for residents as a result of motorists avoiding the car parking charges associated with the University Hospital of North Tees. It would not be practicable to implement a Residents Permit Parking Scheme for school related parking problems which do not result in long stay / all day commuter parking issues for residents.

5.0 FINANCIAL AND LEGAL IMPLICATIONS

The costs of advertising the amendment Traffic Regulation Order are £737.69 per advertisement, 2 advertisements are required (£1475.38). The plates are estimated at £42 each, 2 are required, and 2 associated posts are £45 each (£174) and the zig-zag marking is estimated at £150. The costs of the advertising have been funded from the 2010/11 Safer Routes to School capital budget.

6.0 POLICY CONTENT

The proposal is in accordance with the Safer Routes to School initiative and is consistent with the Council Plan in reducing road casualties. The proposal addresses road safety issues at school gates and can be influential in encouraging alternative methods of travelling to / from school. Sustainable School Travel Strategy was subject to a Select Committee Scrutiny Review in 2008.

7.0 CONSULTATION

The proposal is a Borough wide initiative, the Officers Traffic Group and all Ward Members were originally consulted. The Cabinet Member for Regeneration and Transport previously indicated support for the advertised proposal.

One objection remains unresolved as part of the statutory advertising process. The objection is to the inclusion of High Newham Road within the Traffic Regulation Order schedule.

8.0 DISCUSSIONS

A people carrier vehicle, boat and caravan were noted to be accommodated within the frontage of the objectors' property. This cannot be encouraged or supported because the footway is not strengthened accordingly to take a vehicle's weight, the kerb is not dropped to indicate a formal vehicular access point and the area is public footway. 5-18 Cleadon Walk are terraced properties with no appropriate provision for parking to the front, residents are expected to park at the rear.

It would be permissible to remove the reference to High Newham Road before the Traffic Regulation Order is sealed and effective. This would mean that a zig-zag marking at this entrance to Hardwick Green Primary would not be enforceable. Both High Newham Road and the Tith Barn Road gates are used by the school on a typical school day.

9.0 CONCLUSIONS

An audit of school gates has been undertaken, anomalies or amendments have been noted which has prompted an amendment Traffic Regulation Order.

It is more cost efficient to process all of the required amendments within the Order rather than separate Orders for each school which also means all 'School-Keep Clear' details will be contained within one Order which is efficient when dealing with Penalty Charge Appeals.

The times of the restriction are determined by the Department for Transport, parking to the rear of Cleadon Walk is possible during the times of the restriction. Parking would be prohibited Monday to Friday 8am – 5pm and the zig-zag is estimated to displace 4 vehicles during these times (based on 25.50m zig-zag marking and a 6m car length) which could be accommodated within existing parking opportunity to the rear.

Funding for school zig-zag signing and lining works is fully committed for the current financial year and it is thereby not intended to lay the marking and install the signs on High Newham Road within the financial year 2010/11.

The purpose of the advertised Traffic Regulation Order amendment was to update the Schedule which would enable enforcement of a zig-zag marking implemented from future years budgets.

It is recommended that the Committee over rule the objection.

Corporate Director of Development and Neighbourhood Services

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Environmental Implications

The proposal prohibits parking in the vicinity of school gates and encourages parking further away or use of more sustainable modes of transport to / from school.

Community Safety Implications

The proposal ensures inconsiderate and hazardous parking in the vicinity of school gates is strictly prohibited therefore maintaining a safer pedestrian route. The zig-zag markings also cover the gate used for emergency vehicles access to the school in some instances.

Background Papers

Cabinet Member Report TS.T.12.10

Officers Traffic Group 06/05/2010

“The Borough of Stockton on Tees (Various Schools, Stockton on Tees) (Prohibition of Stopping) Order 1999 Amendment Order 2008”.

Education Related Item?

No

Ward(s) and Ward Councillors:

Borough Wide initiative as advertised.

Hardwick Green / Cleadon Walk is within Hardwick Ward : Councillors Mrs Nesbitt and Noble