

## **AGENDA ITEM**

### **REPORT TO APPEALS & COMPLAINTS COMMITTEE**

**14TH MARCH 2011**

### **REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES**

## **YARM PARKING PROPOSALS**

### **1.0 SUMMARY**

The purpose of this report is to seek Members' views on unresolved objections received following the statutory advertising of a proposal to introduce waiting restrictions in a number of streets in Yarm Town Centre and charges at Yarm rail halt and two off-street car parks in central Yarm.

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

### **2.0 RECOMMENDATIONS**

It is recommended that:-

- (i) Members give consideration to the objections raised by local residents, local businesses and other interested parties, including Yarm Chamber of Trade and Yarm Town Council, and also to the comments of the Head of Technical Services detailed in the report.
- (ii) The local Ward Councillors and the objectors be informed of the Committee's recommendations.

### **3.0 BACKGROUND**

3.1 Stockton Borough Council engaged with the residents, visitors and businesses of Yarm during June and July 2009 to seek opinion on how to move forward in resolving parking issues on Yarm High Street and the immediate vicinity. The objective of the exercise was to stimulate debate and capture ideas on suggestions to resolve Yarm's long standing parking problems.

3.2 SBC Cabinet noted the consultation results and approved the way forward on 26 November 2009 (minute reference 129/09). Key messages from the results were summarised as: -

- There is widespread clear support for an additional long stay car parking facility needed in Yarm.
- The support for charging for short stay car parking in Yarm had a mixed reception, but in order to be able to deliver a 'new' long stay car park and a residents permit parking scheme, charging in the High Street would be necessary. It would also provide greater flexibility and clarity than the current Disc Zone regulations. However in the short term, there is no intention to introduce charging (on the High Street).

- The introduction of a residents' permit parking scheme has majority support, particularly from those within the Central Yarm area, whom are directly affected by on street commuter parking.
- The sites identified in the consultation showed that the land behind the Medical Centre (Brickyard Allotments) was the most favourable, of those listed. However, the Council is keen to pursue all options available, particularly other potential central Yarm sites.
- The consultation suggests there is no desire to extend the current disc parking from 2 hours to 3 hours maximum.

3.3 Subsequently Council officers attended a public meeting In Yarm on 25 January 2010 and as a result the option for providing long stay parking on the Brickyard Allotments was accepted as not feasible and that other sites would continue to be investigated.

3.4 The meeting also heard from residents and traders that felt some measures could be brought forward quickly whilst the longer term goal of providing additional car parking for Yarm was pursued. These were essentially:

- to introduce Traffic Regulation Orders to help control the worst examples of obstructive parking in the Wynds and streets behind the High Street,
- to introduce some flexible medium term parking (for longer than the 2 hour stay available in the Disc Zone).

3.5 A report to proceed to advertise the proposals (Officer Key Decision in consultation with the Cabinet Member TS.T.44.10) was agreed on 26 August 2010. It should be noted that the advertising of a proposal to introduce parking charges at Yarm Rail Halt was also agreed at this time and, although unrelated to the Central Yarm issue, was advertised simultaneously.

3.6 A plan showing the advertised proposals in Central Yarm is attached (drawing no. TM2/112) at **Appendix 1**. Larger scale versions of this plan will be on display at the Committee meeting.

3.7 Plans showing the **location** of Yarm Rail Halt are attached (drawing nos. TM2/127A and B) at **Appendix 2A** and **2B**.

#### **4.0 DETAILS OF THE OBJECTIONS**

4.1 A Notice for the proposed scheme was advertised in the Evening Gazette and on site on 6 January 2011 with the objection period expiring on 27 January 2011. Following the publication of the Statutory Notices, the Director of Law and Democracy formally received a large number of objections as follows.

There are 296 individual statutory objectors and in addition there were 8 'petitions' submitted containing a total of 1131 names. These are being treated as objections submitted by the lead petitioner with counter signatory supporters.

A further 17 objections were received after the deadline of 27 January 2011 and contained similar grounds for objection as those received within the deadline. There were 6 objectors with no name and/or address.

4.2 Whilst 8 'petitions' were received, the lead petitioner was in most instances already a statutory objector and the petition header simply a repetition of their own objection letter. These included those led by Diana Kaye Florists, Strickland and Holt, Minerva Mews Company, The Traditional Sweet Shop and The Little Bra Shop.

4.3 The breakdown of the 296 objectors is as follows: -

Yarm Central residents	50	
Outer Yarm residents	49	
Other Stockton residents	88	
External residents	67	
Yarm businesses	29	(plus 2 duplicates)
Other businesses	2	
e-mail only	3	
Yarm Chamber of Trade	)	
Yarm Town Council	)	
Yarm and District Social Centre	)	Specific interest groups
Yarm and Willey Flatts Committee	)	
Minerva Mews Company	)	
St Mary Magdalene Church	)	
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Total	296	

4.4 A list of the objectors is attached as **Appendix 3** together with a very brief summary of key points raised – this summary is not exhaustive and a copy of each letter will be available at the committee meeting. The main comments are summarised in the Table below.

Comment Summary	Specific comment (if applicable)	Number of Comments
<b>35% reduction in spaces.</b> Harder to park. Object to restrictions. Need a long stay car park		82
<b>Fees too high. Should be kept free</b>		57
Adverse effect on <b>customers and visitors</b>		43
Adverse effect on <b>shopworkers</b>		32
Adverse effect on <b>shops and businesses</b> and detrimental to Yarm		78
Adverse effect on <b>residents</b>	external addresses	41
Specific Objections from <b>residents living in central Yarm wanting fewer restrictions</b> and/or residents permits	Bridge St	1
	Bentley Wynd	3
	High Church Wynd	7
	West Street (permits)	6
	Old Market	4
	High Street	10
	Central Yarm (other)	4
Specific Objections from <b>residents wanting more restrictions</b> and/or residents permits	West End Garden	3
	Minerva Mews	5
	Atlas Wynd	1
Concerns over general <b>displacement</b>		6
<b>Park and Ride</b> needed		1
<b>Rail Halt</b> - objections to charges		14
Yarm School <b>students</b> Parking		6

<b>Church</b> parking problems		3
Need for 20mph zone	Restrictions will increase speed and rat-runs	2
<b>Blue Badge</b> parking problems		2
General objections to proposals		13
<b>Need 3 hour disc</b>		1
Discriminates against Yarm		2
Pay and Display needed on High Street	Open up Riverside for extra parking	2
Money Spinning		1
<b>Total (some objectors listed several of the above themes)</b>		<b>431</b>

- 4.5 It was clear that a significant proportion of the objectors were under the false impression that the proposals would result in a reduction of 170 spaces or 35% of the total spaces available to the public in Yarm. Some objectors mistakenly thought the proposals affected parking arrangements on the High Street.

This suggestion also appears to have arisen by double counting loss of parking opportunity where vehicles cannot physically park on both sides of the narrow streets simultaneously. In the case of Atlas Wynd any parking on the proposed restrictions would obstruct passage. Some of the restrictions were intended to be carriageway only so had no impact on parking opportunity.

- 4.6 Following receipt of such a large number of objections during the statutory consultation it was decided that it would be impractical to approach each individual objector to attempt to resolve their particular issue as is usual practice. Instead, it was considered appropriate to write to all the statutory objectors and give them specific information to clarify the reasons for the proposals and exactly what the proposals would mean in practice. A copy of this letter and the information sheets are attached at **Appendices 4A-E**.

The objectors were given the option then of withdrawing their objection, letting their written objection come before the Appeals and Complaints Committee or presenting their objection in person.

- 4.7 The remainder of this report will address the objections by specific theme and either offer further explanation and justification or a possible revision to the advertised proposals to address a particular concern.

## **5.0 RESPONSE TO THE OBJECTIONS**

### **Yarm Rail Halt**

- 5.1 A number of objectors (approximately 14) referred specifically to the imposition of charges at Yarm Rail Halt being counterproductive to encouragement of sustainable travel modes and that charges may also lead to displaced parking in surrounding streets and congestion at the ticket machine just before scheduled train departures.
- 5.2 The car park running costs do amount to a significant annual revenue commitment of £10-11,000 per annum and since 1996 have been met from the Stockton Town Centre car parks income. The proposed £1 daily charge is still significantly lower than Stockton Town Centre charges (currently £2.40 per day) to reflect the Council's desire not to cause

significant displacement. Rail users will still have a convenient and secure car park for a relatively modest price.

- 5.3 The rail halt car park is now regularly full beyond the number of marked out bays. Stockton Council own the Rail Halt car park and we do have an option to extend it but such capital works would need to be funded from the car park income stream in the current economic climate.
- 5.4 Some rail users have complained that it is being used by Conyers 6th formers and as a car share meeting point and that they are forced to park outside a bay when they arrive for the later trains. This gives them added concern if a Control of Use Order made this practice a penalty charge offence. We have carried out some observations to understand the extent of this alleged pattern of use and whilst these practices do occur it is unlikely to account for more than 20% of those using the car park. Therefore it is more likely that the recent increase in patronage is due to the high charges at Darlington Station.
- 5.5 It is possible that the imposition of charges may deter some non-rail users creating spare capacity. However, the car park layout would be reorganised to accommodate more bays as part of the proposals as well as accommodating the electric charging bay. The car park aisles are currently wider than usual to accommodate a large bus turning circle. Whilst full size Arriva buses no longer call at the Halt, smaller Leven Valley buses do so on Sundays and evenings. The location and number of the cycle lockers will also be reviewed.
- 5.6 It should also be noted that passengers would never need to risk missing a train or incurring a penalty charge (if parking charges are approved) as all our charging car parks are covered by the RingGo scheme whereby you can pay for parking by mobile phone whilst you are actually away from your vehicle (on the train) without the need to display a ticket. Similarly parking stays could be extended by mobile phone beyond the initial time purchased.
- 5.7 Season tickets are always available in our long stay charging car parks. If charges are approved here then the weekday season ticket prices would be £15 per month with equivalent 3 monthly (£42), 6 monthly (£80) and annual (£150) season tickets also available. This reflects the Council's objective of encouraging sustainable travel considering daily charges imposed by the Rail Operator at Thornaby are £2.60 and at Darlington £11.

### **Impact on residents**

- 5.8 We received approximately 90 objections that mentioned the difficulty that the proposals would create for residents of central Yarm. More than 40 of these letters came from addresses outside of central Yarm. 15 were requesting additional restrictions in Atlas Wynd and West End Gardens.

Yarm residents seem to have been completely misinformed about the scale of proposals we have put forward. There is no intention to "remove 35% or 170 parking spaces" as has been reported widely in the media. Neither do the proposals include any changes to parking on Yarm High Street which will continue to provide parking for 333 cars (206 in the Disc zone and 127 in the long stay area).

I will clarify below the practical impact of the proposals on street by street.

**a) Atlas Wynd and Minerva Mews**

**The proposed restrictions here apply to the carriageway only** so there is nil loss of parking opportunity as the proposed yellow lines simply reinforce general parking practices but is intended to reduce the occasional instances of obstructive parking. The concerns of Minerva Mews and Atlas Wynd residents (which included a petition containing 19 signatures) are noted and we will work with the Management Company and residents to address any worsening of their parking problems. However we cannot introduce the additional restrictions requested as part of the current consultation. We will of course monitor the impact of any displacement over a period of say 6 months and if necessary bring forward additional restrictions. It should also be noted that many of the complaints by the Minerva Mews Company in the past have related to parking on their own private forecourts so would need to be controlled by a private traffic management company.

**In summary, there is nil loss of parking opportunity on Atlas Wynd as a result of the proposals but we will monitor the impact of any displacement from the Castle Dyke Wynd car park and consider further actions as necessary.**

**b) Bentley Wynd**

The proposed restrictions here were intended to include exemptions for the 3 marked parking bays on Bentley Wynd and existing parking at Snaith's Field resulting in nil loss of practical parking opportunity. The proposed yellow lines were simply intended to replace the existing Keep Clear markings (badly faded in some places) and reinforce general parking practices on narrow sections of carriageway. They were also intended to reduce the occasional instances of obstructive parking by giving greater clarity to motorists and making enforcement easier. I recognise that the advertised plans were less than clear in this respect so **I propose to remove the advertised yellow lines covering the sections that currently accommodate off carriageway parking.**

**In summary, there is nil loss of practical parking opportunity on Bentley Wynd as a result of the proposals.**

**c) Bridge Street**

The proposed restrictions here are intended to duplicate the Keep Clear markings near the viaduct and on the approach to the junction with West Street reinforcing general parking practices but were also intended to reduce the occasional instances of obstructive parking by giving greater clarity to motorists and making enforcement easier. There will be no impact on the off carriageway parking in front of the fire station.

**In summary, there is nil loss of practical parking opportunity on Bridge Street.**

**d) High Church Wynd**

This street is very narrow but along some sections accommodates parking on one side, generally the south side. We continually receive complaints concerning obstructive parking and have marked Keep Clears to the east and west of the former Police Station access. Nevertheless parking continues to take place there sometimes obstructing access for longer vehicles into the High Church Mews site opposite. The proposals therefore were intended to reinforce the general practice of parking on the south side and to replace the Keep Clear markings with yellow lines. The net impact on legitimate parking opportunity was intended to be minimal but it is recognised that up to 4 vehicles do regularly park on the proposed restrictions and that residents with no private parking facilities are anxious to maximise parking opportunity. Vehicle swept paths into High Church Mews are shown in Drg No

TM2/125 at **Appendix 5** and it may be possible to **relax the advertised restrictions to permit another 2 vehicles to park.**

**In summary there is a potential loss of 2- 4 spaces on High Church Wynd.**

#### **e) Old Market**

This street currently has no formal restrictions or Keep Clear markings and enforcement against obstructive parking has only been carried out by Yarm Police to date. It contains a lay-by for 3 cars and an off-street car park with 16 spaces. Approximately 20 vehicles park on-street daily. There are instances of obstruction of the pavements, damage to the landscaping and difficulty for large vehicles negotiating the parked cars. In view of the fact that the charges proposed for The Old Market car park may worsen the current position, daytime (Monday to Saturday 8am-6pm) restrictions were proposed to improve the environment and protect the residents and deliveries from obstructive parking.

**In summary, there was a potential loss of 20 on-street spaces in Old Market as a result of the advertised proposals.**

However, in view of objections from 4 residents that have no private parking facilities and the significant number of cars displaced from this area, a site meeting was held with one of the residents which resulted in an alternative proposal (Drg No. TM2/123 at **Appendix 6**) circulated to 37 residents directly affected by the original proposals. This alternative involves a reduced length of restrictions that would be no waiting at any time thereby avoiding the need for posts and plates to be erected in the street. It would protect larger delivery, cleansing and emergency vehicles from obstruction as shown on Drg No. TM14/104 at **Appendix 7** whilst retaining on-street parking opportunity for 18-19 vehicles in addition to the existing layby parking.

One of the objectors has confirmed in writing that this alternative is supported and one other resident did likewise by telephone. No response has been received yet from the other 35 residents consulted.

I am therefore minded to suggest withdrawal of the daytime waiting restrictions at Old Market and will bring forward the alternative proposal as a separate (new) Traffic Regulation Order that will of course be subject to further statutory advertising.

**The net effect of the alternative proposal would be a loss of just 1- 2 spaces on street but this is not for consideration at this meeting.**

**The effect of withdrawing the proposals for on street waiting restrictions in Old Market will be to leave the existing car parking arrangements unchanged.**

#### **f) West Street**

Existing restrictions here are on the west side of the street from the junction with West End Gardens to south of the Parish Church. Additional restrictions were proposed on both sides of the street at the S bend through the viaduct arches. There are some Keep Clear markings here and parking off the carriageway north of Snaith's Field would not be affected. We could retain the status quo on the west side of West Street by retaining existing keep clear markings as the proposal was simply to ensure no parking on the carriageway.

The remainder of the restrictions simply regulate where parking generally doesn't take place because of the presence of parked vehicle on the opposite side of the road.

**In summary, there is a potential loss of 6 on-street spaces in West Street on the east side of the carriageway south of the viaduct.**

**Therefore, aside from The Old Market, in practice we are looking at less than 10 spaces lost across the rest of the town centre, none of which are on the High Street. This is in contrast to the information put forward by other parties of around 170 spaces.**

#### **g) West End Gardens**

There have been a number of complaints in the past from residents of West End Gardens (at the north end of West Street) including requests for residents parking permits. Previously, the extent of the problem has not warranted action but as a result of the proposed restrictions there is a suggestion that further vehicles will displace into this street. As with Atlas Wynd, we will monitor the impact of any displacement arising from the proposals and consider further actions as necessary.

#### **Obstruction offences**

- 5.9 In 2009 and 2010, Stockton Council's Neighbourhood Enforcement Officers were called to five of the streets covered in the proposed parking restrictions Order on no fewer than 400 occasions resulting in over 730 actions, mainly the issue of removal notices. This is a very onerous and unsatisfactory way of dealing with obstructive parking as the idea of issuing 24 hour removal notices is to educate motorists and clearly the problem persists unabated in Yarm. The enforcement service strongly supports the introduction of yellow lines to give greater clarity to the location of legitimate on-street parking places. A breakdown of the enforcement activities during 2009 and 2010 is shown at **Appendix 8**.
- 5.10 A resident of Lord Nelson Yard has indicated that he suffers regular obstruction to his vehicle in Lord Nelson Yard (see Drg No. TM2/126 **Appendix 9**). If the obstruction occurs on the public highway then both the Police and the Council can take action. However, if the obstruction is within the yard itself, then a Civil action may need to be brought.

#### **6.0 POSSIBLE REVISIONS TO WAITING RESTRICTIONS**

- 6.1 At the meeting a large display drawing showing the advertised proposals and the reduced set of restrictions discussed in Section 5 will be available. It is recommended that the reduced restrictions shown in Drg No. TM2/112A at **Appendix 10** are confirmed and that a further proposal to introduce some No Waiting at Any Time restrictions in Old Market (Drg No TM2/123) be advertised as soon as possible.
- 6.2 The impact of any displaced vehicles, particularly in Atlas Wynd and West End Gardens be monitored for a period of 6 months and if necessary further restrictions will be considered.

#### **7.0 RESIDENTS PARKING PERMITS**

- 7.1 The possibility of introducing resident parking permits has been explored and, as confirmed by Cabinet in 2009, the introduction of residents parking zones would need to await either the provision of a long stay parking facility or the introduction of charges on the High Street.

#### **8.0 CAR PARKING CHARGES AND THE IMPACT ON SHOPS AND BUSINESSES**

- 8.1 The proposals are to introduce Pay and Display parking charges on the two small public off-street car parks in Yarm where workers and students currently take up most of the spaces for the whole day. The locations are at Castle Dyke Wynd (23 spaces) and Old Market (16 spaces) and the proposed hours of operation are 8am to 6pm, Monday to Saturday with charges of £1 for the first two hours and £1 per hour thereafter.



During the public consultation in 2009, a recurring theme from the Yarm Chamber of Trade, its members and Yarm Town Council was for longer permitted parking than the Disc Zone allows in order to provide somewhere shoppers could be directed to if they wanted to park a little longer than the 2 hour Disc zone limit. Placing the needs of customers/visitors above the convenience of workers and students was seen as priority to improve the trading position of Yarm. The Chamber of Trade endorsed this priority in several discussions with them.

- 8.2 The suggestion of amending the Disc zone regulations to 3 or 4 hours and reducing the hours that it operated were considered but the potential loss of parking opportunity due to longer stays would be counter-productive to the needs of Yarm as it would simply encourage more all day parking in the Disc zone (by moving the car just once per day).
- 8.3 An option to change part of the Disc zone to a longer period was also considered but this was considered impractical in terms of enforcement and the additional street clutter of regulatory signs. Instead the proposal is to change two small off-street car parks from all day free parking to pay and display that will give the opportunity for those shoppers and business visitors to obtain a parking space for longer than 2 hours (albeit for a small charge).
- 8.4 A number of objectors (approximately 57) stated that the parking fees were too high and that it would cost shop workers £8 - £9 per day to continue to park at these locations. The Council did not intend that workers paid to park all day but rather that the car parking spaces were reserved for customers and visitors.
- 8.5 The Council has spent several years exploring the opportunity to provide a large long stay car park for Yarm culminating in the 2009 consultation exercise that suggested the most likely site was the Brickyard allotments. During the feedback on the consultation, it was accepted that the Brickyard allotments site would not proceed but that action still needed to be taken to provide some additional long stay parking on smaller sites and some medium stay flexible parking (2-4 hours). It is considered that the proposals as amended can come forward independently since the net impact on overall parking supply is minimal.
- 8.6 We continue to work with private landowners to release vacant or underused land for additional long stay parking. However, given that the quantity of parking overall in Yarm is expected to change very little as a result of the proposals, the net effect is that shop workers and students currently taking convenient parking spaces early on a morning will be displaced and shoppers and visitors currently restricted to the streets if they need longer than 2 hours parking will know where to find medium stay car parking facilities.

## **9.0 DISABLED PARKING**

- 9.1 The proposals will have no adverse impact on disabled parking in Yarm. There are no changes to Yarm High Street and charges for blue badge holders do not currently apply in any pay & display off-street car parks in Stockton.
- 9.2 The proposed waiting restrictions in the streets behind the High Street do not include any loading bans therefore normal blue badge guidance on parking on yellow lines would apply.

## **10.0 MISCELLANEOUS ISSUES**

- 10.1 The proposals do not include any changes to West Street in the vicinity of the Parish Church and existing restrictions will contain an exemption for funeral corteges and wedding cars. The Council has been made aware that churchgoers do use Old Market car park on a Saturday and a reduction in the hours of operation to Monday to Friday will be an issue for the Appeals Committee to consider. The standard time of operation for Off-Street Charging in Stockton is 8am – 6pm, but to overcome the Church objection the hours that

the charges apply could be varied to 9am – 5pm, Monday – Friday as requested without significantly compromising the purpose of the scheme since business parking requirements may be lower on a Saturday.

- 10.2 Other points raised during the consultation include the need for Pay and Display on the High Street, Park and Ride facilities for Yarm, 20mph zones and action taken against Yarm School students but these are not considered material to the advertised proposals

### **11.0 FINANCIAL IMPLICATIONS**

The estimated cost of 3 pay and display machines plus installation and signing and lining is £15000 with £21,000 annual running costs. Financial income projection per annum is £63,500. The revenue costs of enforcement, cash collection and maintenance can be met by the income from charges.

Any new car parking facility identified in the future would require capital investment funded by the Boroughwide parking income stream.

### **12.0 POLICY CONTENT**

The revised proposals will lead to more appropriate use of available spaces in the town centre, and assist commercial activity of local businesses and improve the vitality of the town centre. The proposals are in accordance with the Council's Parking Plan and the business application for Decriminalised Parking Enforcement.

### **13.0 CONSULTATION**

The Officers' Traffic Group, Ward Councillors, Head of Service and Cabinet Member for Regeneration and Transport were consulted prior to advertising of the proposals. Residents and businesses of Yarm were consulted on the proposals through the statutory Traffic Regulation Order process involving advertising on site and in the local press This follows a lengthy public consultation in the summer of 2009 and a public meeting in January 2010.

The statutory consultations resulted in the 296 objections being received. The objectors were all invited to the Appeals Committee.

### **14.0 CONCLUSIONS**

The proposed waiting restrictions, as amended, will have minimal impact on the overall supply of on-street parking in Yarm.

Council enforcement of the existing keep clear markings is resource intensive and waiting restrictions will mean clarity for motorists and fewer burdens on the Council Enforcement service. Exemptions for blue badge holders will still apply as usual.

The introduction of off-street pay and display parking is intended to be a positive measure to provide guaranteed spaces for those shoppers and business people requiring longer than 2 hours parking. This is a facility that has been requested a number of times in discussions with the Chamber of Trade and local ward councilors.

#### **Corporate Director of Development and Neighbourhood Services**

**Contact Officer** : **Bill Trewick**  
**Tel No** : **01642 526716**  
**E-mail address** : [bill.trewick@stockton.gov.uk](mailto:bill.trewick@stockton.gov.uk)

### Environmental Implications

Removal of time restricted parking in Old Market will allow all the proposed restrictions to be introduced without street clutter. The yellow lines can be reduced in width and applied in a paler yellow colour more compatible with its Conservation Area status. Additional car parking spaces will support local businesses, shoppers and residents.

### Community Safety Implications

Regulation of the worst cases of obstructive parking will improve safety.

### Background Papers

SD.T.44.10 Proposal to introduce off-street parking charges and waiting restrictions in Yarm  
Report to Cabinet on Yarm Parking Consultation, 26 November 2009.

### Education Related Item?

No.

### Ward(s) and Ward Councillors:

Yarm : Councillors Mrs J Beaumont, Andrew Sherris, Mrs Jackie Earl

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