

**AGENDA ITEM**

**REPORT TO APPEALS AND  
COMPLAINTS COMMITTEE**

**24 FEBRUARY 2012**

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

**A135 YARM ROAD/A67 URLAY NOOK ROAD ('CLEVELAND BAY') - TEES  
VALLEY BUS NETWORK IMPROVEMENT SCHEME  
PROPOSED EXTENSION OF SOUTHBOUND, MON-FRI 3:30-6:00PM WITH-  
FLOW BUS LANE AND ASSOCIATED NO WAITING AT ANY TIME/PEAK HOURS  
LOADING RESTRICTIONS**

**SUMMARY**

The purpose of this report is to seek Members' views on unresolved objections received following statutory advertising of proposal to implement an extension to the existing with-flow bus lane (Mon-Fri, 3:30-6:00pm) on the A135 Yarm Road southbound approach to the A67 Urlay Nook Road ('Cleveland Bay') traffic signals, and associated 24 hour waiting/peak hours loading restrictions on the west side of Yarm Road in the vicinity of the junction.

It is not considered appropriate for the Head of Technical Services to consider the objections as he would effectively be reviewing his own decision given this is an agreed scheme, being progressed by the Technical Services Division.

**RECOMMENDATIONS**

It is recommended that:

1. Members give consideration to the objections raised and also to the comments of the Head of Technical Services, as detailed in the report.
2. The local Ward Councillors, Egglecliffe and Egglecliffe Parish Council, and the objectors be informed of the Committee's recommendation.

**DETAIL**

1. In September 2009, details of Department for Transport 'Programme Entry' for a package of improvements known as the Tees Valley Bus Network Improvements were presented to Cabinet. A strategic business case was submitted as part of the bid. Permanent Traffic Regulation Orders are associated with the proposed improvements which were approved to be processed at that Cabinet meeting.

2. The proposals follow a major review of the bus network in 2004 covering the routes across the Borough of Stockton, Middlesbrough, Redcar and Cleveland, Darlington and Hartlepool. A comprehensive package of measures was developed to address the long term decline in bus patronage and provide a real alternative to the private car.
3. During 2006, a list of infrastructure schemes designed to deliver the improvements for each corridor was developed. A135 Yarm Road is one of the corridors within the Borough of Stockton. The list of proposals and infrastructure measures that formed the funding bid to Government was agreed between the five local authorities and bus operators in 2007.
4. The proposals include improved passenger facilities and bus stops, priority routes for low floor buses and fare and ticketing improvements. Central Government is providing significant grants to contribute to the costs of the improvements. The business case was submitted in August 2009 and a favourable decision given in early January 2010. Year 1 schemes, including A177 Durham Road and Mandale Gyratory, commenced on site in 2010.
5. The issues specifically identified as part of the funding bid are that buses on the A135 Yarm Road southbound approach to the 'Cleveland Bay' can get delayed due to queues and congestion including at peak times.
6. The proposal advertised was the intention to extend the existing southbound, with-flow bus lane (Mon-Fri, 3:30-6:00pm) further south, and provide no waiting at any time restrictions/peak hours loading restrictions on the west side of Yarm Road in order to remove on-street parking and permit the proposed extension to the bus lane (see Drawing No TM2/131 in **Appendix 1**).
7. Following publication of the Statutory Notices on site and in the local press on 1 December 2011 four objections were formally received during the objection period which expired on 22 December 2011. The objections were received by the Director of Law and Democracy and have been referred to the Appeals and Complaints Committee for consideration.

## **DETAILS OF THE OBJECTIONS**

1. Copies of the letters of objection received are attached as **Appendix 2**.

| Objector  | Objection  | Comments   |
|---|--|--|
| <p>Miss Dawn Moran<br/>708 Yarm Road<br/>TS16 0JE</p> | <p>1. Loss of on-street parking opportunity/<br/>negative impact on business/future<br/>businesses/job security.</p> | <p>1. There is no right to park on a public highway. 708 Yarm Road has private frontage behind the adopted highway, the Council could improve vehicular access as part of the proposed works by providing a strengthened footway crossing. This would formalise parking for 2 customer vehicles. The landlord of the 'Cleveland Bay' public house has indicated that he is happy for customers or staff of the business units, including 708 Yarm Road, to park in the pub car park, and to advertise this fact. This would be an informal arrangement with the current tenant. Options to maximise car parking capacity within the car park are being investigated.</p> <p>However, it is anticipated that displaced parking could easily be accommodated within the 'Cleveland Bay' car park.</p> <p>A survey carried out on Thursday 26 January 2012 indicated that a maximum of 3 vehicles were observed to be parked on the affected length of Yarm Road between the hours of 7:30am-6:30pm. During the same time period a maximum of 6 vehicles were observed to be parked in the 'Cleveland Bay' car park, which has a potential capacity of 12 spaces (see drawing in <b>Appendix 3</b>). It is also proposed to carry out maintenance works to the footway as part of the scheme.</p> |

|  |   |  |
|--|---|--|
|  | <p>2. The proposed extension to the bus lane will have little effect on reducing congestion for southbound traffic into Yarm, it is simply the volume of traffic leading into Yarm.</p> | <p>2. The proposed extension to the bus lane will allow southbound buses to get closer to the front of the queue. The scheme will also feature a bus 'hurry call' (loops cut into the carriageway 40m away from the stop line which prioritises the signals to allow a bus to travel through the junction and there is also a loop on the stop line which cancels the priority). There is a maximum green time allowed if the cancel loop is not triggered. The 'hurry call' will be timetabled to operate at the same time as the bus lane. Both the extension of the bus lane and 'hurry call' facility will permit the bus to get closer to the junction, thus helping to achieve the aims of the scheme.</p> |
|  | <p>3. There is no issue with congestion for northbound traffic exiting the 'Cleveland Bay' signals, on-street parking here does not cause an issue.</p>                                 | <p>3. The proposals are not designed to assist northbound traffic, the proposed restrictions are designed to enable the southbound bus lane to be extended further south, and maintain the left turn from A67 Urray Nook Road for larger vehicles, in order to assist southbound traffic flow. However, there is a side benefit for northbound traffic in that it will also receive any extended green when the 'hurry call' facility is called.</p>   |
| <p>Mr Paul Lawrence<br/>708-710 Yarm Road<br/>TS16 0EJ</p> | <p>1. Loss of on-street parking opportunity/negative impact on business/future businesses/job security.</p>   | <p>1. As 1 above.</p>  |

|  |   |   |
|--|---|---|
|  | <p>2. Extending the bus lane by approximately 3 car lengths will have little effect on congestion. The bus lane operates 3:30-6:00pm weekdays, the restrictions apply 24 hours a day.</p> | <p>2. The bus lane is proposed to be extended by around 36 metres, which is approximately 6-7 car lengths or 3 bus lengths. When combined with the bus 'hurry call' the scheme will enable buses to progress through the junction with a significantly reduced delay. It is estimated that southbound buses are currently delayed by 61 seconds per journey on average between 3:30-6:00pm weekdays. The proposed scheme is anticipated to reduce this delay to between 11 and 38 seconds depending on queues on Yarm Bridge. This in addition to anticipated reduced delays for northbound buses, which currently suffer an average delay of 22 seconds during the weekday evening peak period.</p> <p>The 24 hour restrictions are required to enable the bus lane to be extended and to maintain the left turn manoeuvre from A67 Urray Nook Road for larger vehicles. Southbound traffic is likely to make use of the reallocated carriageway throughout the day, therefore 24 hour waiting restrictions are required.</p> <p>It should also be noted that the bus operator, Arriva, have made tentative enquiries with respect to extending the hours of operation of the bus lane on Yarm Road.</p> |
|--|---|---|

|  |   |   |
|--|---|---|
|  | <p>3. Most buses going into Yarm along Yarm Road only have a hand full of people on board.</p> <p>4. Parking is likely to migrate to South View, which already attracts on-street parking and causes congestion (see location plan in <b>Appendix 4</b>).</p> | <p>3. Passenger loading figures are a commercially sensitive issue and are not available from the operator, Arriva. However, Stockton Council actively encourage sustainable alternatives to the private car. The Borough Council are committed to achieving this aim by, amongst other things, improving the infrastructure across the Borough as evidenced by the Cabinet decision to approve the whole Tees Valley Bus Network Improvements package of measures. One such improvement is the proposed extension to the bus lane on Yarm Road.</p> <p>4. South View provides on-street parking opportunity for Headlam Terrace, where properties have no off-street parking provided. This causes no significant issues. As detailed above, it is not anticipated that parking will migrate to neighbouring side roads, as surveys indicate that displaced parking can be accommodated within the Cleveland Bay car park.</p> |
|--|---|---|

|  |   |   |
|--|---|---|
|  | <p>5. Please take into account Egglecliffe and Egglecliffe Parish Council's views with respect to the adverse impact the proposed 24 hour waiting restrictions will have.</p> | <p>5. The Parish Council have been involved in discussions with Stockton Borough Council with respect to the scheme from an early stage, and initially indicated that they were supportive of the scheme being progressed to consultation. However, following the Parish Council meeting on 20 October 2011 an e-mail was received from the Clerk to the Parish Council stating that the Parish Council considered that the benefits to bus services was not worth the disruption to nearby businesses and there is potential for a detrimental effect on their trade.</p> <p>A response was sent to the Parish Council on 9 November, confirming previous consultation, both with the Parish Council/Ward Councillors and with affected businesses. The response also considered associated Parish Council queries with regard to the potential for loading restrictions on Yarm High Street and enforcement of the yellow box junction at the 'Cleveland Bay' junction.</p> <p>However, no formal objection was received from the Parish Council during the statutory consultation period. See also Consultation section.</p> |
|--|---|---|

|  |   |  |
|--|---|--|
| <p>Mr Robert Atkinson<br/>54 Butterfield Road<br/>TS16 0EX</p> | <p>1. Mr Atkinson is considering renting one of the empty shop units on Yarm Road to sell pine furniture, he considers that without on-street parking there would be no trade.</p>  | <p>1. As indicated above, Stockton Council is confident that ample parking opportunity for the businesses would be available in the 'Cleveland Bay' car park.</p> <p>It should also be noted that loading of bulky goods will be permitted when the proposed peak time loading restrictions (which cover the southern length of the proposed 24 hour waiting restrictions only) are not in effect.</p> |
| <p>Mr C Clarke<br/>17 Coatham Vale<br/>TS16 0RA</p>            | <p>1. Proposed 24 hour waiting restrictions will prevent parking outside of the shops, he regularly takes an elderly neighbour shopping here.</p> <p>2. Egglecliffe and Eaglescliffe Parish Council also have concerns.</p> | <p>1. The proposed waiting/loading restrictions do not restrict picking up/setting down passengers. Parking opportunity is anticipated to be available in the 'Cleveland Bay' public house car park.</p> <p>2. The Parish Council's views have been considered above.</p>  |



## DISCUSSION

1. Stockton Borough Council's Cabinet approved the TVBNI package of measures at its meeting in September 2009. Funding for the entire £62 million Tees Valley Bus Network Improvement Scheme is provided by the Department for Transport (DfT) (£40 million) and public/private partnership of Tees Valley Councils and Bus Operators (£22 million). Monitoring of the implementation of schemes is carried out on behalf of the DfT by the TVBNI Board.
2. It is important to note that options to retain on-street parking opportunity outside of the business units on the west side of Yarm Road were investigated as part of the 'Cleveland Bay' TVBNI scheme. Drawing No TM14/50 in **Appendix 5** details a scheme to extend the bus lane to the signal stop line and widen the carriageway on the east side of Yarm Road; this option involved significant utilities service diversions, provision of a retaining wall and loss of the segregated footway/cycle track, and was costed at £792,800. Drawing No TS/D1/199/1/001 in **Appendix 6** was then considered, this proposed to extend the bus lane to the signal stop line, but did not retain the on-street parking opportunity in front of the shops; this option was costed at £489,500. Both options were not progressed further due to the high costs and significant disruption, including to local businesses, which would be caused during construction. Instead the current scheme proposing the extension to the bus lane was progressed, it is estimated that this will offer 38-82% of the time savings to buses at 7% of the cost.
3. It is also worth noting that this is a priority scheme for Arriva, see letter in **Appendix 7**.
4. The objectors' main concern is the loss of on-street parking opportunity on the west side of the affected length of Yarm Road, and the detrimental effect this may have on businesses. It should be noted that there is no right to park on a public highway, and the proposed waiting restrictions are essential in progressing the proposed extension to the bus lane. An agreement has been reached with the current landlord of the 'Cleveland Bay' public house who is happy to allow displaced staff/customer parking to take place in the pub car park. Surveys indicate that sufficient capacity exists in the car park to cater for this displaced parking. The restrictions permit loading at the northern end at all times and during off-peak hours at the southern end. The restrictions allow picking up/setting down of passengers at all times.

## FINANCIAL AND LEGAL IMPLICATIONS

The costs specifically associated with advertising the Traffic Regulation Order (TRO) are estimated at £2,000.

Funding for the entire £57 million Tees Valley Bus Network Improvement Scheme is provided by the Department for Transport (£37 million) and public/private partnership of Tees Valley Council and Bus Operators (£20 million).

The 'Cleveland Bay' scheme is estimated at £34,000 including the TRO, extension to the bus lane, 'hurry call' facilities, waiting restrictions and provision of a camera to enforce abuse of the bus lane (and perhaps discourage abuse of the yellow box junction).

## **POLICY CONTENT**

The proposals are consistent with National and Regional public transport policies and objectives. The Council's approved Public Transport Strategy is a 'Daughter' Strategy of the Local Transport Plan, it encompasses plans for public transport including cross Borough boundary issues. The Tees Valley Bus Network Improvements will contribute to agreed targets set for Local Transport Plan indicators.

The scheme will ensure that the bus core routes strategy can deliver frequent and reliable bus services and meet bus punctuality targets and help deliver a step change in public transport provision to make it a viable alternative to private car travel.

## **CONSULTATION**

The Officers' Traffic Group and the Council's Cabinet including the Cabinet Member for Regeneration and Transport have indicated their support for the advertised proposal. Frontages on the west side of Yarm Road were informed of the scheme via letter drop on 30 September (**Appendix 8**), and their comments were invited; no comments from frontages were received at this time.

The Ward Councillors and Parish Council were sent a draft copy of this Appeals report, and their comments were invited.

*Egglecliffe and Eaglescliffe Parish Council commented as follows:*

"Egglecliffe and Eaglescliffe Council reiterates previous concerns regarding the loss of on-street parking and the detrimental impact on adjacent businesses on Yarm Road. It is significant that several businesses have gone already and the premises have not been re-let, possibly in view of the proposals for parking restrictions. The informal arrangement with the landlord of the Cleveland Bay to allow customers and staff of the adjacent business premises to use the pub car park is not viewed as a satisfactory arrangement to accommodate displaced parking as it could be withdrawn at anytime. The Council draws attention to one of the conclusions in a report, dated 12 August 1999, by the then SBC Director of Environment & Technical Services which states: "It is accepted that the provision of a 3m wide line with waiting restrictions at the Cleveland Bay junction would have an unacceptable impact to adjacent businesses".

The Council is of the opinion that a maximum 50 second saving on bus journey times is not worth the expenditure of £36,000, particularly in the current economic climate."

## **Response**

The high turnover of businesses at this location indicates that it is not sustainable to rely on on-street parking opportunity for passing trade. All units aside from the Hair & Beauty Salon at 708 Yarm Road are currently empty. It is considered that to quote from a report from 1999 is not relevant to the current situation. The nature of this length of road has changed since 1999; the former Parkfield petrol filling station to the north of the business units has been replaced by the Parkfield Court residential apartments. It may also be argued that the businesses present in 1999 operated with more passing trade shops, for example a motor parts unit. It is correct that the agreement to allow parking in the 'Cleveland Bay' car park could be withdrawn at anytime.

However, it may also be considered that should the current proposals to introduce on-street charging in Yarm High Street be implemented, on-street parking in front of the business units may well be reduced by displaced parking from the town centre. A cost benefit analysis of the scheme will be tabled at the Committee meeting, and a verbal summary given. Note the cost of the scheme is estimated at £34,000, rather than £36,000.

*Councillor Dennis commented as follows:*

“Just to confirm I am still against this scheme for the same previous reasons, which I will re-outline below. It does not improve the traffic flow at this junction. There should be a scheme that improves this junction from each of the directions of approach. There is no improvements to the safety for residents exiting Aislaby Road to travel in either direction. In terms of improving bus times the bottleneck is Yarm High Street not this junction. The funding spent on this scheme could be better spent looking at ways to sort the real problem out in Yarm. The traders at this site do not agree with this scheme, as they and I perceive a loss of trade through the loss of car parking in the immediate location. Therefore I will be still objecting to this scheme.”

## **Response**

The scheme is designed to reduce queues and delays for southbound buses approaching the junction on Yarm Road only. However, the proposed increase in short stay parking opportunity on Yarm High Street currently being investigated should have a positive effect with respect to improving traffic flows on the High Street (and hence the approaches) as parking spaces will be easier to find, should the scheme proceed.

Improvements at the A67 Yarm Road/Aislaby Road junction were investigated as part of the housing development implemented on Aislaby Road to the east of Nelly Burdon's Beck. No practicable scheme was identified. The current proposals have a neutral effect with regard to the Aislaby Road junction, but note the above comments with respect to flows on Yarm High Street,

Historically, it is recognised that the issue of congestion in Yarm High Street and the approaches to it is largely caused by traffic movements associated with looking for parking spaces. As detailed above, the Council is investigating parking improvements in Yarm, including extending short stay spaces, on-street charging, potential for long stay sites, and so on.

The bus lane scheme is funded from TVBNI monies; this funding could not be diverted to Yarm High Street.

The loss of on-street parking opportunity for traders is already covered in the report.

No responses to the draft Appeals report were received from Councillor Mrs Rigg or Councillor Lewis.

Four objections were received during the statutory advertising and remain unresolved as part of the Traffic Regulation Order process.

## CONCLUSIONS

The strategic business case submitted to the DfT ensures the proposals fit with local, regional and national transport policies.

The Tees Valley Authorities are collectively taking action to address the on-going decline of bus patronage across the sub-region.

The bus operator, Arriva, have confirmed that the 'Cleveland Bay' scheme remains a priority for them as reliability problems on Service 7 are increasing. Surveys show that displaced parking, associated with the proposals can be comfortably accommodated within the 'Cleveland Bay' car park.

It is requested that the Committee recommend that the objections are over-ruled.

**Name of Contact Officer:** Mark Gillson  
**Telephone No:** 526725  
**Email Address:** mark.gillson@stockton.gov.uk

### Environmental Implications:

The proposals improve the bus network to provide a real alternative to the private car. Increased use of public transport will help to ease peak hour congestion on the Borough's road network.

### Community Safety Implications:

None.

### Background Papers:

Cabinet Report dated 3 September 2009.  
LTP2 (2006-11), LTP3 (2011-16)

### Education Related Item:

No.

### Ward(s) and Ward Councillors:

Eaglescliffe: Councillors P Dennis, A Lewis, Mrs M Rigg.

### Property Implications:

None.