



Date: Monday, 12th December, 2016 at 10:00 am

Venue: Ground Floor Committee Room Town Hall, High Street, Stockton

Cllr David Wilburn(Chairman)
Cllr Tracey Stott(Vice-Chairman)

Cllr Derrick Brown
Cllr Philip Dennis
Cllr Ross Patterson

Cllr Evaline Cunningham
Cllr Elsi Hampton

AGENDA

1 Evacuation Procedure

Procedure 21K/bytes attached [Page 1]

2 Apologies for absence

3 Declarations of Interest

**4 Minutes from the Appeals and Complaints Committee meeting
which was held on the 8th August 2016.**

For approval and signature

Minutes 50K/bytes attached.....[Page 3]

**5 Minutes from the Appeals and Complaints Committee meeting
which was held on the 16th September 2016**

Minutes 71K/bytes attached.....[Page 7]

6 Procedure

Procedure 24K/bytes attached.....[Page 17]

**7 Proposed extension and addition of no waiting at any time
restrictions - Bedale Avenue, Billingham**

Report attached.....[Page 19]

App 1 attached.....[Page 23]



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App 2 attached.....	[Page 25]
App 3 attached.....	[Page 27]
App 4 attached.....	[Page 29]
App 5 attached.....	[Page 31]
App 6 attached.....	[Page 33]

* Exempt Item



Members of the Public - Rights to Attend Meeting

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please

Contact: Governance Officer, Sarah Whaley on Tel: 01642 528686 or email: sarah.whaley@stockton.gov.uk

Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in paragraphs 9 and 11 of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the Member's financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the Member or any person described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a Member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code).

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a Member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) (**paragraph 21** of the code).

Members are required to comply with any procedural rule adopted by the Council which requires a



Stockton-on-Tees

**Appeals & Complaints
Committee**

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Member to leave the meeting room whilst the meeting is discussing a matter in which that Member has a disclosable pecuniary interest (**paragraph 22** of the code).

Ground Floor Committee Room, Town Hall

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The Fire alarm is a continuous ring and the Bomb alarm is the same as the fire alarm however it is an intermittent ring. If you hear the fire alarm sound please exit the Ground Floor Committee Room by the normal exit. Please then exit the Town Hall by using the normal front exit – this can be located by immediately turning right out of the Ground Floor Committee Room. There is also an exit located directly down the corridor which is straight ahead of you as you exit the Ground Floor Committee Room. The assembly point for everyone in the Town Hall is outside of the Shambles. The assembly point for everyone if the Bomb alarm is sounded is the Swallow Hotel, Johnny Walker Square, Stockton.

Location of the Ladies Toilets are on the Ground floor opposite the Ground Floor Committee Room and the men's are just a little further along the same corridor (to the right of the ground floor Committee Room).

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Monday, 8th August, 2016.

Present: Cllr David Wilburn(Chairman), Cllr Tracey Stott (Vice-Chairman), Cllr Derrick Brown, Cllr Philip Dennis, Cllr Ross Patterson, Cllr Norma Stephenson (Sub for Evaline Cunningham)

Officers: Julie Butcher (HR, L and C); Gillian Spence, Mark Gillson (EGD), Michael Henderson (DCEO)

Also in attendance: Dr Jyoti Krishna plus a representative, Nigel Beaumont, Richard Lindsay, plus other residents of Goose Pasture
Malcolm Leach (resident of The Pines)

Apologies: Cllr Evaline Cunningham, Cllr Elsi Hampton,

ACC 1/16 Evacuation Procedure

The Evacuation Procedure was noted.

ACC 2/16 Declarations of Interest

There were no declarations of interest.

ACC 3/16 Minutes from the meeting which was held on the 2nd December 2015.

The minutes of the meeting held on 2nd December were confirmed as a correct record and were signed by the Chairman.

ACC 4/16 Procedure

The Committee considered a proposed procedure for the meeting.

RESOLVED that the procedure be agreed.

ACC 5/16 Proposed Traffic Regulation Order - Goose Pasture.Yarm

Members were provided with a report relating to outstanding objections received, following statutory advertising of a proposal to amend the existing traffic Order on Goose Pasture, Yarm.

It was explained that, under the proposals, the single yellow line restrictions were to be replaced with no waiting at anytime restrictions and to also include a new loading prohibition applicable Monday to Friday 8.30 to 9.30am and 2.30 to 4.30pm. These restrictions would also be extended to cover the bend at the fork in the road plus both sides of the southern fork leading to Rookery Woods, with the exception of the frontage of number 49 where the driveway was not fit for purpose.

The advertised Traffic Order was progressed at the request of local residents, following on-going concerns relating to legitimate parking on the existing single yellow lining and in locations where parking was not currently restricted on the incline and the bend, which resulted in road safety and traffic management issues.

It was explained that eleven of the representations received during statutory advertising represented number 49 Goose Pasture and were in regard to the proposed restrictions on both sides of the southern fork, leading to Rookery Woods (only) not the proposals to amend the restrictions and to extend them to cover the bend. The twelfth objection was associated with concerns relating to parking on another side road off The Spital – The Pines.

Officers from Economic Growth and Development Services presented the report to members. The report included the representations received from members of the public in response to the statutory consultation process in full, together with a summary within the report.

Members, objectors and supporters were given the opportunity of asking questions of the officers.

It was confirmed that there were no objections to the extent of the proposed no waiting at any time restrictions proposed for the entrance to Goose Pasture up to and including the road outside numbers 45 and 47 Goose Pasture. The extent of the proposed restrictions that were the subject of the objections were on both sides of Goose Pasture on the southern leg from number 47 onwards (but with a gap in proposed restrictions to the frontage of number 49).

Dr Krishna made representations to the Committee. She explained that the southern fork of Goose Pasture was a wide road with a turning area and there were no issues with traffic passing along the road. Dr Krishna's indicated that, in her opinion it was residents themselves that parked on the road and that no resident had difficulty leaving their driveway due to obstructive parking. Dr Krishna was concerned that the only remaining parking area on the southern fork of Goose Pasture would be outside her property at number 49 as the proposed restrictions had been removed from this area to address Dr Krishna's concerns about lack of parking for her property.

Members, objectors and supporters were given the opportunity of asking questions of Dr Krishna.

Members then heard from residents of Goose Pasture who supported the proposals. Supporters confirmed that obstructive parking did occur and reiterated their support for the proposals.

Members, objectors and supporters were given the opportunity of asking questions of the supporters.

Objectors, supporters and officers from Economic Growth and Development then left the meeting room whilst the Committee considered the information it had received.

Members noted, from the report and representations made at the meeting, that the majority of residents of the southern fork of Goose Pasture were in favour of the proposed restrictions advertised, having in fact instigated the request for action due to concerns about obstructive parking. Members were mindful that Dr Krishna's property had sufficient off-street parking, including a garage and driveway for at least three cars, and Dr Krishna and her visitors could park across the dropped kerb, which no other vehicle could do. The additional parking spaces along the frontage of number 49, being 24 metres in length, gave sufficient parking for one property, although not all of it would be protected for the use of number 49. Members did agree that although the driveway was steep it was useable and parking could be achieved at the top of the driveway. If Dr Krishna had visitors who were disabled they could park for longer than 3 hours on the drive or across the dropped crossing to number 49 where there would be no time limits on length of stay. The order complied with legislation for blue badge holders.

A resident of The Pines attended the Committee and addressed the meeting. It was noted that the concerns raised by the objector had also been counter-signed by other residents of The Pines but did not directly relate to the order for Goose Pasture and could not be considered at the committee. Members had been advised that officers had not been made aware of the issues at The Pines previously but could consider adding the request for waiting restrictions to the Traffic Order request list awaiting priority and investigation in the future. As an interim arrangement, consideration could be given to implementing keep clear markings around The Spital / The Pines junction and residents could be consulted regarding provision of the marking across their driveway.

Members unanimously agreed that the objections did not outweigh the reasons for making the order and would recommend to the Director of Economic Growth and Development that the order proceed as advertised.

RESOLVED that the Director of Economic Growth and Development be recommended:

1. not to uphold the objection.
2. to proceed with the order as advertised.

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Friday, 16th September, 2016.

Present: Cllr David Wilburn(Chairman), Cllr Tracey Stott(Vice-Chairman), Cllr Derrick Brown, Cllr Evaline Cunningham, Cllr Philip Dennis, Cllr Elsi Hampton, Cllr Gillian Corr(Sub Cllr Ross Patterson).

Officers: Julie Butcher(HR,L&C), Mark Gillson, Gillian Spence, Anthony Wilton(EG&D), Sarah Whaley(DCE).

Also in attendance: Objector Mr P Dodd

Apologies: Cllr Ross Patterson

ACC 6/16 Evacuation Procedure

The Evacuation Procedure was noted.

ACC 7/16 Declarations of Interest

Councillor Philip Dennis who was the Ward Councillor for Eaglescliffe declared a personal non prejudicial interest as he had provided help and advice to Officers to help develop the scheme. Councillor Dennis confirmed he had also sign posted residents on how to respond to the proposal. Councillor Dennis was not predetermined and reserved the right to speak and to vote on the item.

ACC 8/16 Procedure

The Committee considered and agreed a proposed procedure for the meeting, which the Chairman explained ahead of the following item.

RESOLVED that the procedure be agreed.

ACC 9/16 Proposed Residents Permit Parking and Waiting Restrictions Scheme - Station Road Area, Eaglescliffe

Members were asked to consider and provide their views on a report which detailed 9 unresolved representations received, following statutory advertising of a proposal to introduce permit parking / 2 hours limited waiting on the roads identified as the immediate station area of Eaglescliffe.

To facilitate traffic movements, no waiting at anytime restrictions were included within the advertised traffic Order.

Eaglescliffe station had been refurbished and the car park had been extended, following completion of the works, Northern Rail introduced parking charges at £2 all day.

Temporary waiting restrictions and a free waiver scheme were implemented for the duration of the refurbishment works, which involved a total closure of the car park throughout the works, to address residents' concerns regarding potential obstruction and road safety issues arising from the displaced parking. Alternative off street parking was provided at Quarry Road.

74% of respondents supported the proposed residents parking scheme thereby achieving the threshold level (at 66%) of support for a permanent scheme in the immediate station area to be progressed.

In summary; 4 of the representations were in regard to the proposed no waiting at anytime restrictions on Swinburne Road, 2 representations from the same address were in regard to the proposed no waiting at anytime restrictions on Elmwood Road and only 3 representations were connected to the residents parking aspect.

The report detailed the response of the Director of Economic Growth and Development to the representations. It was not considered appropriate for the Director of Economic Growth and Development to consider the representations directly as he would effectively be reviewing his own decision.

The Principal Engineer provided Members with background information in relation to the proposed scheme, the main points covered were as follows:

It was highlighted that Stockton Borough Council had been approached by Northern Rail due to an increase in use of the Grand Central Station service from Eaglescliffe to London Kings Cross and Sunderland which had seen an increase in passengers from 76,000 per annum during 2008/9 to 196,000 passengers per annum during 2014/15.

Northern Rail proposed a scheme to invest £1,000,000 of funding to increase the size of the car park. The original car park was fairly small, only offering 34 spaces, which, due to the current extension had now increased to 83 spaces. In addition to the increase in number of spaces Northern Rail had also made improvements to the passenger waiting and access facilities.

The Authority had received short notice from Northern Rail as to the commencement of works back in October 2014. Northern Rail completely closed the existing car park at the time for refurbishment/extension which prompted the Council to come up with a short term temporary scheme whereby a Monday to Saturday 9.00am to 5.00pm waiting restrictions on the roads in the immediate station area was introduced. To assist local businesses particularly those on Station Road a Monday to Saturday 9.00am to 5.00pm, 2 hours limited waiting with no return within 2 hours was also introduced and an additional 23 space free of charge car park was made available at Quarry Road on the east side of Yarm Road. This would remain regardless of the

outcome of the meeting.

It was noted that Grand Central had recently secured a 10 year contract extension to supply the Kings Cross service and therefore current usage was anticipated to continue for the foreseeable future.

The Principal Engineer explained to the Committee that the legislation that was used to bring in the temporary scheme to effect was only temporary, it was an experimental order which lasted 18 months. Affected residents were given a free of charge, temporary waiver to enable them to park on the day time restrictions. There was no option to bring the temporary waiver scheme in on a permanent basis as confirmed by the Principal Solicitor.

It was recognised that charges were introduced in the extended car park by Northern Rail at £2 per day in May 2015. In recognition of residents' concerns with regard to commuter parking on-street to avoid the charges, the most appropriate scheme to overcome residents' concerns was a residents parking scheme.

A scheme was developed which proposed dual use bays (which would be marked out on the road) as detailed within the main report. The bays would be available for residents to park for as long as they wanted which would apply Monday to Saturday from 9.00am to 5.00pm and available for 2 hour limited waiting enabling visitors to stay for up to 2 hours without the need for a visitors permit. The scheme would also provide parking opportunity for customers of nearby businesses, on Station Road in particular.

An initial consultation was undertaken with the suggested scheme which was broken into 3 distinct areas as follows:

1. The immediate station area
2. The wider station area
3. The east side of Yarm Road (these residents were consulted for their opinion about the scheme however there were no proposals for a scheme in that area).

Following the initial consultation less than the 2/3rds of responses required to progress a residents parking scheme were received. The detailed responses were contained within the main report.

Officers explained to the Committee that it appeared from the responses that the temporary waiver scheme had clouded residents views as a quantity (27%) of responses indicated that they would have liked the temporary waiver scheme to be made permanent. There were also issues highlighted relating to the £10 annual charge for the permits, however this was a non negotiable charge which was applied to all residents parking schemes in the Borough. Due to a poor level of support from the wider station area, these were

subsequently removed from the scheme.

A second consultation took place where the required level of support was achieved for the proposal whereby a residents parking scheme could be progressed. Although the required level of support had been received, concerns expressed from residents in Clarence Road as well as Yarm Road and Railway Terrace remained. Due to residents wishes and the fact that it was geographically feasible, Clarence Road was then removed from the scheme.

Residents were updated on the results of the consultations and the proposal which was to be taken forward.

The Officers Traffic Group were initially consulted at their meeting which was held on the 17th September 2015 and updated as and when required thereafter, details of which were contained within the main report.

All relevant interested parties were consulted such as Ward Councillors, Parish Councils, relevant Cabinet Member and Officers of the Council, responses of which were contained within the main report.

Statutory consultation took place following approval to formally advertise the scheme in February 2016, where 13 representations were initially received. Correspondence was exchanged with residents who had expressed concerns. A site meeting was also arranged with Officers and residents where it was agreed that the scheme would be amended as detailed within the update plans attached.

Officers suggested that it was possible to significantly reduce the extent of waiting restrictions which had been originally proposed on Swinburne Road and Dunottar Avenue and presented the Committee with presentation slides detailing the suggested changes compared to that of the original proposal, all of which were detailed within the update plans. Officers felt that they had done as much as was practicably possible to address residents concerns with the new proposals.

Following the updated scheme 3 objections had been withdrawn should the new scheme be taken forward.

2 objections had also been received from a single address on Elmwood Road where the waiting restrictions proposed were outside of the area proposed for the residents parking scheme however this particular junction was raised as a concern during the original consultation by 2 separate residents. There was a site visit to consider the extent of restrictions proposed. Officers explained to the Committee that the western end of Elmwood Road was a small cul-de-sac and there was also a back alley link to the rear of some of the properties which would carry some vehicular traffic, however it was considered to be a fairly

minor leg, though when looking at Google Maps Myrtle Road and Beechwood Road did act as small distributor roads for the area which carried a fair amount of traffic. Officers did feel they could relax the proposed restrictions to the frontage of No.46 Elmwood Road however it was felt that the restrictions to the side should be retained. There was still enough space for 2 cars to park at the side of No.46 Elmwood Road. The objectors did not withdraw their objections following the proposed relaxation however Officers explained that should the scheme be approved then the proposed modification would still be taken forward.

There were 3 remaining representations directly connected with the residents parking aspect of the proposed Traffic Order which had been put forward for consideration.

An objector, Dr Dodd was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- It was good news about Eaglescliffe Station taking off as a commuter transport hub for Teesside.
- Dr Dodd explained that he lived on Yarm Road and had historically parked on Albert Road. He informed the Committee that he was also a steward for Eaglescliffe Methodist Church on Witham Avenue.
- Dr Dodd expressed that he was not happy with the annual £10 charge for a permit which was to be incurred for the residents parking scheme as this would mean his household would be paying £30 per annum. He also felt that due to the economic equation residents would respond by paving over their gardens to create their own parking spaces, which would change the look of the area.
- It was highlighted that where a resident may be parking legitimately but had dropped their permit onto the floor of their car they would be liable to a parking enforcement ticket which was not ideal.
- It was accepted that there had been a democratic consultation of which the majority of consultees were in favour of a scheme within the area, following this the objector made 2 suggestions which he asked the Committee to consider as follows:
 - 1) In order to stop people parking all day and force commuters to use the station car park it was suggested that the authority look at a similar scheme to that which the objector had had experience of in London, whereby patrons would get a 1 hour slot where double yellow lines became ineffective. The benefit of the 1 hour slot was that were you to park during the 1 hour slot and you did not have your permit you would therefore be infringing the rules. The 2

hour waiting proposal relied on someone to check when a patron arrived and left. The other benefit was that whilst the double yellow lines were inactive then anyone could park there.

2) Dr Dodd felt that the painting of roads in order to give restrictions should be refrained from and asked Members to reconsider the length of the double yellow lines. The dimensions of some of the double yellows were up to 20 metres which was felt to be extreme in an area where a 20mph speed limit was intended to be implemented. It was felt 10 metres should have been the maximum for the double yellow lines. There were also a number of back alleys where even if only 1 car was parked it would cause an obstruction.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Members sought clarity from Dr Dodd as to where he was suggesting the 1 hour slots would be located. It was confirmed that this was to be the whole of the proposed area where there was restricted parking to prevent commuters, however Station Road could be a separate rule to help maintain existing business.
- Clarity was sought as to how many residents showed support for the revised scheme.
- Questions were raised as to whether there had been any relaxation to the restrictions on Victoria Road since the original proposal.
- Members discussed further the suggestion of the one hour slot which was put forward by Dr Dodd, however it was felt that the proposed scheme put forward by Officers offered residents and visitors more flexibility and was less complex. It was also consistent with other schemes to address commuter parking issues elsewhere in the Borough.
- Officers were asked what arrangements would be in place during times such as funerals at the nearby churches as they may run over the proposed 2 hour visitor restrictions.
- Members also asked whether the objections raised by the dentist in respect of his customers had been addressed.
- Questions were raised as to what the level of enforcement would be if the proposed scheme was to go ahead as it was felt by some Members that there wasn't the resource to police the scheme correctly.
- Ward Member Cllr Dennis explained that during the temporary scheme in Eaglescliffe a light touch approach had been implemented by Enforcement,

however where there had been a particular problem enforcement had responded effectively as and when they were required to do so. It was felt that the approach had worked well and it was hoped that this approach would continue should the new proposal be approved.

Officers were given the opportunity to address the Committee in relation to issues/concerns raised. Their points could be summarised as follows:

- Officers confirmed that following the second consultation 74% of respondents who were in the immediate station area were in favour of the scheme. It was highlighted that one aspect which was dropped following the second consultation was Clarence Road. There was only 57% of respondents from Clarence Road in support of the scheme. As this was the south end of the scheme Officers took the decision to propose to remove Clarence Road from the final scheme that was to be taken forward.

- In relation to the suggestion made by Dr Dodd regarding the one hour parking slot, Officers explained that the suggested dual use bays provided flexibility for visitors to the area, and where businesses were concerned it would not be practicable to be handing out waivers to their customers. The one hour slot where double yellow lines were inactive suggested by Dr Dodd would still rely on permits to be handed out, however one of Dr Dodds initial concerns was related to the impractical use of permits and the costs associated to administer them. Officers felt the proposed scheme provided more flexibility without the introduction of permits for visitors wishing to park for up to 2 hours or between 5pm and 9am.

In relation to the extent of the proposed restrictions, following further discussions and consultation, restrictions had been reduced particularly at the Swinburne Road and Dunottar Avenue junction in the vicinity of the church which Officers felt had been cut back to a minimum requirement to allow a safe comfortable passage to and from the church car park and to allow some visibility for drivers exiting.

Where issues had been raised relating to the back alley off Albert Road to the rear of Dr Dodd property, if anyone chose to park there currently an obstruction to the access up and down the back alley would be caused. Officers felt therefore that it was wise to provide restrictions in the form of double yellow lines following discussions with Enforcement colleagues. Obstruction was considered to be a bit of a grey area and not always understood by motorists as much as a double yellow line. If a motorist chose to park there and caused an obstruction, initially a removal notice would be issued, however there would be no fine. If a motorist repeatedly caused an obstruction the vehicle could be seized. The double yellow lines were much simpler with regards to enforcement.

Where Dr Dodd had corresponded with Officers he had requested the hours of operation of the proposed scheme be relaxed. It was explained that the scheme only ran Monday to Saturday between the hours of 9.00am and 5.00pm allowing any one to use the bays during the evening and on a Sunday or Bank Holiday.

- Where Members had raised questions relating to Victoria Road, it was originally proposed to put parking bays on the north side of Victoria Road adjacent to the war memorial and also no waiting at anytime restrictions on the remainder north side and the south side, however the proposed restrictions were relaxed on Victoria Road in the final scheme to cover the junctions only in accordance with advice given in the Highway Code, leaving the majority of each side of Victoria Road unrestricted. It was recognised that Dr Dodd did not have in curtilage parking accessed off Yarm Road therefore his property was eligible to obtain a residents permit.

- Officers confirmed to the Committee that it was fairly common practice during such events as a wedding or a funeral and which prior notice had been given that residents parking schemes were not enforced on that particular day.

- Members were informed that the Highways team consulted with Enforcement colleagues on a regular basis and the scheme had been discussed at the Officers' Traffic Group meeting where Enforcement had indicated their support for the scheme and that they would provide an appropriate level of enforcement.

- Members responded to outstanding objections from Mr. Wilson of Yarm Road who had 4 main concerns as detailed within the main report. Mr Wilson had no in curtilage parking off Yarm Road and did rely on parking to the rear overnight. Officers confirmed that residents were consulted on the proposed final scheme following the second consultation via a letter which went to all areas in February 2016. With regards to 2 roads which were part of the temporary scheme, Victoria Road and Clarence Road, it had already been indicated that residents of Clarence Road did not want to be included in the final version of the scheme. Victoria Road was also freed up therefore providing parking for all. Due to Mr. Wilson having no in curtilage parking he would be eligible to apply for residents permits. It was also felt that the majority of residents would pay the £10 annual permit charge. In relation to concerns raised relating to the yellow lines, Officers had revised the scheme and minimised the extent of yellow lines. Officers had also taken the opportunity to replace some white lines / keep clear markings with no waiting at anytime restrictions on Witham Avenue. The advice from the Department for Transport was that yellow lines were much more easily understood by motorists.

- Where objections had been received from the dental surgery on Station Road and from their Head Office as detailed within the main report, Officers

explained that in relation to staff parking, there was free long term parking available at Quarry Road, which was approximately a 380 metre walk from the surgery. The walk was on a lit 30mph road, crossing two side roads with uncontrolled crossing points and then crossing Yarm Road at the Station Road signals with the benefit of push button, red / green man facilities. A Road Safety Officer had commented to say that this was a safe walking route. In addition a 20mph speed limit was also to be introduced in the area alongside the scheme. Due to the residents parking scheme operating between 9.00am and 5.00pm, staff could move their cars at 3.00pm to a bay closer to the surgery without penalty. It was felt that the scheme would provide more flexibility for staff and patients. If patients were mobility impaired then blue badge holders could park anywhere within the scheme for as long as they would like and they could also park on yellow line restrictions as long as they were not creating a road safety hazard or obstruction. Anyone else could park for up to 2 hours in any of the bays. Following the Officers comments back to the dental surgery and their Head Officer, the Head Office withdrew their objection, however the dental surgery's remained.

There were also parking opportunities without restriction on Witham Road, Pinewood Road and Beechwood Road. In addition the station car park had approximately 20% of its spaces free however there was a cost of £2 per day.

The Officers and Objector then left the meeting room.

The Committee, in the presence of Officers from Legal and Democratic Services, considered its decision taking into account all of the written information provided and the verbal representation it received at the meeting.

Members acknowledged that a scheme was required in the area as there had been parking issues for a very long time, which had only got worse with the increased use of the station. There was also the possibility that a service ran by Virgin may use the Eaglescliffe station in the future, which again would impact on parking in the area.

Members did query whether any monies were due to come to Stockton Borough Council to help with the cost of the scheme as the current situation was partly due to the increased use of the station. Officers explained that there was no contribution to this particular scheme, however there had been a large investment into the improvement of the station. Officers did however agree to approach Northern Rail to investigate if they were able to contribute to the scheme.

In relation to the car park in Quarry Road, Members asked that signage be provided to signpost motorists there.

Members were of the opinion that Officers had listened carefully and

accommodated the views of local residents very well and that the proposed scheme was the best scheme that could be offered in the area.

It was agreed that as the scheme be progressed and should anomalies materialise then it was within the remit of the Council to re-examine any particular issues.

RESOLVED that:

- 1) The Head of Economic Growth and Development be recommended not to uphold the objections.
- 2) The proposed modifications to the advertised traffic Order, outlined in the report, are noted and agreed.

AGENDA NO

APPEALS AND COMPLAINTS COMMITTEE PROCEDURE FOR MEETING

1. The objectors, any supporters and officers representing the Council will be in attendance from the commencement of the item.
2. The Chairman will introduce the Committee and will explain that it is meeting to hear representations from relevant parties and to come to a decision based on the facts of the case.
3. The Chairman will refer to the procedure as detailed below.
 - i. An officer will introduce the matter and present their report.
 - ii. The complainant will be given the opportunity of presenting their case
 - iii. Members of the Committee and other parties will be given the opportunity to ask questions at i and ii above
 - iv. The complainant and officers will provide a brief final statement.
4. Following the above and once the Committee feels it has gathered sufficient information, objectors, supporters and officers will be asked to leave the room whilst the Committee comes to a decision. N.B Officers from Law and Democracy will remain in the room, with the Committee, to provide legal advice and a written record of the decision.
5. All parties will be invited back into the room and the Chairman will advise the parties of the Committee's decision and the reasons for making it.
6. The decision, in writing, will be sent to relevant parties.

AGENDA ITEM:

**REPORT TO APPEALS &
COMPLAINTS COMMITTEE**

12 DECEMBER 2016

**REPORT OF THE DIRECTOR OF
ECONOMIC GROWTH &
DEVELOPMENT**

**PROPOSED EXTENSION AND ADDITION OF NO WAITING AT ANY TIME RESTRICTIONS -
BEDALE AVENUE, BILLINGHAM**

1.0 SUMMARY

This report is to seek Members' views on 2 unresolved representations received, following statutory advertising of a proposal to extend and introduce additional No Waiting At Any Time Restrictions on Bedale Avenue in Billingham.

The response of the Director of Economic Growth and Development to the representations is included. It is not considered appropriate for the Director of Economic Growth and Development to consider the representations directly as he would effectively be reviewing his own decision.

2.0 RECOMMENDATIONS

It is recommended that:-

- (i) Members give consideration to the representations received during the statutory process, also to the comments in response from the Director of Economic Growth and Development, as detailed in this report.

3.0 BACKGROUND

- 3.1 Bedale Avenue is an unclassified road leading from the B1275 Belasis Avenue to the 'Old Billingham' area of the town as well as providing access to the rear of Billingham South Community Primary School.
- 3.2 Bedale Avenue is an important bus route with 8 buses per hour in each direction, Monday to Saturday daytime, and 2 per hour in each direction Sunday. The bus operators have raised concerns that parking in the section of the proposed restrictions is causing difficulties for buses travelling through the area.
- 3.3 Ashwood Nursing Home have also raised concerns with school related parental parking across the entrance to their car park blocking vehicles trying to enter and exit.
- 3.4 Bedale Avenue is located near to Billingham South Community Primary School and forms part of the route to school. Inconsiderate parking can cause difficulties for parents and children walking to and from school.
- 3.5 There are 10 bungalows in this area that are served by an adopted access road located to the north of number 80 Bedale Avenue. Pedestrian access to the bungalows is via the access road and this access road to the bungalows allows for around 5 vehicles to park which is shown in **Appendix 1**.

- 3.6 Currently there are 'Residents Only Parking' signs. **Appendix 2** shows these signs however they are not regulatory and are not enforceable.
- 3.7 The current unrestricted areas allow for around 14 to 17 vehicles to park, the proposed restrictions would reduce this to 4 to 5 vehicles. **Appendix 3** shows the area to remain unrestricted.
- 3.8 Unrestricted parking will also be available nearby on Bedale Road to the north of the bungalows.
- 3.9 Evidence of parking on the centre island has been noted and can be seen in **Appendix 4**. If vehicles continue to park in this area in the winter months it is envisaged that considerable damage will occur to the grassed area.
- 3.10 This area is regularly patrolled by Enforcement Officers to combat school related parking issues. Officers have confirmed vehicles do park on the grassed centre island, however due to the lack of restrictions it makes it difficult to enforce.
- 3.11 Vehicles will still be allowed to temporarily stop on the proposed restrictions for the purpose of alighting and boarding of passengers as well as allowing deliveries to take place.
- 3.12 This area would not be considered for a residents parking area as parking is not implemented to address school parking issues which are not all day, everyday issues and schemes are not progressed for individual streets or single properties but for identifiable zones where long stay parking by commuters avoiding parking charges has a detrimental effect upon residents' ability to park near to their homes.

4.0 PROPOSED MEASURES (see Drawing TM2/214 in Appendix 5)

A permanent traffic regulation Order has been advertised. No waiting at any time restrictions are represented on the ground as double yellow lines.

5.0 CONSULTATION

- 5.1 Local Ward Councillors were consulted on the proposals. No responses were received.
- 5.2 Billingham Town Council were consulted on the proposals. No responses were received.

6.0 Statutory Consultation

- 6.1 The statutory consultation was conducted as required by the "Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1989" as amended. In practice, this involved publishing a public notice in the "Herald & Post", site notices were posted on the affected highway. Copies of the site notice, plan and draft traffic Order were available on the Council's website for the duration. Statutory consultation ended on 2 June 2016.
- 6.2 2 representations remain unresolved following statutory advertising and exchange of correspondence. Copies of the correspondence exchanged are given in **Appendix 6**. The main points of the objections are summarised as follows with a response from the Director of Economic Growth and Development.

Objections summary

6.3 **Alison Welford, 79 Malvern Road, Billingham TS23 2PQ**

The residents of the bungalows are elderly and most have home help or nurses visiting regularly as well as visitors, putting this parking restriction into force will have a direct affect on them.

My mother relies heavily on us to assist her. Recently a sign was put up in the cul-de-sac is for residents only parking, this has led to family being forced to park on the main road at the front of the bungalows. If a 'no waiting zone' is put on the road where are visitors supposed to park?

Even if the parking is opened up to visitors in the cul-de-sac, there are 10 bungalows and only adequate parking for 4 cars. If all of the residents who have cars are parked there is no parking for visitors in the nearby vicinity.

6.4 **Response from the Director of Economic Growth and Development**

The proposed extension to the existing double yellow lines and the addition of further ones have been requested by the local bus operators due to concerns they have with parking in these areas which is causing difficulties for the safe movement of buses. The nearby nursing home has also expressed concerns with vehicles parking and blocking the entrance to their car park.

I can inform you that it is proposed that there will be a break in the restrictions outside the bungalows which will still allow for around 4 vehicles to park.

6.5 **Jean Harper, 82 Bedale Avenue, Billingham, TS23 1AL**

The residents of the bungalows are all in our later years and most of us have home help or nurses visiting regularly as well as our visitors, putting this parking restriction into force will have a detrimental effect on me and the other residents.

I am a 67 year old widow and would not manage without my family and friends visiting me regularly. Recently a sign was put up in the cul-de-sac is for residents only parking, this has led to all of my family being forced to park on the main road at the front of the bungalows. If a 'no waiting zone' is put on the road where are my visitors supposed to park?

Even if the parking is opened up to visitors in the cul-de-sac, there are 10 bungalows and only adequate parking for 4 cars. If all of the residents who have cars are parked there is no parking for visitors in the nearby vicinity.

6.6 **Response from the Director of Economic Growth and Development**

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I can inform you that it is proposed that there will be a break in the restrictions outside the bungalows which will still allow for around 4 vehicles to park.

7.0 **FINANCIAL IMPLICATIONS**

The estimated cost of processing the Order and for the associated lining works is £2,000. This is to be funded from Punctuality Improvement Partnership (PIP) funding.

8.0 POLICY CONTENT

The restrictions will help to maintain two way traffic flow along Bedale Avenue and prevent parking across the nursing home car park entrance.

9.0 CONCLUSION

The extension of and addition to the current restrictions will assist Enforcement to deal with dangerous and inconsiderate parking and also allow for the safe passage of buses along this section of road. Damage to the grass and pavements would also be reduced.

Provision of parking restrictions will enable Enforcement Officers to enforce any parking issues.

The unrestricted section outside the bungalows will still allow for parking for approximately 4 to 5 vehicles.

It is recommended that the representations are over ruled and the scheme be implemented.

Director of Economic Growth and Development

Contact Officer : **Peter Fleming**
Tel No : **01642 526737**
E-mail address : **peter.fleming@stockton.gov.uk**

Environmental Implications

None.

Community Safety Implications

None.

Background Papers

Cabinet Member Report EGDS.T.55.16
Officers' Traffic Group meeting December 2015, min 262/15 refers.
Officers' Traffic Group meeting January 2016, min 26/16 refers.
Officers' Traffic Group meeting April 2016, min 98/16 refers.

Education Related Item?

No.

Ward(s) and Ward Councillors:

Billingham South Ward Councillors; J. O'Donnell, M. Smith.

Billingham Town Council

APPENDIX 1

ACCESS ROAD TO BUNGALOWS



APPENDIX 2

SIGNS LOCATED ON ACCESS ROAD TO BUNGALOWS



APPENDIX 3

UNRESTRICTED SECTION TO BE RETAINED

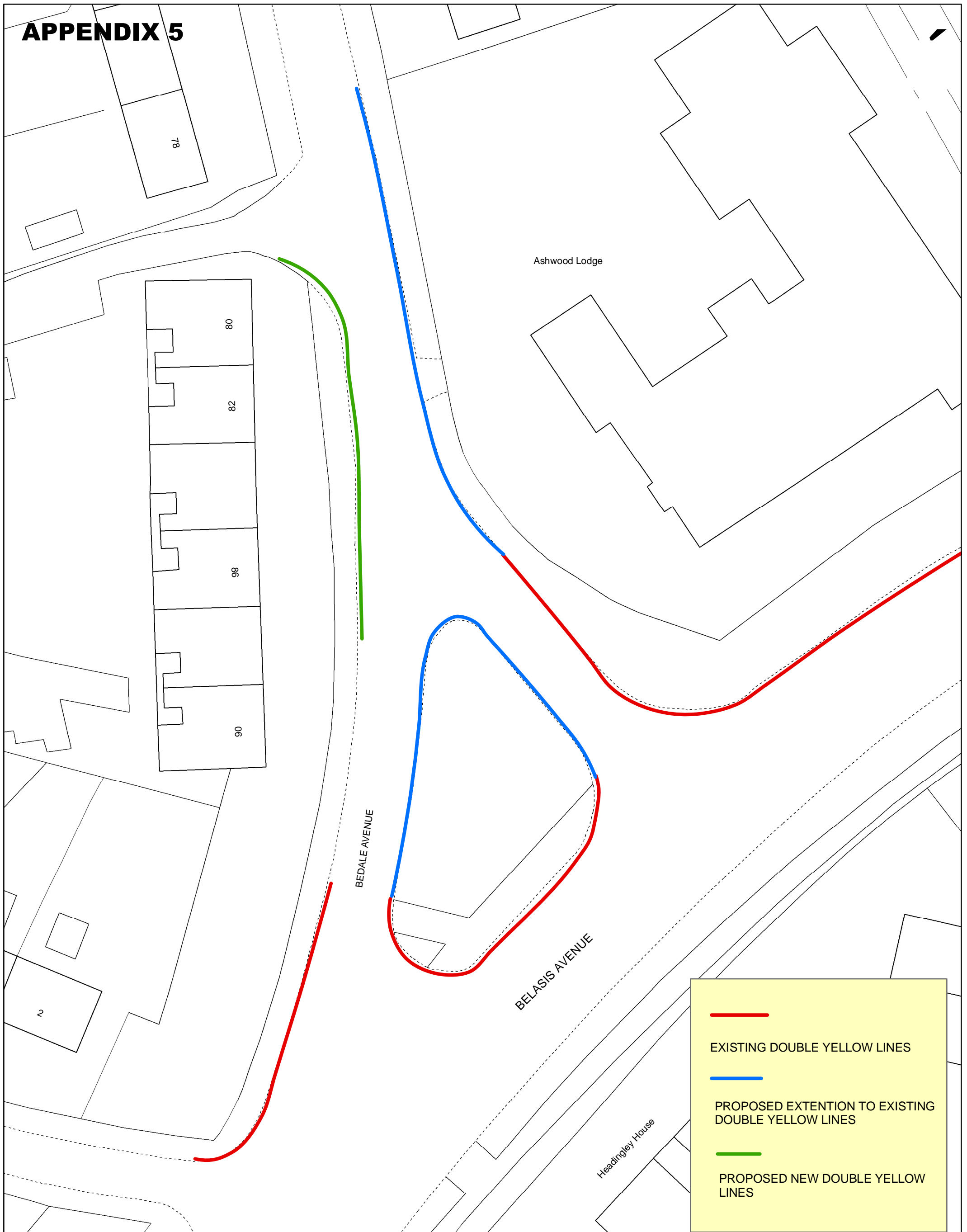





APPENDIX 4


EVIDENCE OF PARKING ON THE CENTRE ISLAND



APPENDIX 5



	EXISTING DOUBLE YELLOW LINES
	PROPOSED EXTENSION TO EXISTING DOUBLE YELLOW LINES
	PROPOSED NEW DOUBLE YELLOW LINES

 <p>Stockton-on-Tees BOROUGH COUNCIL</p>	<p>Development & Neighbourhood Services</p> <p>Corporate Director: P Dobson</p> <p>Head of Economic Growth and Development Division: R McGuckin Kingsway House, West Precinct, Billingham. TS23 2NX Telephone: (01642) 393939</p>	<p>Title</p> <p>Proposed Extension/Additional Double Yellow Lines Bedale Avenue Billingham</p>
<p>© Crown Copyright and database right 2015 Ordnance Survey 100023297</p>	<p>Date</p> <p>19 April 2016</p>	<p>Page 31 of 40 TM2/214</p>
<p>Scale</p> <p>1:300</p>		

APPENDIX 6

82 Bedale Avenue
Billingham
TS23 1AL

STATIONER & PRINTERS BC
08 SEP 2016
10:14 AM

2nd September 2016

Dear Sir/Madam

I write to advise of my objection to the Traffic Regulation Order advertised within the Herald & Post Newspaper dated 1st September which advises of the intention to implement a no waiting zone on Bedale Avenue, Billingham outside of the Bungalows and the nursing home on the other side of the road.

I urge you to think about us residents of the bungalows we are all in later years of our lives and most of us have home help or nurses visiting regularly as well our visitors and putting this parking restriction into force will have a detrimental effect on me as well as the other residents.

I am a 67 year old widow and would not manage without my family and friends visiting me regularly. Recently a sign was put up in the cul-de-sac on the wall stating that the area within the cul-de-sac is parking for residents only, this has led to all of my family being forced to park on the main road at the front of the bungalows which is the only place to park. If a 'no waiting zone' is put on to the road at the front of bungalows where are my visitors supposed to park?

Even if the parking area in the bungalows is opened up to allow visitors to park within the cul-de-sac, there are 10 bungalows and 5 of us have cars and there is only enough parking for 4 cars, if all of the residents who have cars are parked in the spaces there is no parking for visitors anywhere other than outside the houses of people further up Bedale Avenue.

Please take this letter into consideration and re-think your intention to restrict the parking in this area, I feel it may be a better option to perhaps restrict parking on the road during the school drop off and pick up times only, allowing my visitors to park there at all other times.

Yours sincerely



Jean Harper



My Ref: TS/T/15/1
Your Ref:
Please ask for: Peter Fleming
Tel: 01642 526737
Email: EGDS@stockton.gov.uk

PO Box 229, Kingsway House,
West Precinct, Billingham
TS23 2YL
Tel: (01642) 526709
Fax: (01642) 526713
DX 60611
Postcode for Sat Nav purposes:
TS23 2NX

21 September 2016

Dear Mrs Harper,

THE BOROUGH OF STOCKTON-ON-TEES BEDALE AVENUE, BILLINGHAM – PROHIBITION OF WAITING ORDER 2016

Further to your recent letter objecting to the proposed waiting restrictions on Bedale Avenue received by Legal Services and forwarded on to Network Safety for consideration. I will take this opportunity to give you the background in respect of this scheme.

The proposed extension to the existing double yellow lines and the addition of further ones have been requested by the local bus operators due to concerns they have with parking in these areas which is causing difficulties for the safe movement of buses. The nearby nursing home has also expressed concerns with vehicles parking and blocking the entrance to their car park.

I understand that your concerns with regards to the provision of no waiting at any time restrictions on Bedale Avenue relate to the impact it would have on residents from the bungalows. I can inform you that it is proposed that there will be a break in the restrictions outside the bungalows which will still allow for around 4 vehicles to park. I have enclosed a plan of the original proposals which shows the location of the restrictions.

Given the above, the next stage is to ask you to consider your objection. Should you wish your objection to stand; the item will be referred to the Council's Appeals and Complaints Committee. The Committee is independent to the Traffic Regulation Order process, and as an objector you

Mrs J Harper
82 Bedale Avenue
Billingham
TS23 1AL



would be given every opportunity to address the Committee. The alternative is to formally withdraw your objection. A reply slip and pre-paid envelope are enclosed for you to indicate your intentions.

I would be grateful if you could return your completed reply slip within 10 working days of this letter.

If you require any further information please contact Peter Fleming on 01642 526737.

Yours faithfully,

Mark Gillson
Principal Engineer Network Safety

CC: Councillor J O'Donnell
Councillor M Smith
Billingham Town Council

To: **Principal Engineer – Network Safety**
Stockton On Tees Borough Council
Development & Regeneration
PO Box 229
Kingsway House
West Precinct
Billingham
TS23 2YL

Ref: TS/T/15/1

Dear Mr Gillson

**THE BOROUGH OF STOCKTON-ON-TEES BEDALE AVENUE, BILLINGHAM
– PROHIBITION OF WAITING ORDER 2016**

With reference to my letter of 2 September 2016 to the Council's Legal Services regarding the above proposals:-

1. I wish my objection to be considered by the Council's Appeals and Complaints Committee YES/~~NO~~*
2. I wish to withdraw my objection to the proposed restrictions ~~YES~~/NO*

(* Please delete as appropriate).

From: JEAN MARPER
Address: 82 BEDALE AVE
BILLINGHAM
Postcode: TS23 1AH
Date: 24 - 9 - 2016



Please return in the pre-paid envelope within 10 working days.

79 Malvern Road

Billingham

TS23 2PQ

2nd September 2016

Dear Sir/Madam

I write to advise of my objection to the Traffic Regulation Order advertised within the Herald & Post Newspaper dated 1st September which advises of the intention to implement a no waiting zone on Bedale Avenue, Billingham outside of the Bungalows and the nursing home on the other side of the road.

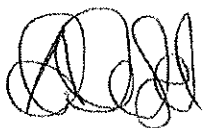
I urge you to think about the residents of the bungalows who are elderly and where most have home help or nurses visiting regularly as well as their visitors and putting this parking restriction into force will have a direct effect on them.

My mother lives in the bungalows and has regular visits from her all of her family, she is a 67 year old widow and relies heavily on us to assist her. Recently a sign was put up in the cul-de-sac on the wall making clear note that the area within the cul-de-sac is for residents only parking, this has led to all of the family being forced to park on the main road at the front of the bungalows which is the only place to park. If a 'no waiting zone' is put on to the road at the front of bungalows where are the visitors supposed to park?

Even if the parking area is opened up to allow visitors to park within the cul-de-sac, there are 10 bungalows and only adequate parking (allowing for turning space) for 4 cars, if all of the residents who have cars are parked there is no parking for visitors in the nearby vicinity.

Please take this letter into consideration and re-think your intention to restrict the parking in this area, it may be an option to restrict parking on the road during the school drop off and pick up times.

Thank you



Alison Welford



My Ref: TS/T/15/1
Your Ref:
Please ask for: Peter Fleming
Tel: 01642 526737
Email: EGDS@stockton.gov.uk

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Given the above, the next stage is to ask you to consider your objection. Should you wish your objection to stand; the item will be referred to the Council's Appeals and Complaints Committee. The Committee is independent to the Traffic Regulation Order process, and as an objector you

Mrs A Welford
79 Malvern Road
Billingham
TS23 2PQ



would be given every opportunity to address the Committee. The alternative is to formally withdraw your objection. A reply slip and pre-paid envelope are enclosed for you to indicate your intentions.

I would be grateful if you could return your completed reply slip within 10 working days of this letter.

If you require any further information please contact Peter Fleming on 01642 526737.

Yours faithfully,

Mark Gillson
Principal Engineer Network Safety

CC: Councillor J O'Donnell
Councillor M Smith
Billingham Town Council

