

North Yorkshire County Council

Business and Environmental Services

Executive Members

22 February 2019

Langton Road, Norton - Proposed Waiting Restrictions

Report of the Assistant Director – Highways and Transportation

1.0 Purpose Of Report

- 1.1 The purpose of the report is to advise the Corporate Director, Business and Environmental Services (BES) and the BES Executive Members of the outcome following public consultation and advertisement in regard to this proposal and for a decision to be made whether or not waiting restrictions should be introduced in Langton Road, Norton in view of objections received.
- 1.2 The Corporate Director, BES and the BES Executive Members decision is sought regarding the recommended option.

2.0 Background

- 2.1 Langton Road, Norton is a category C Road (C351) which serves a number of residential properties, a church, Norton County Primary School and Norton College. It also provides a main road route into Norton from the South.
- 2.2 In 2017 a new primary school opened on Langton Road. As part of the development the existing 20mph speed limit adjacent to Norton College was extended past the new school and a system of traffic calming was introduced with the aim of keeping vehicle speeds below 20mph.
- 2.3 The traffic calming consisted of the provision of two build outs, to the north and south of the new school access. With the inclusion of give way road markings and signage these form a priority working system with vehicles travelling south having to give way to vehicles travelling north. The build outs also provide a place for parents/children to cross through the inclusion of dropped kerbs and tactile paving. A set of speed cushions were also introduced to the south of the southern build out.
- 2.4 Waiting restrictions are presently in place on the eastern side of Langton Road, opposite the primary school entrance and between the two build outs, for a distance of 32 metres.
- 2.5 The southern build out is located adjacent to existing residential properties which do not have the benefit of on plot 'off-street' parking. As such on-street parking presently occurs.
- 2.6 As an alternative to on-street parking the Head teacher of the primary school allows residents to park within the school site between the hours of 18:00 to 07:30 during the school week with unlimited parking available at weekends and during school holidays. Presently 10 addresses on Langton Road take advantage of this.

- 2.7 Langton Road is particularly busy during the start and finish of the school day with parents dropping off children and coaches travelling to and from Norton College. At the start of the school day there is also the added problem of commuter traffic as people leave and enter Norton.
- 2.8 During site visits it was noted the priority traffic systems created by the build outs are unable to operate correctly. This is due to parents and residents parking adjacent to the build outs which means vehicles cannot pull in to the side of the road to give way to oncoming vehicles. This often results in vehicles mounting the footway to pass each other adjacent to the parked vehicles.
- 2.9 The traffic calming works were subject to an independent Stage 3 Road Safety Audit in April 2018. The parking of vehicles adjacent to the build outs was identified as a safety issue. The recommendation of the Audit Team was to introduce appropriate waiting restrictions on the immediate approaches to the give way markings to prevent parking.
- 2.10 As it is recognised that the problem is mainly limited to the start and end of the school day, it is proposed to introduce waiting restrictions for two periods, 08:15 to 08:45 and 15:00 to 15:45. This would also be the least detrimental option for the existing residents who do not benefit from off road parking. The waiting restrictions would apply between the two build outs and either side of the existing prohibition of waiting lines and in front of the northern build out, as shown on Plan 1.
- 2.11 The proposal will restrict the on-street parking which is presently available outside property numbers 79, 81, 83, 85 & 87.

3.0 Consultation

- 3.1 The proposals have been the subject of consultation and public advertisement in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The proposals as advertised are shown on Plan 1 attached.
- 3.2 At the conclusion of the advertising stage, eleven letters were received, one in support of the proposals, eight against and two did not support or raise objection. The objector comments are summarised in Appendix A, together with your officer's comments.
- 3.3 County Councillor Keane Duncan (the ward member representing Norton) was contacted during the consultation and his response was that he did not wish to challenge the recommendation of a Road Safety Audit.

4.0 Officer Comments

- 4.1 The site was investigated and it was considered that the most appropriate option was to introduce a length of time limited waiting restrictions by means of a Traffic Regulation Order. The introduction of waiting restrictions will also enable Civil Enforcement Officers to issue Penalty Charge Notices where vehicles park in contravention of the provisions of the Traffic Regulation Order.
- 4.2 Your Officers therefore consider it expedient that the proposed waiting restrictions on Langton Road be implemented as advertised.

5.0 Equalities

- 5.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010 and an Equalities Impact Assessment Screening form is attached in Appendix B.

6.0 Finance

- 6.1 The cost of advertising the Traffic Regulation Order and installing the signs is estimated at approximately £800 which will be funded from the local highways (Signs Lines and TROs) budget.

7.0 Legal

- 7.1 A new process for the consideration of objections to traffic regulation orders was approved by the Executive on 29 April 2014 and County Council on 21 May 2014. The consideration of objections to Traffic Regulation Orders (TROs) is now a matter for the Executive and the role of the Constituency Committee is changed to a consultative role on wide area impact TROs. The consideration of objections has been delegated by the Executive to the Corporate Director of Business and Environmental Services (BES) in consultation with BES Executive Members. The new decision making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A wide area impact TRO is classed as a proposal satisfying all of the three criteria set out below:
- The proposal affects more than one street or road and,
 - The proposal affects more than one community and,
 - The proposal is located within the ward of more than one County Councillor.
- 7.2 The proposed TRO has not been classed as a wide area impact TRO and therefore the Constituency Committee's views have not been sought.
- 7.3 Your Officers consider that the proposed restrictions will assist in addressing the road safety problems which have been observed to occur on site and thereby enable the County Council to comply with its duty under Section 122(1) of the Road Traffic Regulation Act 1984 to exercise their functions as road traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway, as set out in the Statement of Reasons for proposing to make the Order attached to this Report as Appendix C. The proposed restrictions will also enable the County Council to comply with their network management duty under Section 16 of the Traffic Management Act 2004, i.e. managing their road network with a view to achieving (inter alia) the expeditious movement of traffic on that network.
- 7.4 Where an Order has been made (sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks from the date on which the Order is made.

7.5 The relevant local member has been provided with a copy of this report and has been invited to the meeting on 22 February 2019.

8.0 Recommendations

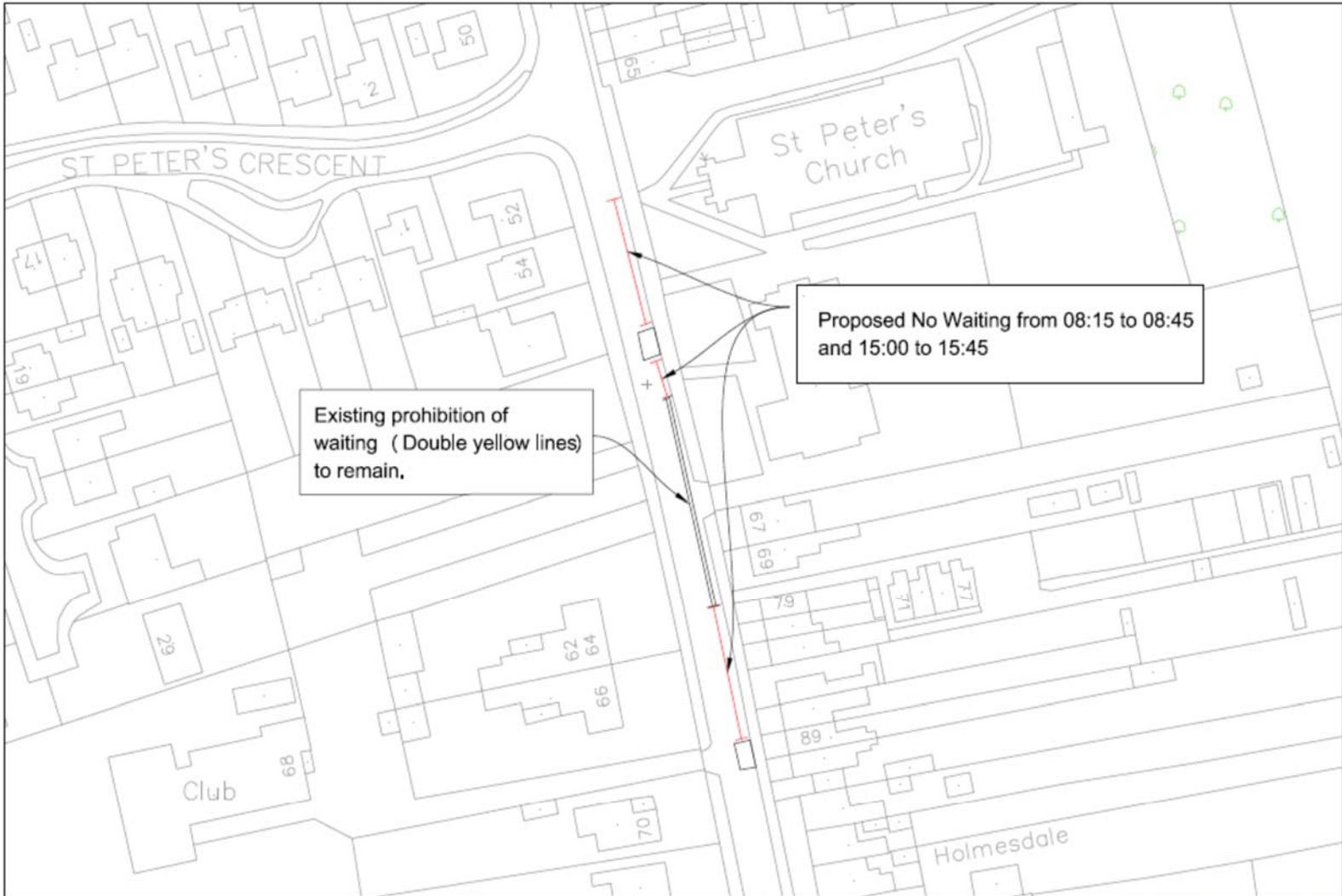
8.1 It is recommended that: -

- a) The proposed waiting restrictions on Langton Road shown on Plan 1 and as advertised are implemented by making a Traffic Regulation Order under the Road Traffic Regulation Act 1984.
- b) The Objectors are advised accordingly and notified of the making of the Order within 14 days of it being made.

BARRIE MASON
Assistant Director
Highways and Transportation

Author of Report: Tim Coyne

Background Documents: Letter of objection received are held in the scheme file held by the Kirby Misperton Area 4 Highways Office.



highways Highway Maintenance
NORTH YORKSHIRE Area 4 Kirkbymoorside

AMENDMENTS

C351, Langton Road, Norton-on-Derwent
Proposed waiting restriction

ORIGINAL DRAWING SIZE A3	
DRAWN BY: Vikki Orange	APPROVED BY:
SCALE: Not to scale	DATE: August 2018
PROJECT NO: 4/36UF069/C351/CP1	

Appendix A – Consultation Responses

Correspondent	Address	Concerns	Officer Comment
OBJECTIONS			
Resident	Langton Road	I feel that restricting parking during the times stated in the plan will achieve nothing and just supply the parents with additional parking during those times. The situation is that the road is more hazardous due the obstructions being built which causes traffic to back up and an increase in traffic fumes due to stationary vehicles, which still have right of way over the pedestrians. Build outs should be removed and a pelican crossing installed. Any waiting restrictions should be term time only.	It is acknowledged that any waiting restrictions require enforcement to be effective. Parking Enforcement will be asked to visit the site on a regular basis. Removing the build outs may result in an increase in vehicle speeds. The introduction of a pelican crossing would also involve the loss of parking spaces as parking in the vicinity is not permissible. The Department for Transport's Traffic Signs Manual states that although restrictions can apply to specific dates, expressions such as "term time" to reflect school periods are not permitted. As school term times vary from year to year it is not possible to identify specific dates when the restriction would apply.
Resident	Langton Road	It has been brought to your attention previously that the main cause of congestion are the bus routes up and down Langton Road to Norton College. The buses are not able to pass each other along the road. The time restricted parking you are proposing is basically no concession to the residents of Langton Road – it is basically the same as putting a permanent restriction there. It is unreasonable to expect residents to move cars twice a day. If this larger no waiting area is created for the school run, all it will do is to give more space to the parents of the Langton Road school to use. They are the people abusing the road in the first place. If the no waiting area is to be introduced, would it be possible for residents to be given an exception to it? This will allow us some parking near our homes without allowing further vehicles to park. To address the problems a one-way system for buses travelling to Norton College should be implemented.	It is acknowledged that any waiting restrictions require enforcement to be effective. Parking Enforcement will be asked to visit the site on a regular basis. Providing exceptions to residents will not address the issue of on-street parking adjacent to the build outs which prevents the priority system working correctly. Any one-way system for buses would need the agreement of the bus operators and may cause issues on other streets. It also would not prevent the abuse of the priority traffic system.

Appendix A – Consultation Responses

Resident	Langton Road	Restrictions will not help they will just provide parents more space to park illegally as they ignore restriction now. The only people this will effect will be the residents who are the only ones who obey the current rules of the road anyway. It will cause problems all year round even during school holidays when there is virtually no traffic on the road at all. Existing waiting restrictions should be enforced. Introduce a one-way system for buses or use an alternative route so they are not passing the Primary School. Narrow the footway on the eastern side of Langton Road to create permanent parking spaces with residents parking permits. Potentially narrow footway on western side to widen the carriageway to make it easier for vehicles to pass. Times when parking is available in the school should be extended to 08:00 or 08:30. Any waiting restrictions should be term time only.	It is acknowledged that any waiting restrictions require enforcement to be effective. Parking Enforcement will be asked to visit the site on a regular basis. Removing the build outs may result in an increase in vehicle speeds. The Department for Transport's Traffic Signs Manual states that although restrictions can apply to specific dates, expressions such as "term time" to reflect school periods are not permitted. As school term times vary from year to year it is not possible to identify specific dates when the restriction would apply. Any one-way system for buses would need the agreement of the bus operators and may cause issues on other streets. It also would not prevent the abuse of the priority traffic system. There is insufficient footway width to create residents parking bays and reducing the footway widths would not be conducive to encouraging parents and children to walk to school.
Resident	Langton Road	As a resident of Langton Road with Limited mobility and Blue badge holder the proposal would involve having to park an unknown distance from property and potentially have to move the car 4 times on any given week day. Residents should not be penalised because of school run traffic. Could school provide an area of land for residents parking. Residents should have dropped kerbs provided to facilitate off street parking.	There is presently no "allocated" residents parking on Langton Road and as such no guarantee that any resident is able to park directly outside their house. The resident asks if the school can provide land for residents parking which suggests mobility is not an issue as this would be away from the residential properties. The ability for the school to provide additional land for parking is not within the power of the Local Highway Authority. The resident could apply for a drop kerb crossing licence although the cost would need to be met by the resident.
Resident	Langton Road	Moves parking issues elsewhere and gaps will encourage high speeds. Section outside 79-83 is excessive. Any waiting restrictions should be term time only.	The Department for Transport's Traffic Signs Manual states that although restrictions can apply to specific dates, expressions such as "term time" to reflect school periods are not permitted. As school term times vary from year to year it is not possible to identify specific dates when the restriction would apply. It is not considered that gaps in parking will result in higher speeds at this location.

Appendix A – Consultation Responses

Residents (Two individual letters submitted)		Will create a more dangerous environment and won't be enforced. Restrictions should be 30 mins or term time only. Visibility will not be improved. Parked cars slow vehicles down making it safer to cross.	The Department for Transport's Traffic Signs Manual states that although restrictions can apply to specific dates, expressions such as "term time" to reflect school periods are not permitted. As school term times vary from year to year it is not possible to identify specific dates when the restriction would apply. The length of the time restriction is considered appropriate to cover the start and end of the school day. For anybody on the build out waiting to cross, their view along the road is obscured by parked cars which makes it difficult to see oncoming vehicles. There is no evidence to suggest that removing the parking from adjacent to the build outs will result in an increase in vehicle speeds.
Resident	Langton Road	Why should locals be punished. Parents should drop children off in school car park.	The Local Highway Authority do not have the jurisdiction to instruct the school to allow children to be dropped off within the school. It is considered that there would be safety issues associated with increasing traffic within the school grounds.
SUPPORT			
Norton Town Council		Members discussed the matter and consider the proposed restrictions as probably the best solution available at this time.	
NEUTRAL			
Resident	Langton Road	Suggests church is approached to allow parking within their site. Future new schools should have off road pick up/drop off within their grounds.	No objection made to the proposal.
NYCC Integrated Passenger Transport Group		Proposal will not impact on home to school or local bus service.	

Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Business and Environmental Services		
Service area	Highways & Transportation		
Proposal being screened	Proposed waiting restrictions		
Officer(s) carrying out screening	Tim Coyne		
What are you proposing to do?	Introduce no waiting at any time restrictions on Langton Road, Norton.		
Why are you proposing this? What are the desired outcomes?	To prevent parking adjacent to the priority traffic system which presently prevents the system from operating in a safe manner. The proposal will aid the free flow of traffic and to ensure visibility for pedestrians using the crossing points to access the adjacent primary school, thus addressing the road safety problems which have been observed to occur on site and to comply with the County Council's duty under Section 122(1) of the Road Traffic Regulation Act 1984.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	NO		
Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Yes	No	Don't know/No info available
Age		√	
Disability		√	
Sex (Gender)		√	
Race		√	
Sexual orientation		√	
Gender reassignment		√	
Religion or belief		√	
Pregnancy or maternity		√	
Marriage or civil partnership		√	

NYCC additional characteristic			
People in rural areas		√	
People on a low income		√	
Carer (unpaid family or friend)		√	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	NO		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	NO		
Decision (Please tick one option)	EIA not relevant or proportionate:	√	Continue to full EIA:
Reason for decision	The proposed waiting restrictions Order will require the installation of new road markings (single yellow lines), but will not otherwise have an effect on those with Protected characteristics. Blue Badge Holders will be able to park for up to 3 hours on double yellow lines and without restriction on single yellow lines in accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000. Parking is still permitted in other areas on Langton Road.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	13/02/19		

**PROPOSED INTRODUCTION OF WAITING RESTRICTIONS AT LANGTON ROAD,
NORTON**

STATEMENT OF THE COUNCIL'S REASONS FOR PROPOSING TO MAKE THE ORDER

LEGAL POWERS AND DUTIES

Under Section 1(1) of the Road Traffic Regulation Act 1984 the County Council, as traffic authority for North Yorkshire, has powers to make a Traffic Regulation Order (TRO) where it appears expedient to make it on one or more of the following grounds:-

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality).

Section 122(1) of the Road Traffic Regulation Act 1984 also provides that it shall be the duty of every local authority upon whom functions are conferred by or under the 1984 Act so to exercise those functions as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

REASONS FOR MAKING THE ORDER

The County Council considers that it is expedient to make this TRO on grounds (a) and (b) above, having taken into account its duty under Section 122(1) of the 1984 Act, for the following reasons:-

Location(s) of Proposed Order

Norton [Drawing No. 4/36UF069/C351/CP1]

Introduction of 'No Waiting' restrictions to operate from 08:15 to 08:45 and 15:00 to 15:45, Monday to Friday to aid the free flow of traffic and to ensure visibility for pedestrians using the build-outs to cross the road in the vicinity of Norton CP School. It is considered that the proposals will generally assist to secure the safer movement of vehicular and pedestrian traffic.

Traffic Officer: Philip Sharp (Area 4 Highways, Kirby Misperton)

CONSIDERATION OF OBJECTIONS

Under the County Council's Constitution, the consideration of objections to a proposed TRO is delegated to the Corporate Director - Business and Environmental Services (BES) in consultation with the BES Executive Members. For each TRO where there are objections, it will be necessary to bring a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The report will include the views of the relevant local member who will also be invited to the meeting that considers the report. The Corporate Director - BES may wish to refer the matter to the Council's Executive for a final decision.

A report to the relevant Constituency Committee will only be necessary when there are objections to a wide area impact TRO.

A wide area impact TRO is defined as a proposal satisfying all of the three criteria set out below:

- The proposal affects more than one street or road and,
- The proposal affects more than one community and,
- The proposal is located within the ward of more than one County Councillor

The report will seek the views of the Constituency Committee and these views will then be included in a report to the Corporate Director - BES and the BES Executive Members seeking a decision on the consideration of the objections. The Corporate Director - BES may wish to refer the matter to the Executive for a final decision.

The existing arrangements for members of the public wishing to attend or speak at committee meetings will apply and it may be appropriate for the Corporate Director - BES to have his decision making meetings open to the public, so that the public and in particular those with objections, have the opportunity to put their views across directly.

N.B. The Corporate Director - BES has delegated powers to make decisions on TROs where there are no objections.