
**DARLINGTON BOROUGH COUNCIL
TOWN CENTRE PEDESTRIAN HEART
TRAFFIC REGULATION ORDER 2005**

**Responsible Cabinet Member(s) - Councillor Nick Wallis,
Highways and Transport Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. For Members to consider objections received to the proposed Traffic Regulation Order required to bring into effect the traffic management works for the Town Centre Pedestrian Heart project.

Information and Analysis

2. The proposed traffic order was statutorily advertised on 22 December 2004 and the period for receipt of objections closed on 14 January 2005.
3. Businesses within the Pedestrian Heart area were each consulted directly by letter with details of how the proposed traffic management and waiting / loading arrangements will affect their premises.
4. Separate consultation has been undertaken with Royal Mail, Parcel Force, taxi operators, Darlington Association on Disability and the Markets Manager.

Outcome of Consultation

5. 14 responses have been received, 8 of which are objections and 6 are either seeking further clarification of a specific point or seeking alteration to part of the proposal.
6. Objections to specific parts of the proposal have been received from Durham Constabulary, The Society of Friends, Talent Recruitment, Inspirations, S&CL Wilkinson, Glittering Star, Darlington Association on Disability and the taxi operators.
7. No replies were received from the bus operators, Road Haulage Association or Freight Transport Association.
8. Schedule A below sets out the objections received together with officer comments. Schedule B below sets out comments received together with officer comments.

SCHEDULE A OBJECTIONS

Objector: Durham Constabulary

Objection: Object to the proposal to permit pedal cycles in areas of the pedestrian heart where motor vehicles are prohibited and to the proposal to permit pedal cycles to travel against the general traffic flow in some one-way streets without segregated cycle lanes. They consider the mix of vulnerable road users, namely pedestrians and pedal cyclists, with motor vehicles to be dangerous and lead to conflict between the groups.

Officer response: As there is both strong support for and against the proposal to permit cycling at all times in the Pedestrian Heart, the Council has taken the decision (Min C131.3/Nov/04) to continue with the proposal but to carefully monitor both the general cycling in the pedestrian areas and cycling against the traffic flow in certain streets for six months to assess safety and enforcement issues. A report detailing the results of the monitoring will then be presented to Environment Scrutiny Committee and Cabinet for consideration.

Authorisation is being sought from the Department for Transport to permit the use of a modified contra flow cycling sign to be used where there is no marked contra flow cycle lane. These signs will warn motorists that cyclists may be travelling against the flow. This will minimise the amount of road markings and signs required in the pedestrian heart without jeopardising road safety.

The objection is noted but in view of the above, ***Officers recommend that the objection is set aside at this time*** and further consultation be carried out with Durham Constabulary as part of the monitoring process.

Objector: The Society of Friends

Objection: Object to the proposed change to the restricted access time for Skinnergate from 10:30am – 4pm Monday to Saturday to 10am – 5pm everyday. They are particularly objecting to having no access to their parking places off Skinnergate between 10am and 5pm on Sundays. Their Sunday meeting begins at 10:30am and elderly and frail members need to be driven into their parking area. They consider that it is not reasonable for these people to arrive before 10am.

Officer Response: ***Officers recommend that the objection is upheld*** and the proposed prohibition of access for Duke Street and Skinnergate be amended to be from 10:30am to 5pm on Sundays.

Objector: Talent Recruitment, Inspirations and S&CL Wilkinson

Objection: Object to the introduction of double yellow lines in Stonebridge North Back Street because they now enjoy free all day parking in this back street and some traders consider this is essential to them being able to carry out their business.

Officer Response: The proposed double yellow lines are necessary to prevent parking causing an obstruction to the rear accesses and enable delivery vehicles to unload in the back street. There is no opportunity for delivering from the front of shops due to the pedestrian crossing. The traders in this street have enjoyed free all day parking for a long time but do block each other in and have to regularly manoeuvre their cars to let each other out of the lane resulting in cars waiting in Crown Street whilst another manoeuvres.

This practice can obstruct the bus flow along Crown Street and raises road safety concerns. These traders cannot expect to use the highway as an extension of their business premises or have free all day parking in the centre of town. Other commuters and shoppers could also park in the back street if it is left unrestricted thereby obstructing the traders and deliveries. ***Officers therefore recommend that the objection is set aside.***

Objector: Glittering Star

Objection: Object to the introduction of double yellow lines in Stonebridge North Back Street. Landlady accepts that the proposal permits the dray to deliver but they require residential parking in the back street

Officer Response: The Council has no obligation to ensure residents have a parking facility but officers will investigate the possibility of including this property in a residents' parking scheme. ***Officers therefore recommend that the objection is set aside.***

Objector: Darlington Association on Disability

Objection: Object to the proposal to use Horsemarket for market stalls thereby losing 8 disabled spaces on market days without the provision of alternative disabled parking.

Officer Response: ***Officers recommend that the objection is upheld*** and that only one row of market stalls is positioned along the north side of Horsemarket enabling the disabled bays to remain operative on market days.

Objector: Taxi trade

Objection: Object to the proposed changes to taxi rank locations.

Officer Response: Officers had carried out initial consultation with the taxi trade and obtained agreement for the proposed rank locations. The Taxi Trade representative has subsequently objected to some of the proposal.

The appointment of ranks is actually done under different legislation but ranks have been included in this consultation to provide the overall picture of the final Pedestrian Heart. Officers will be carrying out further discussion with the taxi trade to reach a final agreement before advertising the appointment of ranks.

Provision will be made in this Traffic Regulation Order for taxis to wait on authorised taxi ranks so the allocation of ranks will not affect the making of this Order. *Officers therefore recommend that the objection is set aside.*

SCHEDULE B COMMENTS

Durham Constabulary Comment: To ensure that the signing complies with the proposed traffic regulation order and enable effective enforcement, their preference is that we do not permit taxis to enter Northgate/Prospect Place between 10pm and 7am without ensuring the signing specifically prohibits their entry into Crown Street.

Officer response: Permitting access to this area at this time will not cause a road safety hazard as during these hours service vehicles will also be permitted into this area. The proposal was made to enable taxis to access the well used evening rank in Bondgate via several routes, thus ensuring that customers can be transported away from the town centre as quickly as possible after 10pm. To avoid the necessity of extra signing at the Northgate/Crown Street junction officers are proposing to also permit taxi access into Crown Street from Northgate between 10pm and 7am. This will avoid the need to introduce further signing at Northgate/Crown Street junction and enable effective enforcement.

Officers recommend that an amendment to the advertised proposal be made to permit taxis to access Crown Street between 10pm and 7am

Durham Constabulary Comment: Have several concerns regards the signing of the scheme

Officer Response: The police will have responsibility for enforcement and therefore need to have confidence in the signing being correct. The Council will ensure that all signing is clear and concise and complies with the Traffic Signs Regulations and General Directions 2002 and will carry out further consultation with the police before finalising the signing works

Royal Mail Comment: Some collections are made from the General Post Office's rear service yard but access to the front is required on two occasions daily between 10am and 5pm for a van to park close to the entrance to collect from the post boxes and collect parcels and coinage from the Counter. The goods are heavy and bulky and their staff cannot carry them far for health and safety reasons. They consider the loading bays proposed for Crown Street and Quebec Street are not close enough for them to utilise and there is a proposed prohibition of waiting and loading along the south side of Crown Street outside the Post Office.

Officer Response: Officers consider that Royal Mail should be permitted access through the Northgate / Crown Street one way system at all times to service the General Post Office and are in discussion with our consultant to ensure that a van will be able to park close to the Post Office door without causing any obstruction to bus flow along Crown Street.

Discussion is also being carried out regards Royal Mail using trolleys to carry the heavy goods between the Post Office and van and Royal Mail is considering an option to relocate the post boxes into the two way section of Crown Street.

Officers recommend that an amendment to the advertised proposal be made to permit Royal Mail to use Northgate(IRR to Crown St) and Crown Street at all times.

Parcel Force Comment: Require access to the frontage of the General Post Office for one mid afternoon collection of parcels each day and they do not consider the proposed loading bay in Quebec Street to be close enough

Officer Response: Officers consider that Parcel Force should be permitted access through the Northgate / Crown Street one way system at all times to collect from the General Post Office and are in discussion with our consultant to ensure that a van will be able to park close to the Post Office door without causing any obstruction to bus flow along Crown Street.

Officers recommend that an amendment to the advertised proposal be made to permit Parcel Force to use Northgate(IRR to Crown St) and Crown Street at all times.

Business Owner Trading at 3a Houndgate Comment: Expressed concern that we are not proposing sufficient loading facilities for the amount and size of vehicles that now make deliveries in this street. He considers that the proposed prohibition of loading outside the rear of Williams will cause a problem. He outlined the scenario when a large articulated vehicle needs to deliver pianos to the rear of Williams a small loading bay on the opposite side of the road will not be adequate. The delivery will probably take place illegally from the north side and obstruct buses.

Officer Response: Officers are investigating moving the proposed loading bay from the south to the north side of Houndgate and lengthening it to accommodate large delivery vehicles providing this does not obstruct bus flow or access to private land. Williams have not made any representation to the Council on this issue.

Officers recommend that, if necessary after further investigation, an amendment to the advertised proposal be made under delegated powers to lengthen and/or relocate the proposed loading bay on the south side of Houndgate.

Coad and Co, 32 Houndgate Comment: Considers that Houndgate should not be used as a bus route with associated waiting restrictions to the detriment of businesses

Officer Response: The alternative route for inbound buses from the west of town is via Victoria Rd, St Cuthbert's Way, Stonebridge and the proposed Priestgate loop into Prebend Row. There is insufficient space to enable all buses to stop in the same part of the town and stops have been allocated depending on the direction of the bus route into the town and to provide passengers with access to different parts of the town centre. Parking is permitted now after 1pm on Saturdays in this part of Houndgate and this was to be reviewed as part of the town centre on street charging proposals but deferred pending the Pedestrian Heart scheme. Loading/unloading is possible from the designated loading bays and from the double yellow lines on the north side adjacent to the Dolphin Centre. Officers therefore recommend that the proposal for restrictions in Houndgate are not amended.

Fire and Rescue Comments: Want further details of emergency access arrangements

Officer Response: Officers and our consultant have given assurances to the Fire Officer that the bollards proposed for the junctions of Northgate/Prebend Row and Horsemarket/West Row and the Duke Street gateway will be collapsible and secured by padlocks that they can cut off when requiring access in an emergency situation. The junction of Skinnergate/Coniscliffe Road/Blackwellgate is to be carefully designed to enable a fire tender to turn left from Coniscliffe Road into Skinnergate/Blackwellgate (ie ignoring the "No Entry" sign when on an emergency response).

Legal Implications

9. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

10. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect as the proposed scheme makes no difference to the existing situation.

Council Policy Framework

11. The issues contained within this report do not represent change to Council policy or the Council's policy framework

Decision Deadline

12. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Key Decisions

13. In accordance with the Council's Constitution this matter is classed as a Key Decision and has been advertised in the Forward Plan.

Recommendation

14. It is recommended that:
 - (a) The objections made by Durham Constabulary, Talent Recruitment, Inspirations, S&CL Wilkinson and Glittering Star are set aside.
 - (b) Officers be authorised to take the necessary steps to amend the proposed traffic regulation order to accommodate the objections made by The Society of Friends and Darlington Association on Disability.

- (c) Officers be authorised to take the necessary steps to amend the proposed traffic regulation order to permit taxi access to Crown Street from 10 pm until 7am and to permit Post Office and Parcel Force to use Northgate and Crown Street at all times.
- (d) Officers be authorised to carry out further discussion with the taxi trade as part of the consultation for appointing taxi ranks under the Local Government (Miscellaneous Provisions) Act 1976.

Reasons

15. The recommendations are supported by the following reasons:

- (a) The objection to cycling in the proposed pedestrianised area made by Durham Constabulary is set aside to enable cycling in the Pedestrian Heart to be monitored for a trial period of six months. A further report will be made to Cabinet following the monitoring period.
- (b) The objections made by Talent Recruitment, Inspirations, S&CL Wilkinson and Glittering Star are set aside because the proposed waiting restrictions are necessary on road safety grounds.
- (c) The objection made by Society of Friends is upheld and the proposed traffic regulation order amended to prohibit access to Skinnergate on a Sunday from 10:30 until 17:00 to permit access to their car park between 10:00 and 10:30.
- (d) The objection made by Darlington Association on Disability is upheld and a recommendation made that market stalls are arranged in a single row in Horsemarket to ensure that the disabled bays remain operational every day of the week.
- (e) The objection made by the taxi trade is set aside as it is not an objection to the proposed traffic management scheme but to the location of taxi ranks and this will be considered separately under different legislation.

John Buxton
Director of Development and Environment

Background Papers

Letters from Durham Constabulary, The Society of Friends, Talent Recruitment, Inspirations, S&CL Wilkinson, The Glittering Star, Darlington Association on Disability and the Chairman of Darlington Taxi Trade.

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