
**PROHIBITION OF DRIVING ORDER BACK YARM ROAD NORTH/
PEEL STREET/WESLEY STREET AND WESLEY STREET/STANLEY STREET**

**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. To seek Members approval to make permanent the above mentioned Traffic Regulation Order which currently has experimental status.

Information and Analysis

2. In response to representations by residents concerned about anti-social behaviour and speeding vehicles (frequently motor cycles and 'quad bikes') along the length of Back Yarm Road North between Peel Street and Stanley Street, two proposals were considered:
 - (a) Road humps (full width)
 - (b) Physical Closure.
3. Residents of all private and commercial premises on the north side of Yarm Road between Nos 13 and 59 (odd), 1 and 2 Peel Street and 1 and 2 Wesley Street were consulted on the proposals on several occasions as set out below:
 - (a) May 2003 in order to determine vehicular access and/or servicing arrangements and initial views on the method of control:
 - (i) 29 questionnaires were issued and 17 responses were received:
 - 12 supported the introduction of a physical closure(s)
 - 4 requested road humps (3 of whom were representing business premises)
 - 1 requested a combination of the two.
 - (ii) The Community Services Department was also consulted in order to determine the potential effect on refuse vehicle movements and their first preference was for road humps rather than a closure. However, they did comment that in the event that a closure was to be implemented, then it would be best located between Peel Street and Wesley Street.

- (b) In September/October 2003 residents were advised of the outcome of the consultation and that it was the intention of the Council to proceed with a physical closure between Peel Street and Wesley Street. This prompted further responses from residents including a suggested alternative location for the closure between Wesley Street and Stanley Street.
- (c) In March 2004, in the light of the suggested alternative closure, residents were again consulted and asked for their preferred closure location and the responses to this were as follows:
 - (i) 5 were in favour of the Council's preferred option (Peel Street/Wesley Street).
 - (ii) 7 were in favour of the alternative option (Wesley Street/Stanley Street).
 - (iii) 2 were in favour of humps.
 - (iv) 12 did not reply.
- (d) Following discussions with the local Ward Councillors and as there was no overwhelming preference, it was proposed that the Peel Street/Wesley Street option would be introduced initially on an Experimental basis. Residents were advised of this in April 2004 and as a result of their further responses a site meeting was organised by the Ward Councillors, to which all private and commercial residents were invited, along with the Director of Development & Environment.

At this meeting it was agreed that both closures would be introduced on an experimental basis in late June 2004.

It was also agreed that the operation of the scheme would be reviewed within six months of its introduction with the review including further consultation with the residents.

- (e) Within two weeks of the implementation a petition was received (via B & G mini-market) (No 29 Yarm Road) regarding the removal of the closures which included 552 signatories. Of the 456 with identifiable names and addresses, some 70% live within 500 metres of the location and can therefore justifiably be assumed to be users on foot.
- (f) In view of the interest, and to bring about a speedy resolution of the situation in respect of the Experimental Prohibition of Driving Order, the 'follow up' consultation was brought forward to October 2004.

B & G mini-market were consulted as part of the review but also chose to carry out their own 'unofficial' consultation.

The responses to the questionnaires were as follows:

- (i) 'Official' (issued by the Council to residents of Yarm Road and Wesley Court) - 56 responses with 51 in favour.
- (ii) 'Unofficial' (issued by B & G to various addresses) - 17 responses, all against.

- (iii) 13 letters of objection were also received via B & G mini-market, of which only 5 included a postal address.
- (g) The Borough Solicitor has confirmed that within the six-month objection period to the experimental order, there were no objections received through the correct formal channels. However, in the interests of fairness, the objections referred to above are being treated as 'formal' and are summarised, along with officer comments, in the **attached Appendix A**.
- (h) The Police have been consulted separately and on balance consider the advantages of the scheme outweigh any potential disadvantages and therefore support the scheme.

Outcome of Consultation

- 4. The majority of consultees (residents) directly affected by the scheme are in favour of its retention. They point to a reduction in anti-social behaviour and an improvement in road safety for users of the back streets, especially children. As mentioned in (h) above, the police also support the scheme.

The objectors are, generally, not directly affected by the scheme.

Legal Implications

- 5. 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

- 6. 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 considered that the introduction of the closures on a permanent basis provides an appropriate response to anti-social behavior issues and speeding vehicles and the action has been welcomed by most residents.

Council Policy Framework

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

Decision Deadline

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

Recommendation

- 9. It is recommended that:

- (a) The Prohibition of Driving Order Back Yarm Road North/Peel Street/Wesley Street & Wesley Street/Stanley Street, which currently has experimental status, be made permanent.
- (b) The Borough Solicitor be authorised to carry out the necessary procedures to make the Order permanent.

Reasons

10. The recommendations are supported by the following reasons:

- (a) The closures have resolved the anti-social behaviour and vehicle speeding problems and have a beneficial effect on the overall environment of the residents.
- (b) To expedite the implementation of the permanent Order.

John Buxton
Director of Development and Environment

Background Papers

- (i) Plan showing location of Closures.
- (ii) Consultation letters and questionnaires.

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cc

APPENDIX A
PROHIBITION OF DRIVING ORDER BACK YARM ROAD NORTH
PEEL STREET/WESLEY STREET & WESLEY STREET/STANLEY STREET

SCHEDULE OF OBJECTIONS

Objection	Officer Comment
1(a) Dangerous returning to Yarm Road 1(b) Traffic reversing onto Yarm Road	Before the scheme was introduced it was not possible for anything much larger than a Transit van to use the back street due to parked vehicles. Larger vehicles had to either reverse into Yarm Road or carry out their loading/unloading from Yarm Road. The introduction of the closures in the back street has effectively created a turning head, which is usually free of parked vehicles. This allows three-point turns to be carried out encouraging drivers to exit onto Yarm Road in a forward direction. On occasions larger vehicles reverse into Yarm Road, as they have always had to do.
2 Visibility to Traffic Signals (Pelican crossing) restricted for vehicles exiting side streets	Traffic signals are visible. The arrangement is no different from innumerable other similar locations which work satisfactorily.
3 Servicing vehicles causing problems by parking on Yarm Road	Regular observation, including by the Police, has been carried out and no significant change in patterns of parking or vehicle manoeuvring has been observed since the introduction of the experimental closures.
4 Servicing vehicles have problems accessing premises	See 1(a,) 1(b) and 3 above.
5 Poses a threat to trade	B & G Stores are the only business that has expressed concern. No significant change in the patterns of parking or vehicle manoeuvring has been observed since the introduction of experimental closures. There is a large free off-street car park in close proximity at Green Street.
6 General danger to children/elderly people by vehicles manoeuvring outside shops.	It is not considered that the closures have had an adverse effect on road safety in the area and there have not been any recorded personal injury road accidents since the closures were implemented. There is an allegation of an incident involving a child and a car but there was no address or telephone number and no report. The majority of residents are in favour of the scheme and cite a reduction in anti-social behaviour and an improvement in road safety aspects for users of the back street, especially children.

Objection	Officer Comment
7 General congestion in side street area/Yarm Road	See 1(a), 1(b) and 3 above.
8 Damage to parked vehicles caused by manoeuvring vehicles	As mentioned in 1(a) and 1(b) the back streets were already subject to parked and manoeuvring vehicles and as such it is not considered that the closures will have increased the incidents of damage to vehicles.
9 Difficulty performing three point turn	This concern was raised by an elderly disabled driver.