

**DARLINGTON BOROUGH COUNCIL
ROAD TRAFFIC RESTRICTIONS
(AMENDMENT NO.8) ORDER 2021**

Road Traffic Regulation Act 1984
The Highways (Inquiries Procedure) Rules 1994

PROOF OF EVIDENCE

SITE

Duke Street, Darlington

SUBJECT OF INQUIRY

The Darlington Borough Council Road Traffic Restrictions (Amendment No 8) Order 2021

PLANNING INSPECTORATE REFERENCE:

DPI/N1350/22/1

1. I, Sue Dobson, have prepared this proof of evidence for presentation at the Public Inquiry. I am the Transport Planning Manager at Darlington Borough Council where I have worked since 2003.
2. This statement is true to the best of my knowledge and belief. I can confirm that the views expressed are my true and professional opinion.

BACKGROUND

3. Tees Valley Combined Authority, in partnership with the five Tees Valley local authorities, has developed the Tees Valley Local Cycling and Walking Investment Plan (LCWIP) which has identified key routes along which high quality walking and cycling investment should be made to enable an increase in travel on foot and by bike. The LCWIP contributes to the delivery of the Tees Valley Strategic Transport Plan which aims to ‘make cycling and walking the natural choice for shorter journeys’.
4. In May 2020 the Government announced the Active Travel Fund Tranche 2 and this provided an opportunity to accelerate the delivery of the schemes in the LCWIP. This included the Woodland Road/Outram Street/Duke Street scheme in Darlington as part of the route between West Park and Darlington town centre via Cockerton.

RATIONALE

5. As well as funding, Government launched ‘*Gear Change: A bold vision for cycling and walking*’ and ‘*Cycle Infrastructure Design Local Transport Note 1/20*’, both clearly setting out the value of walking and cycling in terms of physical health and mental wellbeing; the positive benefits to the environment in terms of air quality and reduced noise pollution; and the positive impact on the economy for local businesses.
6. These documents set out that cycle networks and routes should be:

- a) Coherent – planned and designed to allow people to reach their day to day destinations easily along routes that connect, are simple to navigate and are of a consistently high quality;
- b) Direct – at least as direct as – and preferably more direct – than those available for private motor vehicles;
- c) Safe – the infrastructure must be safe and be perceived to be safe so more people feel able to cycle;
- d) Comfortable – good quality, well maintained, smooth surfaces with adequate width for the volume of users, minimal stopping and starting and avoiding steep gradients;
- e) Attractive – deliver public spaces that are well designed and finished in attractive materials and be places that people want to spend time using.

7. In July 2021 Government issued Statutory Guidance '*Traffic Management Act 2004: network management to support recovery from COVID-19*'. Introduced as England emerged from the pandemic, it enabled local authorities to continue to make changes to road layouts to give more space to cyclists and pedestrians, as well as retaining temporary changes that they had already made, to meet the ambitions set out in *Gear Change*. The types of measures include:

- a) installing cycle facilities with a minimum level of physical separation from volume traffic for example, mandatory cycle lanes or using light segregation. Facilities should be segregated as far as possible, i.e. with physical measures separating cyclists and other traffic;
- b) reducing speed limits: 20mph speed limits are being more widely adopted as an appropriate speed limit for residential roads and many through streets in built-up areas;
- c) modal filters; closing roads to motor traffic. Often used in residential areas, this can create low-traffic or traffic-free neighbourhoods, which have been shown to lead to a more pleasant environment that encourages people to walk and cycle, and improved safety;

- d) providing additional cycle parking facilities at key locations, including in high streets;
 - e) 'whole-route' approaches to create corridors for buses, cycles and access only on key routes into town and city centres.
8. The guidance set out requirements for consultation which included the Police and emergency services; local businesses; Royal Mail; and disability groups. Authorities are also required to consider access for Blue Badge holders, (including parking and safe access to the kerb at sufficient locations to enable access to pick up and drop off badge holders).
9. The scheme in Duke Street incorporates all of these considerations.
10. In January 2022 the Department for Transport announced the creation of an executive agency, Active Travel England, which will oversee the design and implementation of the schemes and their compliance with LTN1/20.
11. Darlington Borough Council, as the local authority upon whom functions are conferred by the 1984 Traffic Management Act s122, must secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and provide suitable and adequate parking facilities on and off the highway. The scheme achieves this through the following:
- a) A permanent reduction in the speed limit to 20mph, designed to be self-enforcing through the construction of 3 vertical features (speed tables) at the junctions of Stanhope Road, Larchfield Street and Raby Terrace;
 - b) Increased conspicuity of the Larchfield Street junction through the use of coloured materials, signs and lines;
 - c) Retention of pedestrian guardrail at the Larchfield Street junction;
 - d) The permanent restriction of vehicular traffic to one-way, from west to east;
 - e) The closure of the Outram Street junction to vehicular traffic but retaining pedestrian and cycle access/egress to Outram Street;
 - f) The provision of a contraflow, lightly segregated cycle lane;

- g) The provision of on street limited waiting parking spaces including disabled parking bays;
 - h) The provision of off street parking at Winston Street West (already completed by separate TRO in advance of the scheme);
 - i) The provision of loading bays, three on Duke Street (two to operate as loading bays until 10:00am and then revert to limited waiting parking) and one to operate all day as loading only); and one on Barnard Street
12. In reference to subsection 2, the scheme also retains access to all premises; access for heavy commercial vehicles is maintained; and access for public service vehicles is retained including access to a bus stop on Larchfield Street.

EFFECTS OF THE SCHEME

13. Duke Street is already well used by pedestrians, over 7,000 per day in January 2022. This scheme will create more space for those people walking into and out of the town centre.
14. Whilst the number of people cycling is low, the scheme aims to increase numbers by providing a 20mph speed limit enforced with traffic calming street and a contra flow, lightly segregated cycle route which will connect to Woodland Road and the wider cycle network.
15. The temporary one-way order has not had a negative impact on the movement of traffic in the area. There are approximately 6,000 vehicles per day.
16. Access for a bus service has been retained and the bus stop has been relocated to Larchfield Street with no issues being raised by the bus operator.
17. The provision of parking is important to the businesses that operate in Duke Street. Currently there is space for 28 cars to park plus an additional 5 disabled bays on the south side of Duke Street. The new scheme proposes to retain the 5 disabled bays and provide

14 spaces on the street plus an additional 7 spaces after 10:00am. In addition Winston Street West car park has been brought back into public use (May 2021) providing an additional 24 spaces. The modification to the Order will provide an additional 8 spaces on Outram Street, including 2 disabled bays.

18. There are currently 'no waiting' restrictions on the north side of Duke Street between 8am and 6pm and there are no formal loading bays. The scheme proposes to introduce 4 loading bays to support the needs of businesses as expressed during the consultation – all day for the loading bays at the east end of Duke Street and on Barnard Street; and between midnight and 10:00am in the two at the west end of Duke Street, reverting to parking bays outside of these times.
19. The finding of a Road Safety Assessment of Duke Street/Larchfield Street junction have been used to inform the design of the scheme to minimise road safety risk.

CONSULTATION

20. Initial consultation started in December 2020. Following a review of the feedback and changes to the design, residents and businesses were consulted again in April and May 2021. Three Orders were then advertised; two, Woodland Road and Winston Street West car park, received no objections and proceeded. The Order for Duke Street received 17 objections. These businesses were invited to face to face meetings to discuss the issues and possible options and the design was revised again. This was circulated to businesses and a public event was held on 1st September. As the feedback was now mainly positive as many of the issues had been resolved through discussion and design, the Order was advertised with a closing date of 21st October 2021. The Council received 3 objections.

OBJECTIONS

21. There were 3 formal objections to the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021. These were as follows:

22. Business 1, located on Duke Street

23. The objection reads:

'There will be no access for disabled patients to be dropped off and picked up on Duke Street (outside our premises). This will cause extreme unnecessary inconvenience in access both to the front and rear of the property.'

24. The Order (Amendment No.8) restricts parking and loading at any time on the north side of Duke Street in this location. Two hour parking is provided on the south side of Duke Street opposite the premises. Temporary changes on Duke Street as part of social distancing measures meant that barriers erected to provide a wider footway, have prevented drop off since April 2020. Patients that could not access the available parking on Duke Street have therefore used the parking on Outram Street and been walked or wheeled to the front door.

25. This objection has been dealt with through a proposed modification to the Order to provide limited waiting on Outram Street. This will provide short stay parking for up to 8 cars, including 2 disabled parking bays.

26. Whilst this was welcomed by the business, the objection has not been withdrawn. Subsequently the business has relocated to a premises on Outram Street immediately adjacent to the proposed waiting restrictions. The modification to the Order will be retained as this support this and other businesses.

27. Business 2, located on Outram Street

28. The objection reads:

'You are not giving me any opportunity for access for my clients who are elderly or unable to walk far to be dropped off outside the clinic.

It has been an issue already for parking.'

29. The Order does not propose to make any changes in this location. The current Order does not restrict parking or waiting outside of these premises.

30. This objection has been dealt with through a proposed modification to the Order to provide limited waiting on Outram Street. This will provide short stay parking for up to 8 cars, including 2 disabled parking bays. This will facilitate parking and drop off outside and opposite the premises.

31. The business has vacated the premises and is operating from another address in Darlington. The objection has not been withdrawn. Business 1 is now operating from these premises.

32. Business 3, located on Duke Street

33. The objections read:

a) *We see no logic to blocking Outram street end on to Duke Street- No Benefit or Reason. No accidents so not a requirement. Not required for road safety?*

b) *We believe this will affect the through flow of traffic around the town centre.*

c) *The Loading bays need to be Loading bays only, as already and for months now the Loading bays are occupied by cars parking stopping to shop leaving no space for larger vans etc which then have no choice block the flow of traffic. To make loading bays Pay and display from 10.00 am will cause chaos. Every building in the street is occupied either by a business, shop or restaurant and deliveries are a regular throughout the day.*

- d) Why is the parking on one side in the west end of the street and on the alternative side on the east side of the street.*
- e) Any parking bays need to be clearly identified spaces as motorists take up too much space for their vehicle if bays are not clearly marked, as is current situation.*
- f) Not enough parking at all compared to present, will affect business and town business and Darlington economy*
- g) We see very few cyclists, so why is this required*
- h) The one-way traffic continues to have traffic going the wrong way.*

34. In relation to a) the Order prohibits vehicles accessing and egressing Outram Street at the junction with Duke Street. The benefit is that it enables additional parking and waiting restrictions to be included in the Order for Duke Street, providing facilities requested by the businesses i.e. a second loading bay and 4 additional short stay car parking. This objection does not render it in-expedient to confirm the Order.

35. In relation to b) the traffic levels on Duke Street, Larchfield Street and Outram Street have been assessed as the Order will change the flow of traffic through the introduction of a one-way moving traffic order, banned movements and vehicle prohibition. Traffic levels are low, approximately 6000 vehicles per day. Access is retained to residential and commercial properties and public car parks. Access for vehicular traffic at the eastern end of Duke Street has been limited since 2005 and for the most part traffic exits via other routes including Larchfield Street, Raby Terrace, Portland Place and Salt Yard. Public consultation demonstrated support for the one-way street, combined with the 20mph speed limit, following a period of a temporary scheme being in operation during the covid-19 social distancing restrictions. This objection does not render it in-expedient to confirm the Order.

36. In relation to c) the Order introduces waiting and parking restrictions on Duke Street. This will create 2 loading bays which will operate between midnight and 10:00am. These hours of operation were proposed following discussions with the businesses at the western end of the street that wanted a balance between service deliveries for their retail businesses and providing adequate parking for their customers during the day and evening. Other businesses did not require loading as they service their premises from the rear but required parking for clients during the day. This objection does not render it in-expedient to confirm the Order.
37. In relation to d) the scheme has maximised the amount of available parking in the street whilst retaining access to Barnard Street. Parking can be provided on either side of a one-way street. This objection is irrelevant.
38. In relation to e) Darlington Council does not mark out bays in restricted parking locations. This limits parking for larger vehicles and vehicles that may need rear access such as vans, taxis or cars with tailgate lifts or ramps. This objection is irrelevant.
39. In relation to f) the Order provides a combination of parking and waiting restrictions to meet the needs of local business, residents and visitors. More parking could be provided if the loading bays were removed but these are required for servicing the properties. Currently there are 33 bays in Duke Street including 5 disabled bays. The Order will reduce this to 19 (including 5 disabled bays) plus an additional 7 spaces between 10:00am and midnight (26 in total). The modification to the Order will create an additional 8 spaces on Outram Street including 2 disabled bays. The modified total will be 34 spaces including 7 disabled bays. In addition Winston Street South car park (accessed off Barnard Street) was brought back into use in May 2021 providing an additional 24 spaces. This objection has been dealt with through the proposed modification to the Order.
40. In relation to g) the Order introduces measures to slow traffic speed and reduce vehicle turning movements in order to create a safer environment for cyclists. A lightly

segregated cycle route will be constructed which will form part of phase 1 of a much larger scheme to provide a continuous cycle route from Darlington town centre to West Park via Cockerton. The aim of the scheme is to support and enable more people to cycle, in line with Government policy. This objection is irrelevant.

41. In relation to h) the Order introduces a permanent one-way system for traffic. The Order supports the physical changes to the highway in terms of the location of kerbs, changes to materials, signs and lines which will make it much clearer that this is a one-way street. Compliance should be 100% and enforced by the Police as a moving traffic offence. This objection does not render it in-expedient to confirm the Order.

42. A modification to the Order for Outram Street resolves the issues raised in two of the objections. The issues raised in the third should be resolved through the modification to the Order as well as enforcement of the Order by the Council and the Police as required.

CONCLUSION

43. The overarching question is whether it would be expedient for the Council to make the Order having regard to the statutory purposes of s.1 and the statutory duty at s.122.

44. The term expedient can be taken to carry its ordinary meaning i.e. whether the making of a Traffic Regulation Order would be advantageous, advisable on practical grounds, suitable and appropriate.

45. The Council believe that it would be expedient to make the Order because it:

- a) meets national, regional and local policy;
- b) provides a coherent, direct, safe, comfortable and attractive cycle route;
- c) maintains access for all vehicles;
- d) provides on street parking;
- e) provides loading facilities to support businesses.

46. The Order seeks to deliver national and local policy. At a national level, Government has committed to a radical change in the provision of walking and cycling infrastructure through two policy documents published in July 2020 - '*Gear Change: A bold vision for cycling and walking*' and '*Cycle Infrastructure Design Local Transport Note 1/20*'. On 30th July 2021 the Department for Transport issued Statutory Guidance '*Traffic Management Act 2004: network management to support recovery from COVID-19*'. This was introduced as England emerged from the pandemic, to enable local authorities to continue to make changes to their road layouts to give more space to cyclists and pedestrians, as well as retaining temporary changes that they had already made, to meet the ambitions set out in *Gear Change*.
47. The Strategic Transport Plan for the Tees Valley (which includes the Borough of Darlington) sets out how it will achieve a world class transport system. This includes as one of its seven key themes and investment packages, 'making cycling and walking the natural choice for shorter journeys'. To achieve this the Tees Valley Combined Authority and five local authorities have developed a *Local Cycling and Walking Investment Plan*, following government guidance and utilising tools to identify the best routes to create in order to increase levels of walking and cycling. This scheme and associated Order is the first phase of this investment.
48. It is my view that the Order would meet both the relevant statutory purposes of s.1 and be in line with the Council's s.122 duty. It would be suitable, appropriate, and advantageous for all the reasons set out above. It would be expedient to make the Order, and the Council will seek a report from the Secretary of State confirming this.