

9th May 2019

Agenda Item:11

REPORT OF CORPORATE DIRECTOR, PLACE**THE NOTTINGHAMSHIRE COUNTY COUNCIL (ASHWELL STREET
AND KNIGHT STREET, NETHERFIELD) (PROHIBITION OF
WAITING) TRAFFIC REGULATION ORDER 2019 (7204)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider the objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

Information

2. Ashwell Street and Knight Street are residential streets situated approximately 200m to the southwest of Netherfield town centre. At its north-western end Knight Street joins Meadow Road as a main distributor route into the town. At its north-eastern end Ashwell Street joins Moor Road. An area of land, previously the site of Carlton Netherfield Infants and Nursery School, which is surrounded by these roads has recently received planning permission for a new Health Centre. The sections of Knight Street and Ashwell Street adjacent to the development site comprise of terraced properties with no off-street parking on one side and the development site with no properties on the opposite side.
3. Conditions attached to the planning approval granted by Gedling District Council requires the introduction of double yellow lines on sections of Knight Street and Ashwell Street to ensure safe access to the centre's car park from the wider highway network. The restrictions are also designed to ensure that vehicle movements at the Knight Street / Ashwell Street junction are not inhibited by obstructive parking.
4. In response to these requirements it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) on:
 - The north east side of Knight Street from its junction with Meadow Road to its junction with Ashwell Street; and
 - The west side of Ashwell Street from its junction with Knight Street in a north easterly direction for 15 metres.

5. The statutory consultation and public advertisement of the proposals, as detailed on the attached drawing H/MN/2926/01, was carried out between 10th January and 6th February 2019.
6. During the advertisement period six responses were received these included comments regarding wider highway issues in Netherfield such as the movement of heavy goods vehicles in the area and requests for an environmental weight limit and lower speed limits. All six responses are considered to be outstanding objections to the proposals.

Objections Received

7. Objection – Loss of on-street parking

All respondents objected to the loss of on-street parking in the area stating that this is already in short supply due to the use of the streets for parking by commuters, residents of other streets and by visitors to the town and commercial properties. The respondents, all residents of the area consider that the reduction in parking and opening of the new health centre will exacerbate the problem and result in residents being unable to park near their properties, causing inconvenience and difficulty for the elderly, disabled and families with small children. Requests were made for dedicated parking provision for residents to be provided by the introduction of a Residents Parking Scheme (RPS) on Knight Street.

8. Response – Loss of on-street parking

The proposed restrictions have been requested in the interests of highway safety as part of the District Council's planning approval process. The proposals are designed to ensure that access is maintained, including for larger vehicles, to the new Health Centre and that vehicle movements on the adjacent highway are not inhibited by obstructive parking at junctions.

9. Nottinghamshire County Council as the Local Highway Authority has no duty to provide on-street parking and there is no legal right for a householder to park in close proximity to their property. The purpose of the highway network is for the movement of vehicles and not for residents' parking, although it is recognised that demand for such parking exists particularly in residential areas with limited off-street parking. However, it is the responsibility of the vehicle owner to ensure their vehicle is parked appropriately. This may require residents with insufficient or no private off-street parking provision to make other arrangements for parking their own vehicle, perhaps further away from their property.
10. The proposals have been kept to the minimum necessary to ensure the effective operation of the highway. The proposals will see a reduction in parking on Knight Street, however, the existing build-out at the northern end of Ashwell Street will be removed and the original kerb-lines reinstated allowing additional on-street parking to occur at this location. In addition, the Health Centre proposals include on-site parking provision for up to 41 vehicles (including 4 dedicated disabled parking spaces); providing parking for Health Centre staff and users.
11. The availability of other on-street parking adjacent to the proposals and on the wider highway network remains unaffected. Where residents have significant health issues it may be appropriate to request an advisory disabled bay marking on the Highway, which would be provided free of charge by the County Council. These markings are only intended for use in very exceptional circumstances where parking levels are frequently high but available vehicle spaces are very limited.
12. The request for the introduction of a residents parking scheme is noted but is beyond the scope of this project, which is focussed only on ensuring safe access to the new development is maintained. The County Council receives many requests for such schemes

and all new schemes must be robustly assessed for priority against other potential locations throughout the County. The proposed restrictions are not located outside any residential properties and are required on highway safety grounds to ensure that larger vehicles have unobstructed access and visibility when manoeuvring into or out of the health centre.

13. Objection – Pedestrian safety

One respondent also objected to the proposals on the grounds that the new Health Centre would attract additional footfall in the area and that these pedestrian movements would be at risk from obstructive parking patterns, exacerbated by the new restrictions.

14. Objection – Pedestrian safety

The respondent is concerned that parked vehicles will impair visibility for pedestrians walking to the new development. The respondent comments that vehicles, including large HGVs frequently park on the pavements near the site of the new Health Centre.

15. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Obstructive parking in close proximity to junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements into and out of the junction. The proposed restrictions will maintain visibility at the entrance to the Health Centre by preventing parking on one side of the road and also at an adjacent junction. It is considered that these restrictions in conjunction with existing restrictions at other corners of the development site will facilitate safe pedestrian movements.

Other Options Considered

16. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. It is considered that the proposed restrictions are a reasonable balance between ensuring the safe operation of the highway and the demand for on-street parking.

Comments from Local Members

17. No comment was received from Councillor Nicki Brooks during the formal consultation period.

Reasons for Recommendations

18. The proposed scheme offers a balanced solution to mitigate road safety concerns and facilitate the safe operation of the junction with minimum loss of parking availability. The measures contained in the proposals meet the requirements of the Health Centre's planning conditions and are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public-sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are

described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

20. Nottinghamshire Police made no comments on the proposal. No additional crime or disorder implications are envisaged.

Financial Implications

21. This scheme is being funded by the developer at an expected cost of £3,800 for the traffic order process.

Human Rights Implications

22. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

Public Sector Equality Duty implications

23. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
- Foster good relations between people who share protected characteristics and those who don't.

24. Disability is a protected characteristic and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly.

Implications for Sustainability and the Environment

25. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Improving the environment for vulnerable highway users, such as pedestrians and cyclists, may encourage modal shift to sustainable modes of transport.

RECOMMENDATION/S

It is recommended that:

- 1) The Nottinghamshire County Council (Ashwell Street and Knight Street, Netherfield) (Prohibition of Waiting) Traffic Regulation Order 2019 (7204) is made as advertised and the objectors advised accordingly.

Adrian Smith
Corporate Director, Place

Name and Title of Report Author

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For any enquiries about this report please contact:

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Constitutional Comments (SJE – 28/03/2019)

26. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to traffic management has been delegated.

Financial Comments (RWK 25/03/19)

27. The financial implications are set out in paragraph 21 of the report.

Background Papers

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

Carlton East ED

Councillor Nicki Brooks