

19 July 2018**ITEM: 5****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (VARIOUS SITES IN
MANSFIELD WOODHOUSE) (PROHIBITION OF WAITING) TRAFFIC
REGULATION ORDER 2018 (2211)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

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

Information

2. Nottinghamshire County Council has received requests for measures to prevent parking at various locations in Mansfield where parked vehicles are obstructive and affecting visibility for highway users or impacting on the efficient operation of the highway. There are six locations in Mansfield Woodhouse, at three of these sites issues have been reported by local County Councillors Joyce Bosnjak and Parry Tsimbiridis with the remainder from local residents. The other location is in Mansfield on Chesterfield Road South and obstructive parking is causing problems for deliveries to a local business.
3. At all locations there is significant demand for on-street parking, this is generated by a range of reasons specific to each location but includes markets, community centre, local businesses and residential parking. However, capacity is constrained by several factors including vehicle accesses, pedestrian crossing points and road width. Obstructive parking too near to junctions, bends or crossing points reduces visibility for vehicles, pedestrians and adversely affects the efficient operation of the highway.
4. As a result, it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) restrictions at the locations listed below:
 - Sycamore Road / Worcester Avenue / Park Hall Road – drawing - H/TRO/2613/001
 - Brown Avenue / Cox's Lane / Beech Tree Avenue / Slant Lane / Park Avenue (Sunnydale) roundabout - drawing H/TRO/2613/002
 - Kingsley Avenue / Ley Lane / Manor Park Sports Entrance – drawing H/TRO/2613/003
 - Crow Hill Lane / Mansfield Road / Tennyson Avenue – drawing H/TRO/2613/004
 - Church Hill / Welbeck Road – drawing H/TRO/2613/005
 - Springwood Drive, Edgehill Grove, King Street / Leeming Lane South – drawing H/TRO/2613/006

- Albion Street / Chesterfield Road South – drawing H/TRO/2613/007

5. The statutory consultation and public advertisement of the proposals was carried out between 21st February and 21st March 2018.
6. A total of 13 responses including one petition of 55 signatures were received to the consultation during the advertisement period. This included 3 expressing support for the proposals, 3 requesting additional highway measures / or commenting on highway issues. There were 7 responses objecting to elements of the proposals, this includes the petition.

Objections Received

7. Objection- Brown Avenue roundabout

Three objections, including a 55-signatory petition was received relating to the proposals at the Brown Avenue roundabout. Respondents objected on several points primarily relating to the loss of on-street parking and the impact this would have on local businesses and their customers, some of whom were disabled. District Councillor Fisher requested that consideration be given to formalising pavement parking or parking on land behind the shopping precinct and for the placement of highway mirrors.

8. Response - Brown Avenue Roundabout

There are many competing demands for free, convenient on-street parking in this area and when dealing with a finite resource it is not possible to meet all these demands for parking. The objections relate specifically to parking on the Cox's Lane arm of the roundabout. Parking currently occurs in the layby outside local shops, businesses and also routinely on the north-east pavement on either side of the entrance to a residents' car park. This negatively impacts on visibility for pedestrians' crossing over Cox's Lane and for vehicles entering or exiting the residents' car park. Vehicles are also frequently parked in close proximity to the roundabout junction which adversely affects the safe and efficient movement of vehicles through this junction.

9. The County Council has no duty to provide on-street parking and there is no legal right for an individual to park in proximity to their property. It is recognised that demand for such parking exists and the proposals have been kept to the minimum necessary to ensure the effective and safe movement of pedestrians and vehicles through the roundabout junction and safe ingress and egress from the residents' car park.
10. Concerns were raised relating to the detrimental effect on customer access, especially for those with limited mobility. It should be noted that disabled drivers, who have a blue badge, are entitled to park on double yellow lines for periods of up to three hours, provided they do not park so as to cause an obstruction. The picking up and setting down of passengers is also permitted on double-yellow lines. These exemptions will enable disabled drivers or disabled passengers to retain easy access to the commercial premises.
11. The County Council currently has no policy to create parking bays either wholly or partly on the footway. It is noted that the subject of 'pavement parking' is a high-profile matter, in relation to which the Government is currently considering imposing a national ban on all pavement parking so that this may be enforced by local authorities (as it is currently only enforceable by the police). It would not therefore be appropriate to further consider authorising any form of pavement parking at this time. Traffic mirrors require special authorisation from the Department for Transport (DfT) and it is County Council policy that traffic mirrors are not permitted on the public highway except in very exceptional circumstances. Traffic mirrors can distort the view of traffic which can cause drivers to think approaching vehicles are further away than they actually are.

12. Unrestricted highway parking is available on both sides of Cox's Lane beyond the proposed restrictions. It is acknowledged that there is always a balance to be struck between competing demands for a finite resource. However, it is considered that the scheme is proportionate and reasonable intervention to improve safety for pedestrians and improve the operation of the junction.
13. Objections – Kingsley Drive
Four objections were received relating to the proposals on Kingsley Drive. Respondents cited several reasons for their objections, which included the loss of on-street parking for residents and visitors, potential for parking migration and therefore increased obstruction of other parts of Ley Lane and Kingsley Drive. Objections included requests for both more and less restrictions and for the operational period of the proposed restrictions to be reduced to operate only at weekends or on Sundays.
14. Response – Kingsley Drive
Double yellow lines are proposed, rather than single yellow lines operational only at weekends, because the detrimental effect of obstructive parking in close proximity to highway junctions and crossing points is present at all periods of the day. As such it is not considered appropriate to limit the duration of the waiting restrictions from double yellow lines (in operation at all times) to single yellow lines (in operation only at specified times and days).
15. All properties in the affected area have off-street parking and on-street parking remains available on the highway network further away from the junctions, providing parking opportunities for residents and their visitors.
16. One objector requested an extension to the proposed restrictions on Ley Lane. However, the introduction of any new parking restriction will result in a degree of parking migration. With the intention of keeping this migration to the lowest level, the extents proposed have been kept to the minimum necessary to ensure the safe operation of the junctions. The extents (11m) proposed for Ley Lane are considered appropriate junction protection.
17. The consultation responses were reviewed and consideration given to suggestions and requests made during the consultation. An alternative proposal for the Kingsley Avenue / Ley Lane / Manor Park Sports junctions was developed, which incorporated reduced restrictions opposite the Ley Lane junction and extension to the proposed restrictions eastwards on Kingsley Avenue. However, when presented for comment to residents this revision attracted additional objections and no consensus of support for the revised proposal. As such the original option, which focussed on removing parked vehicles from directly around the junctions, is being taken forward.
18. Objection – King Street
One objection was received in respect of the double yellow lines proposed on King Street. The respondent suggested that the traffic calming feature be removed from the street to widen the road and that it be made one-way. District Councillor Coxhead expressed concern regarding the loss of parking, particularly the effect of this on residents of Leeming Lane South many of whom have no access to off-street parking and tended to park on King Street.
19. Response - King Street
The demand for on-street parking is noted and as such the restrictions are proposed only in proximity to the narrow part of the carriageway at the north-western end of King Street, extending existing restrictions by 6m on both sides equating to the loss of parking for a maximum of 2 vehicles. It is not considered appropriate to remove the traffic calming feature at this location as this was introduced to manage traffic speeds in this residential area. King

Street is sufficiently wide to accommodate two-way traffic and there is no traffic management reason to restrict the use of the road by making it one-way. Such a change may be detrimental to road safety, as traffic speeds generally increase when using one-way streets.

20. The proposals have been kept to the minimum necessary to ensure the effective and safe movement of pedestrians and vehicles through the junction. Unrestricted on-street parking remains available on the highway network further away from the junction, providing parking opportunities for residents, visitors and other users.

Other Options Considered

21. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. A revised proposal was considered, but following consultation with affected residents no consensus was received so these were not taken forward. The proposals are considered to strike a reasonable balance between the need to maintain the safe operation of the highway and recognition of the demand for on-street parking.

Comments from Local Members

22. County Councillor Joyce Bosnjak requested that the concerns expressed by residents and District Councillors be carefully considered as part of the consultation. Councillor Parry Tsimbiridis made no comment on the proposals as part of the consultation.

Reasons for Recommendations

23. It is considered that the proposed scheme presents a reasonable and proportionate balance between the needs of all highway users, including non-drivers, who live in or visit the area.

Crime and Disorder Implications

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

Financial Implications

25. The scheme is being funded through the 2018/19 Traffic Management Revenue budget for Mansfield with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

26. 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

27. 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.
28. 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.

Safeguarding of Children and Adults at Risk Implications

29. The proposals are intended to have a positive impact on all highway users.

Implications for Sustainability and the Environment

30. 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

It is **recommended** that:

- 1) The Nottinghamshire County Council (Various Sites in Mansfield Woodhouse) (Prohibition of Waiting) Traffic Regulation Order 2018 (2211) is made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about the report please contact: Mike Barnett - Team Manager (Major Projects and Improvements) Tel: 0115 9773118

Constitutional Comments [SJE – 11/06/2018]

37. 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 the planning, management and maintenance of highways (including traffic management) has been delegated.

Financial Comments [RWK 07/06/2018]

38. The financial implications are set out in paragraph 25 of the report.

Background Papers

39. 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.
40. 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

Mansfield North ED
Mansfield North ED

Councillor Joyce Bosnjak
Councillor Parry Tsimbiridis