

5 March 2020**Agenda Item: 10****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL ASSARTS ROAD,
DRUMMOND DRIVE AND TEMPLE DRIVE, NUTHALL (PROHIBITION OF
WAITING) TRAFFIC REGULATION ORDER 2019 (5273)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

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

Information

2. Drummond Drive, Temple Drive and Assarts Road are residential roads that form part of the Horsendale estate in Nuthall located approximately 5km north-west of Nottingham City and lying close to the Nottingham City Council boundary. The estate dating from the 1950s/60s, comprises of residential roads with primarily detached residential properties; most of which have off-street parking. The layout of the area is such that traffic accessing the area can do so only from Nottingham Road or Nuthall roundabout.
3. Horsendale Primary School, located on Assarts Road, was granted planning permission in May 2016 for an expansion which will increase the roll to 315 pupils over several years. Mornington Primary School is located on the adjacent estate and can be accessed from the Horsendale estate via a pedestrian footpath at the southwest end of Temple Drive.
4. The County Council has received a number of complaints regarding obstructive parking on roads around the schools, primarily at school start and finish times. In recent years waiting restrictions have been introduced on other nearby roads to control parking patterns. The increase in pupils at Horsendale Primary, coupled with ongoing problems with obstructive parking in the area resulted in a request through County Councillor Owen for further parking restrictions on Drummond Drive, Temple Drive and Assarts Road.
5. In response it is proposed to introduce 'No Waiting At Any Time' (Double Yellow Lines) restrictions at the junction of Drummond Drive and Temple Drive, a single yellow line restriction (Monday to Friday 8am – 9.30am and 3pm – 4.30pm) on the north-eastern side of Assarts Road and on the south-western end of Temple Drive.

6. The statutory consultation and public advertisement of the proposals, as shown on the attached drawings H/SLW/3163/01 and H/SLW/3163/02, was carried out between 22nd August and 20th September 2019. Twelve responses were received to the proposals; six of which expressed support or made comments regarding the proposals and six of which are considered to be outstanding objections.

Objections Received

7. Objection – Parking migration / more restrictions required

Two respondents objected on the grounds that the proposed restrictions were ill-considered and would not be effective in improving safety only forcing more vehicles to migrate into surrounding residential streets. One objection was on the grounds that additional restrictions should be implemented on Drummond Drive to prevent parking problems being exacerbated in that area.

8. Response – Parking migration / more restrictions required

The demand for on-street parking in the area is recognised and as such the proposals have been kept to the minimum extents required to facilitate the unobstructed passage of pedestrians and vehicles along the highway and the safe and effective operation of junctions. By keeping the restrictions to the minimum required it is anticipated that parking migration will be minimised, although it is acknowledged that there will always be some element of parking migration with the introduction of any new parking restriction.

9. Objection – Restrictions not required / inconvenience

Three of the respondents objected on the grounds that the restrictions were unnecessary stating that they did not consider that current parking patterns to be unsafe or obstructive. Comments were made that the parking only occurred for short periods of time and that if the restrictions were introduced it would cause unreasonable inconvenience for parents dropping off and picking up their children. Two respondents also commented that congestion on the A610 meant that driving to the Mornington Estate was impractical and would negatively impact on their ability to fulfil other commitments.

10. Response – Restrictions not required / inconvenience

The proposed waiting restrictions are designed to facilitate the safe operation of junctions and the wider highway network for drivers, cyclists and pedestrians. It is the character of this area that available kerb space for parking is limited and demand frequently exceeds supply. This has resulted in inappropriate parking patterns at junctions and pavement parking, which can obstruct pedestrians. The restrictions have been requested by County Councillor Owen, in response to representations from residents of the area.

11. Unaffected highway parking remains available elsewhere on the wider highway network. It is considered that the proposed restrictions will ensure key junctions and footways in areas of high pedestrian flow (such as the entrance to the footpath to Mornington Primary and the approach to Horsendale Primary) are kept free of parked vehicles. The introduction of these waiting restrictions will ensure that safe parking patterns can be enforced by Civil Parking Enforcement Officers.

12. Objection – Will be unsafe for pupils and other pedestrians

Three respondents objected on the grounds that they considered the measures would adversely affect the safety of pupils attending local schools and other users, such as dog

walkers. It was stated that parking further away from their destination would mean walking further, potentially in bad weather and that this could compromise the safety of their children. Other comments made were that the restrictions would move parking away from the end of Temple Drive, which is a cul-de-sac, onto roads such as Drummond Drive, which isn't.

13. Response – Will be unsafe for pupils and other pedestrians

The proposed waiting restrictions are designed to facilitate the safe operation of junctions and the wider highway network for drivers, cyclists and pedestrians. The availability of on-street parking on Assarts Road and Temple Close, in close proximity to the schools, is already limited and at peak times the demand for this space already exceeds supply. This indicates that parents are currently unable to always park in close proximity to their destination at peak periods. It is likely that many are already walking some distance along Temple Drive or Assarts Road to bring their children to the schools.

14. The changes will affect only parents who drive to the school. Those who currently walk or use other sustainable modes of travel will be unaffected and will benefit from the additional restrictions which will protect visibility at crossing points and maintain unobstructed footways at locations of significant pedestrian movements.

15. The restrictions have been kept to the minimum required to ensure the efficient and safe operation of the highway. There is always a balance to be struck between competing demands for a finite resource; it is considered that the proposed scheme offers the best solution improving highway operation whilst retaining reasonable on-street parking facility.

Other Options Considered

16. The other options considered relate the length and operational period of the proposed restrictions, which could have been lesser or greater. It is considered that the advertised proposals are an appropriate response to the reported highway issues.

Comments from Local Members

17. Councillor Owen requested the measures but made no formal comment during the statutory consultation period.

Reasons for Recommendations

18. It is considered that the proposals will facilitate the safe operation of the highway and nearby junctions for drivers, cyclists and pedestrians, in accordance with the Authority's duty to ensure the safe and expeditious movement of all traffic, including pedestrians.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public-sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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 objections to the proposal. No additional crime or disorder implications are envisaged.

Financial Implications

21. The estimated cost to implement the works and traffic order outlined in this report is £5,000. This will be funded from the 2019/10 Integrated Transport Measures capital budget which totals £7.1m and is already approved as part of the Communities and Place capital budget.

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 the junction for drivers, public transport, 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 (Assarts Road, Drummond Drive and Temple Drive, Nuthall (Prohibition of Waiting) Traffic Regulation Order 2019 (5273) is made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

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Constitutional Comments (SJE 23/01/2020)

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 the management of highways (including traffic management) has been delegated.

Financial Comments (GB 31/01/2020)

27. The costs of the works identified in this report total £5,000 and will be funded from the £7.3m Integrated Transport Measures capital budget in 2019/20.

Background Papers and Published Documents

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.

- 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, and Nottingham.

Electoral Division(s) and Member(s) Affected

- Nuthall and Kimberley ED Councillor Philip Owen