

9th May 2019**Agenda Item: 10****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (BISHOP STREET, QUEENS ROAD NORTH AND QUEENS SQUARE, EASTWOOD) (PROHIBITION OF WAITING AND RESIDENTS' CONTROLLED ZONE) TRAFFIC REGULATION ORDER 2019 (5258)****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 with amendments as detailed in the recommendation and shown on drawing H/SLW/2706/04.

Information

2. Queens Road North, Queens Square and Bishop Street are located within Eastwood town centre. The roads comprise of residential properties that are predominately terraced and semi-detached mostly with no off-street parking. Queens Road North has an existing single yellow line, in operation Monday to Saturday 8am - 6pm, on the eastern side extending from the double yellow lines at its junction with Nottingham Road to outside numbers 27/29.
3. Nottinghamshire County Council has received requests, including a petition, for the introduction of a Residents' Parking Scheme (RPS) on these streets. Residents report that the area is used for parking by shoppers and commuters accessing the town centre. A parking survey was carried out which confirmed the presence of non-resident parking in the area and as a result a scheme for a residents parking zone was included in the highway programme.
4. In April 2018, an initial questionnaire was sent to all properties (115) within the boundary of the proposed scheme. A total of 68 (59.13%) completed questionnaires were returned, with 44 (64.71%) of those in favour of a scheme, 23 (33.82%) were against. The recorded results were at the threshold for a residents parking scheme and the Councillor requested that the County Council proceed with the formal advertising of the proposals.
5. As a result, it was proposed to introduce a RPS, on Queens Road North, Queens Square and Bishop Street, which would operate Monday to Saturday, 8am to 6pm. The statutory consultation and public advertisement of the proposals, as detailed on the attached drawing H/SLW/2706/03, was carried out between 9th October and 6th November 2018.

6. A total of 14 responses were received during the consultation period, including 3 from respondents either supportive and / or commenting on the scheme. Eleven responses were considered to be objections to all or part of the proposals.
7. Four of the objections were received from Bishop Street and the County Councillor also reported concerns expressed to him by residents of Bishop Street; requesting that the street be removed from the scheme. After consideration of the comments received and subsequent discussions with local Councillors, it was decided to re-canvas the residents of Bishop Street to determine whether the street should be removed from the proposed RPS or to remain. The revised proposals are shown on the attached drawing H/SLW/2706/04.
8. In January 2019, new questionnaires were sent to all 28 properties on Bishops Street, 12 (42.86%) questionnaires were returned, 8 (66.67%) wanted to remove Bishop Street and 4 (33.33%) wanted to keep Bishop Street within the scheme. It is therefore proposed to remove Bishop Street from the proposals. It is considered that eight responses are now outstanding objections to all or part of the proposals.

Objections received

9. Objection – scheme not required or supported by local residents
Six of the respondents were concerned that the scheme was not required or supported by the residents. Comments included that there was not enough evidence to support such proposals, suggesting survey should be undertaken and stating that the scheme would not guarantee that a parking space is available outside their homes. One respondent was concerned whether guest permits would be issued and what arrangements would be in place for visitors and carers attending.
10. Response - scheme not required or supported by residents
A parking survey was undertaken on a weekday between 9am and 6pm in November 2017 which indicated that a majority of the vehicles parking on these streets during the day belonged to non-residents and that this was detrimental to residents attempting to park near their homes. The RPS is designed only to remove intrusive non-resident parking.
11. Whilst the demand for on-street parking is recognised the County Council does not have a duty to provide free on-street parking for any highway user. The hours of operation of the scheme are Monday to Saturday 8am to 6pm, outside of these hours the carriageway is unrestricted and can be used by non-permit holders for evening, overnight and Sunday parking.
12. Visitor's permits will be available to purchase by individual households, providing an option for visitors and carers. Residents within the permit area who are over 75 or blue-badge holders are supplied with permits without charge.
13. Objection – Times of operation are wrong
Two of the respondents objected to the times of operation and considered the proposals unsuitable. They suggested that these should be changed on the basis that problems were in the evening when residents return home from work, when there were too many cars for the available space.
14. Response - Times of operation are wrong
A parking survey was undertaken on a weekday between 9 am and 6 pm in November 2017 which indicated that a majority of the vehicles parking on these streets during the day belonged to non-residents and that this was detrimental to residents attempting to park near their homes.

The operational period of the scheme is designed to reflect the periods of highest non-resident demand and therefore the times when residents' opportunity to park are most affected.

15. Objection – detrimental effect on local businesses

Five respondents objected due to concerns about the impact on businesses, both within the proposed controlled zone and in Eastwood town centre. Respondents state that it will inconvenience their customers and that this and the lack of alternative parking in close proximity to their business may well result in a loss of business for them. Respondents also commented on the detrimental effect on the shops and businesses in Eastwood if non-residents such as shoppers and staff are not allowed to park in the area.

16. Response - detrimental effect on local businesses

Visitor's permits will be available to purchase, allowing for visitors. There is also adequate parking in the town centre providing alternative parking within walking distances.

17. Objection – Cost of permits and facilities for carers

Three of the respondents were concerned about the cost of permits. and considered it was unfair to be required to pay for a permit to enable them to park within the controlled zone.

18. Response - Cost of permits and facilities for carers

Since 2010 it has been Nottinghamshire County Council policy to charge (£25 in 2019/20) for the issuing of permits within a RPS. Residents within the permit area who are over 75 or blue-badge holders are supplied with permits without charge. Whilst it is necessary to display a permit when parking within the controlled zone during operational hours (Monday to Saturday 8am – 6pm) the area can be used by non-permit holders outside of these times. Unrestricted on-street parking remains available on the wider highway. Residents within the permit area who are over 75 or blue-badge holders are supplied with permits without charge

19. Objection – Parking migration

Objections were received on the basis that shoppers and commuters would park on other residential streets in Eastwood if a RPS is introduced, which will just move the problem elsewhere.

20. Response – Parking migration

The scheme is being introduced to reduce the volume of non-resident parking in the area, which is adversely affecting residents as residents cannot park within a reasonable distance of their homes during the working day. Unrestricted on-street parking is also available on the wider highway network and in off-street car parks within the town centre area.

Other Options Considered

21. The other option considered was to include Bishop Street within the scheme. The scheme has undergone several stages of development, including a parking survey, resident questionnaires and statutory public consultation, to determine the best balance of measures to meet the needs of the area.

Comments from Local Members

22. County Councillor Tony Harper supports the introduction of the proposed residents parking scheme with the removal of Bishop Street from the proposed RPS scheme.

Reasons for Recommendations

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

Statutory and Policy Implications

24. 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

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

Financial Implications

26. The scheme is being funded through the 2018/19 Integrated Transport Measures capital programme with an expected cost of £4,000.

Human Rights Implications

27. 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

28. 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.

29. 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

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

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (Bishop Street, Queens Road North and Queens Square, Eastwood) (Prohibition of Waiting and Residents' Controlled Zone) Traffic Regulation Order 2019 (5258) is made as advertised, subject to the following amendment, and the objectors informed accordingly
 - Remove Bishop Street from the proposed controlled zone, as shown on drawing number H/SLW/2706/04.

Adrian Smith
Corporate Director, Place

Name and Title of Report Author
Mike Barnett - Team Manager (Major Projects and Improvements)

Constitutional Comments (SJE – 28/03/2019)

31. The decision falls within the Terms of Reference of the Communities and Place Committee to whom responsibility for the exercise of the Authority's function relating to traffic management has been delegated.

Financial Comments (RWK - 25/03/19)

32. The financial implications are set out in paragraph 26 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

Eastwood ED

Councillor Tony Harper