

8th February 2018**Agenda Item: 11****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (BROOKHILL STREET AREA,
STAPLEFORD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER
2017 (5238)****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. Brookhill Street is located near the town centre of Stapleford. Brookhill Street is a residential street linking two local secondary distributor roads; the B5010 Derby Road and B6003 Toton Lane. There are several cul-de-sacs accessed directly from Brookhill Street; including Ash Grove, Hawthorne Avenue, Linden Grove, Myrtle Avenue, Newton Drive and Portland Crescent. A local estate road, New Eaton Road, also has a junction with Brookhill Street. New Eaton Road, which is a local estate road, also has a junction with Brookhill Street.
3. The types of housing in the area varies from late-Victorian to 1950s / 60s properties and approximately half of properties on Brookhill Street have on-street parking; generally, for one vehicle only. The proportion of properties with parking on the cul-de-sacs off Brookhill Street tends to be lower still. As a result, demand for on-street parking in some locations can frequently exceed supply and this leads to vehicles being parked in close proximity to junctions. This parking forces vehicles leaving the side roads to straddle the centre line, which obstructs vehicles turning into the junction and prevents the free movement of vehicles.
4. A petition consisting of 385 signatures was presented to the 15th September 2016 meeting of the County Council by Councillor Jacky Williams. The petitioners requested a review of the traffic management on Brookhill Street Stapleford. In response, the County Council agreed to consider implementing double yellow lines at junctions off Brookhill Street. Requests have also been received direct from the local County Councillors to address the issues of obstructive parking.
5. In response, it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) around the following junctions, for varying lengths:

- Brookhill Street / Ash Grove
- Brookhill Street / New Eaton Road
- Brookhill Street / Hawthorne Avenue
- Brookhill Street / Linden Grove
- Brookhill Street / Myrtle Avenue
- Brookhill Street / Portland Crescent
- Brookhill Street / Newton Drive
- Brookhill Street / B6003 Toton Lane
- B6003 Toton Lane / Blake Road

6. The statutory consultation and public advertisement of the proposals, detailed on the attached drawing H/LS/2475/01 was undertaken between 6th October 2017 and 10th November 2017.

Objections Received

7. Nineteen responses were received to the consultation, including 2 petitions. Of these responses six expressed support for the proposals, these respondents included District Councillor MacRea and the Headteacher of the nearby Fairfield Primary Academy. Five responses were neutral and made comments or requested information on the proposals. A range of comments were received from respondents both in favour and against the proposals; these included:

- Request for more extensive / longer restrictions on roads within the proposed Order;
- Requests for additional / new restrictions on other nearby roads.

8. Replies have been sent direct to respondents stating that their requests for further restrictions will be considered for inclusion in a future programme. Two petitions were received. One, comprising of 64 signatures, objected to the advertised proposals due to the loss of on-street parking and potential parking migration. The second petition objected to the extent of the proposed parking restrictions and comprised of 65 signatures. In total, there are eight outstanding objections (including the two petitions) to the proposals.

9. Objection – reduction of on-street parking

The common theme on five outstanding objections including one petition was that the restrictions would reduce the availability of on-street parking. Several respondents stated that it would result in more vehicles migrating from Brookhill Street to park in the side roads. One respondent stated that they had mobility problems and that it would make it harder for them to park outside their home, they suggested parking bays should be marked out to encourage drivers to park close to each other to maximise the on-street parking available.

10. Response – reduction of on-street parking

Obstructive parking in close proximity to junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements into and out of the junction and, where this causes an obstruction or danger to other highway users, is already an offence.

Some of the objectors have off-street parking and all have access to unrestricted on-street parking which is available elsewhere on Brookhill Street and surrounding roads; which offers alternative on-street parking locations without obstructing the junctions. Furthermore, while the desire for on-street parking is noted, the purpose of the highway is to facilitate the movement of vehicles and people and there is no legal right for a householder to park on the highway near their home. It is recognised that demand for highway parking exists, however it is the responsibility of the vehicle owner to ensure their vehicle is not parked in such a way as to cause an obstruction. This may require drivers with insufficient or no private off-street

parking provision to park further away from their property to ensure their vehicle is parked appropriately.

Where residents have significant health issues it may be appropriate for the resident to request an advisory disabled bay marking on the Highway, which would be provided free of charge by the County Council. These markings are intended for use in exceptional circumstances where parking levels are frequently high but available vehicle spaces are very limited. The provisions of markings is strictly controlled, this is to ensure that they are only provided where there is a defined need and applicants therefore need to meet criteria for such markings.

The proposed scheme is considered to strike a balance between the competing demands for a finite resource by offering a balanced solution to enhance the safe operation of the junction with minimal loss of parking.

11. Objection– Restrictions are not required / are too long

Four objections were on the basis that the restrictions were either not required or that they were too long. Comments included the assertion that the restrictions were a waste of money. That the side roads did not require any restrictions at their junctions because they were cul-de-sacs and served a limited number of households. Also, that any 'particularly bad' parking was already illegal without further intervention.

12. Response – Restrictions are not required / are too long

Brookhill Street has moderately heavy two-way traffic flows of more than 400 vehicles in peak hours. It is also on a steep hill, which offers limited forward visibility for drivers emerging from side roads. The purpose of the junction protection is to ensure sufficient carriageway is available at the specified junctions to enable the safe movement of vehicles, cyclists and pedestrians and thereby the efficient operation of the junction.

It is the nature of this character of road that available kerb space for parking is limited and demand frequently exceeds supply. This has resulted in inappropriate parking patterns at junctions. Whilst obstructive parking is already an offence it can only be enforced by Police Officers. The introduction of these waiting restrictions will ensure that safe parking patterns can be enforced by Civil Parking Enforcement Officers. The visible markings will encourage drivers to recognise and comply with the appropriate parking distances from junctions.

It is recognised, that demand for parking exists, particularly in residential areas with limited off-street parking, however the safe and efficient operation of the highway must be the priority for the County Council as the Local Highway Authority.

13. Objection – speeding vehicles

Two respondents objected on the grounds that resources were being directed at these waiting restrictions when it should be focussed on addressing the issue with speeding vehicles and safety. This was they stated, the real concern on Brookhill Street and the proposals would do nothing to address this, although some of the respondents acknowledged that there was a need for restrictions on the through-road junctions. Respondents cited concerns with speeding vehicles and referred to a public meeting held in 2016 to discuss the issue.

14. Response – speeding vehicles

The proposed waiting restrictions will contribute to improving the reality and the perception of road safety on Brookhill Street and adjoining roads by ensuring that junctions operate without

hindrance. By removing vehicles which obstruct visibility for vehicles and people moving over, into and out of the junctions the operation of the highway will be improved.

The public meeting was held at the request of the local Members at the time (Councillors Williams and Heptinstall) who passed on safety concerns which had been raised with them. In respect of the speed of traffic using the road, a speed and flow survey was commissioned following the public meeting. The speed measurement benchmark value used in our surveys is known as the 85th percentile speed. The 85th percentile value is commonly used nationally as a useful comparative speed and gives a far better picture (and indeed higher value) of what is happening in vehicle speed terms than, say, average speeds. Traffic speeds were within the 30mph speed limit at 28mph. The Highways Authority takes safety on the County's roads very seriously and we continually strive to use our limited funding to the best of our ability to improve the County road network. In the last 3 years there has been one reported injury accident of a slight nature (as opposed to serious or fatal) and therefore there is not a recognised injury accident problem on Brookhill Street which would require a significant accident remedial scheme, such as traffic calming.

However, in response to residents' concerns and County-wide programmes, several safety related schemes have been implemented in the area recently. The Authority has erected 'Its 30 for a reason signage' on Brookhill Street and on the eastern section of the road (between Lime Grove and Toton Lane). A school 20mph zone has been implemented with two flashing school patrol signs (in addition to the existing two signs) and school 20mph zone signage.

Other Options Considered

15. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The restrictions 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

16. No comments on the proposals were received from County Councillors Doddy and Longdon.

Reason/s for Recommendation/s

17. The proposed scheme offers a balanced solution to mitigate road safety concerns and facilitate the safe operation of the junctions and wider highway network with minimum loss of parking availability. The measures 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

18. 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 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

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

Financial Implications

20. This scheme is being funded through the 2017/18 Traffic Management Revenue budget for Ashfield with an estimated cost to implement the works and traffic order of £1,500.

Human Rights Implications

21. 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

22. 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.
23. 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. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions / changes to policy could have on the community and those with protected characteristics as a means of ensuring this. An EIA may also identify potential ways to reduce any impact that a decision / policy change could have, and if it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.
24. An EIA has been undertaken to assess the potential impact of the proposal, the results of the consultation and any appropriate mitigation. This EIA is included as a background paper to this committee report. Decision makers must give due regard to the implications for protected groups the potential implications of their decisions on people with protected characteristics.

Safeguarding of Children and Adults at Risk Implications

25. The proposals are intended to have a positive impact on all highway users but being in close proximity to the primary school, they should also help to safeguard and promote the welfare of children.

Implications for Sustainability and the Environment

26. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Obstructive parking near junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements into and out of the junction and, where this causes an obstruction or danger to other highway users, is already an offence.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (Brookhill Street Area, Stapleford) (Prohibition of Waiting) Traffic Regulation Order 2017 (5238) is made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

Name and Title of Report Author
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Constitutional Comments (SLB 10/01/18)

27. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (SES 12/01/18)

28. The financial implications are set out in the report.

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.

- Equality Impact Assessment: Brookhill Street area, Stapleford - EQIA

- 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.

Electoral Division(s) and Member(s) Affected

Stapleford and Broxtowe Central
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Councillor John Doddy
Councillor John Longdon