

07 March 2019**Agenda Item: 7****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (DYKES END, HIGH STREET,
SWINDERBY ROAD AND WOODHILL ROAD, COLLINGHAM) (PROHIBITION
OF WAITING) TRAFFIC REGULATION ORDER 2019 (3287)****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. Collingham is a village located approximately 9km north of Newark-on-Trent. The A1133 is a primary route which runs through the centre of the village, carrying an annual average daily traffic flow of 7,350 vehicles. The County Council has received requests from County Councillor Maureen Dobson, residents and other road users to address obstructive parking close to junctions on the A1133 High Street in Collingham, which is obscuring visibility for vehicles and pedestrians.
3. In response, it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) around the following junctions to ensure the removal of obstructive parking and to ensure visibility is maintained:
 - A1133 High Street / Dykes End;
 - A1133 High Street / Swinderby Road;
 - A1133 High Street / Woodhill Road.
4. The statutory consultation and public advertisement of the proposals was carried out between 8th November and 7th December 2018, as detailed on the attached drawing H/MN/2875/01.

Objections Received

5. During the advertisement period seven responses were received. Three responses, including the Parish Council, supported the proposals and made further comments on highway issues. The remaining four responses are considered to be outstanding objections to all or part of the proposals.

6. Objection – Loss of on-street parking
All respondents objected to the loss of on-street parking and stated that they did not have access to off-street parking at their properties. Comments made included concerns regarding the detrimental effect the restrictions would have on property values, requests for dedicated parking provision for residents and concerns regarding the security of vehicles if parked further away from properties.
7. Response – Loss of on-street parking
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 not parked in such a way as to cause an obstruction. 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, in order to ensure their vehicle is parked appropriately and lawfully.
8. The restrictions have been kept to the minimum necessary to ensure the safe operation of the junctions. The availability of other parking provision adjacent to the proposed double yellow lines and on the wider highway network remains unaffected.
9. Objection – Loading
One respondent objected on the grounds that the restrictions would prevent loading outside their property and would impact on deliveries to a nearby shop.
10. Response – Loading
Loading (including the dropping off / picking up of passengers) is permitted on double-yellow lines, however vehicles will need to be removed as soon as the loading activity has been completed. On-street parking remains available adjacent to the proposed double yellow lines on High Street, including outside the shop, and on the wider highway network.
11. Objection – Restrictions not required / too long
Three respondents objected on the grounds that the restrictions were not required and that vehicles parked outside their properties did not cause obstruction to the operation of the junction. Two respondents stated that the proposed lines were too long and should be reduced in length, as Highway Code guidance only prohibited parking within 10m of a junction. One commented that other drivers, visiting local amenities, often parked inappropriately and that this would increase if the restrictions were implemented.
12. Response – Restrictions not required / too long
The restrictions are proposed in response to requests from the County Councillor and members of the public to address safety concerns regarding obstructive parking at these busy junctions. The proposed waiting restrictions are designed to facilitate the safe operation of the junction and wider highway network for drivers, cyclists and pedestrians. Site investigations confirm that parked vehicles at these junctions obstruct the view of oncoming vehicles for drivers and mask pedestrians waiting to cross the road. Therefore, it is preferable to ensure junctions are kept clear of parked vehicles so that highway users have an appropriately safe and unobstructed view of the road around them.
13. The proposed restrictions have been kept to the minimum required to ensure the safe operation of the junction. Whilst the Highway Code provides guidance on minimum parking

distances from junctions this is a starting point and each junction must be considered within the context of its specific characteristics.

14. The extent of the proposed restrictions at each location has been carefully considered taking into account the operation of the junctions and the nature of the roads including their widths, deviations, sight-lines and adjacent structures. Vehicles parked within the extents of the proposed restrictions force moving vehicles into the centre of the road, which may result in vehicles meeting oncoming or turning vehicles head-on. The length of unobstructed carriageway provided by these restrictions will provide space for these vehicles to manoeuvre past each other and support the safe operation of the junction.
15. Objection – Visual amenity
One respondent objected on the grounds that the restrictions would be unsightly and inappropriate for a village setting suggesting that a single white line would be less intrusive and more fitting for a conservation area.
16. Response – Visual amenity
White lining is not considered appropriate to address obstructive parking at junctions as edge of carriageway markings and h-bars are advisory and would not facilitate robust enforcement action if drivers continued to park at these junctions. The importance of Collingham's conservation status is noted and if the proposed restrictions are implemented lining appropriate for a conservation area will be used - these lines are thinner than standard lining and in a paler shade of yellow known as 'Primrose'

Other Options Considered

17. 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 restrictions are a reasonable balance between the need to maintain the safe operation of the junctions and the demand for on-street parking.

Comments from Local Members

18. County Councillor Maureen Dobson requested the restrictions but made no comment during the consultation period.

Reasons for Recommendations

19. The proposals are to be introduced to facilitate the safe and efficient operation of the junctions.

Statutory and Policy Implications

20. 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.

Financial Implications

21. This scheme is being funded through the 2018/19 Traffic Management Revenue budget for Newark with an estimated cost to implement the works and traffic order of £3,500.

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 (Dykes End, High Street, Swinderby Road and Woodhill Road, Collingham) (Prohibition of Waiting) Traffic Regulation Order 2019 (3287) is made as advertised and the objectors advised accordingly.

Adrian Smith
Corporate Director, Place

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

Constitutional Comments [SJE 22/01/2019]

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 21/01/2019]

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

Collingham ED

Councillor Maureen Dobson