

6 December 2018**Agenda Item: 7****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (DALESTORTH STREET, HILL
CRESCENT, REDCLIFFE STREET AND SKEGBY ROAD, SUTTON-IN-
ASHFIELD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2018
(4217)****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 with amendments as detailed in the recommendation and shown on drawing H/JMR/2714/03.

Information

2. Nottinghamshire County Council has received requests for measures to prevent obstructive parking which affects visibility for highway users at a number of junctions off Dalestorth Street and Skegby Road in Sutton-in-Ashfield. The proposed restrictions were requested by local County Council and District Members.
3. Skegby Road is a local residential street with an annual average daily traffic flow of 4,300 vehicles and there is a regular bus service with stops along the road. There is a pharmacy, an accountant business and doctor's surgery which has recently closed in the vicinity of the proposed restrictions. It is currently unknown what the former doctor's surgery building on Harwood Close off Skegby Road will become.
4. Dalestorth Street is a local distributor road with an annual average daily traffic flow of 8,900 vehicles and there is a regular bus service with stops on the road. There is a local convenience shop on the corner of Dalestorth Street and Skegby Road with a church adjacent. There are white 'H Bar' road markings with 'Patrol' text on Dalestorth Street, near its junction with Skegby Road, indicating a dormant school crossing patrol site.
5. On both roads there is a mixture of terraced properties, semi-detached properties and bungalows with varying off-street parking provision. At these locations there is significant demand for on-street parking. This is generated by the convenience shop, church, pharmacy and until recently, the doctor's surgery. However, reports have been received of obstructive parking too near to junctions and crossing points, which reduces visibility for vehicles, pedestrians and adversely affects the efficient operation of the highway.

6. In response, the County Council proposes to introduce 'No Waiting at Any Time' restrictions (double yellow lines) at the locations listed below:
 - Dalestorth Street on the junctions with Redcliffe Street and Skegby Road – drawing - H/JMR/2714/01
 - Skegby Road on the junctions with Harwood Close, Hill Crescent and Thoresby Street – drawing number- H/JMR/2714/02
7. The statutory consultation and public advertisement of the proposals was carried out between 30th May and 29th June 2018.
8. A total of 20 responses including one petition of 228 signatures were received to the consultation during the advertisement period. This included 2 responses expressing support for the proposals with 1 of these requesting additional restrictions.
9. One respondent objected to the proposed restriction at the junction of Skegby Road and Hill Crescent as the proposed restrictions would extend across their driveway on Skegby Road. They stated that they park across their driveway when they have more than one vehicle, so the proposals would leave them with nowhere to park. After consideration of the response a revised proposal was devised which reduced the length of the restrictions at this location by 5 metres; meaning the double yellow lines terminate before the respondent's driveway. The proposed restrictions were originally designed to extend beyond the required distance considered necessary to maintain visibility for vehicles emerging from Hill Crescent onto Skegby Road in order to protect the respondent's driveway from being obstructed by other vehicles. As the respondent does not want this, the scheme has been amended and the proposed restriction shortened. The respondent has confirmed that they are happy with this amendment and it is therefore considered that this objection has been resolved.
10. There are considered to be 17 outstanding objections to elements of the proposals and this includes the petition.

Objections Received

11. Objections - Dalestorth Street and Skegby Road Junction

Thirteen objections, including a 228-signatory petition were received relating to the proposals at the Dalestorth Street and Skegby Road junction. Respondents objected on several points; primarily relating to the loss of on-street parking and the impact this would have on the local shop, their deliveries and their customers, some of whom are elderly. Further concerns were raised about loss of on-street parking for members of the church on Dalestorth Street. Respondents also requested the removal of the low metal barriers on Dalestorth Street, which some respondents have said prevent pedestrians from crossing Dalestorth Street at other locations.
12. Response - Dalestorth Street and Skegby Road Junction

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. Parking currently occurs all around this junction outside the shop. This adversely affects the safe and efficient movement of vehicles through the junction and negatively impacts on visibility for pedestrians crossing over Skegby Road and Dalestorth Street at the site of the former school crossing patrol.
13. 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 or business. 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 junction and at the crossing points.

14. Concerns were raised relating to the detrimental effect on receiving deliveries to the shop and customer access, especially for those who are elderly with limited mobility. It should be noted that disabled drivers, who have a blue badge, are entitled to park on double yellow lines where this does not cause an obstruction for periods of up to three hours. The picking up and setting down of passengers is also permitted on double yellow lines, as is the loading and unloading of goods. These exemptions will enable disabled drivers or disabled passengers and delivery vehicles to retain access to the commercial premises.
15. The metal low barriers on Dalestorth Street have been installed historically to prevent vehicles from mounting the footway to park and causing an obstruction for pedestrians. Various options were considered in 2011 to improve the situation following an accident in which a pedestrian tripped over the rails. The paint colour was changed from black to bright blue to improve the visibility and lighting in the area upgraded.
16. Unrestricted highway parking is available on both sides of Dalestorth Street and Skegby Road 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 a proportional and reasonable intervention to improve safety for pedestrians and improve the operation of the junction.
17. Objections – Displacement Parking
Three objections were received relating to the potential effect of displacement parking on local residents as a result of the proposed restrictions. Respondents cited the potential for residents who do not have access to off-street parking having difficulty finding on-street parking near their house.
18. Response – Displacement Parking
The demand for on-street parking by residents of Skegby Road is noted. 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 or business. The proposals have been kept to the minimum necessary to ensure the effective and safe movement of pedestrians and vehicles through the junctions. 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

19. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. Consideration was given to omitting the restrictions on Dalestorth Street at the location of the former school crossing patrol. However, this has become an informal crossing point for pedestrians and it is felt necessary to maintain visibility at this location. 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

20. County Councillor Samantha Deakin has expressed support for the proposals. County Councillor Jason Zadrozny in his capacity as Leader of Ashfield District Council has also expressed his support for the proposals. The proposals are at the edge of Councillor Helen-

Ann Smith's division. Councillor Smith did not make any comments relating to the proposals during the consultation.

Reasons for Recommendations

21. 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.

Crime and Disorder Implications

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

Financial Implications

23. 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 £3,000.

Human Rights Implications

24. 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

25. 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.
26. 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

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

Implications for Sustainability and the Environment

28. 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 (Dalestorth Street, Hill Crescent, Redcliffe Street and Skegby Road, Sutton-in-Ashfield) (Prohibition Of Waiting) Traffic Regulation Order 2018 (4217) is made as advertised and the objectors informed accordingly, subject to the following amendment:
 - Reduce the length of 'No Waiting At Any Time' restrictions on Skegby Road to the south of Hill Crescent from 12 metres to 7 metres as shown on drawing H/JMR/2714/03.

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 [LM 31/10/2018]

37. The Communities and Place Committee is the appropriate body to consider the contents of the report'

Financial Comments [RWK 05/11/2018]

38. The financial implications are set out in paragraph 23 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

Sutton Central and East ED
Sutton North ED

Councillor Samantha Deakin
Councillor Helen-Ann Smith