

## **REPORT OF THE CORPORATE DIRECTOR, PLACE**

### **THE NOTTINGHAMSHIRE COUNTY COUNCIL (DEVONSHIRE STREET & HARRINGTON STREET, WORKSOP) (RESIDENTS' CONTROLLED ZONE & PARKING PLACES) TRAFFIC REGULATION ORDER 2018 (1211)**

## **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. Harrington Street and Devonshire Street are located approximately 0.5 km west of Worksop town centre and lead directly off Newcastle Avenue that is a primary route into the town. Harrington Street is a cul-de-sac comprising of terraced properties and St Anne's Primary School is located at the southern end of the street. The northern section of Devonshire Street comprises of terraced properties the majority of which have no off-street parking. Approximately 300m south of its junction with Newcastle Avenue, the type of properties change, becomingly primarily detached properties with off-street parking. A pedestrian entrance to St Anne's Primary School is also located at this point, on the western side of the Devonshire Street. There are also a number of commercial properties located on the streets, primarily around the junctions with Newcastle Avenue.
3. The County Council has received complaints from residents on Harrington Street and Devonshire Street regarding obstructive and intrusive parking. There are significant levels of parking demand in the area from commuters working in and around the town centre. The intrusive parking results in residents having difficulty in finding parking spaces within a reasonable distance of their homes. A 19-signature petition was presented to the 24th November 2016 meeting of the County Council by Councillor Kevin Greaves on behalf of residents of Harrington Street, Worksop. The petition requested that a residents' parking scheme is introduced on the road. A parking survey had also been undertaken in 2016 which indicated high levels on non-residential daytime parking in the area.
4. In response, the County Council proposes to introduce a Residents Parking Scheme (RPS) in Harrington Street and part of Devonshire Street. As part of the implementation of a RPS questionnaires were sent out on the 13th September 2017 to determine levels of support. There was a 52% response rate with 79% of those respondents in support of a scheme, these

results exceed the criteria of 35% response rate with 65% of respondents in support that the County Council uses to progress the implementation of a RPS.

5. Following the confirmation of support for a RPS a statutory consultation and public advertisement was carried out between 4<sup>th</sup> December 2017 and 3<sup>rd</sup> January 2018 on the proposals. These are detailed on the attached drawing JE/HW/10295/02 and consists of a RPS to be in operation on Monday to Friday from 9am-3pm on Harrington Street and the northern section of Devonshire Street (with terraced properties).

## **Objections Received**

6. During the advertisement period, 14 responses were received, 7 of which supported the proposal or made comments and 7 of which were considered objections to the proposals. Objections and comments referred to a number of issues; including the loss of on-street parking for visitors and the effect that this may have on local businesses, both located in the area and serving customers on the streets.
7. Responses to the consultation have been considered and discussed with the local County Councillor resulting in amendments to the scheme proposed to address some of the concerns raised. The proposed changes consisted of 2-hour limited waiting parking bays in operation Monday to Saturday 9am-3pm at the northern end of Devonshire Street and Harrington Street.
8. The statutory consultation and public advertisement of the revised proposals, as detailed on the attached drawing JE/HW/10295/03 was carried out between 8<sup>th</sup> March and 4<sup>th</sup> April 2018.
9. During the second public advertisement period a total of 5 responses were received, this included three from previous respondents. The revised proposals and an agreement to offer permits to properties on the adjacent section of Newcastle Street addressed a number of the objections to the original scheme. However, it is considered that after two rounds of consultation there are a total 6 outstanding objections to the proposals.
10. Objection – Scheme not required / cost / inconvenience to residents  
Five respondents objected on the basis that the scheme was not required or that they would find such a scheme inconvenient or permits were an unnecessary expense. Comments made by respondents included that they had never experienced any problems with finding a parking space and that the operation and cost of such a scheme would be an inconvenience / unwelcome. Another respondent commented that the scheme would require additional signage and therefore increase highway clutter.
11. Response – Scheme not required / cost / inconvenience to residents  
It is understood that opinion on the merits of a RPS scheme will differ and consultation is undertaken to determine both need for such a scheme and residents' support for it as part of the scheme development and implementation. The questionnaire process includes a four-page guide explaining how a residents' parking scheme operates and the rules on permit allocation to enable residents are able to make an informed decision. The questionnaire demonstrates sufficient support (52% of households responded to the survey and of these 79% were in favour of the scheme) and responses to the formal consultation.
12. On 19th October 2016 a parking survey was undertaken on Devonshire Street and Harrington Street between the hours of 9am and 6pm. The surveys identified that both streets had significant numbers of non-resident long-stay parking. The surveys identified:

- Devonshire Street - there were 85 vehicles parking of which 41 were non-residents' vehicles. The assessment suggests that on average 64% of the available space is taken up by non-residents vehicles.
  - Harrington Street - there were 46 vehicles parking of which 26 were non-residents' vehicles. The assessment suggests that on average 81% of the available space is taken up by non-residents.
13. It is acknowledged that the introduction of the scheme will result in additional highway signs in the area, however this is unavoidable. The signs are required to ensure that highway users are aware of the restrictions in place and do not inadvertently contravene the Traffic Order. Whilst the proposed scheme, as with any residents parking scheme, requires appropriate signs it does not require bay markings within the controlled zone, therefore reducing the visual impact of the scheme.
14. Objection – Parking migration  
Three objections were made on the basis that the introduction of the restrictions would result in parking migration to areas outside the controlled zone. One respondent felt that this would be detrimental to the safety of children attending the school. Comments included concerns that the increase in parking on other parts of Devonshire Street would increase the likelihood of driveways being obstructed and of obstructive parking near the junction with Water Meadows. A respondent also stated that it would increase instances of pavement parking and parking on verges on the section of Devonshire Street outside the controlled zone area affecting visibility for people crossing the road. Also, the respondent stated that the proposals would benefit one half of the street to the detriment of the other.
15. Response – Parking migration  
Premises within the controlled zone do not have access to off-street parking and so are more affected by non-resident parking than areas where properties have off-street parking. It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction, however the operational times of the proposed restrictions have been restricted to operate 9am to 3.00pm weekdays only. It is considered this will address the problem with commuter parking but retains flexibility for parents and carers to park in the area whilst dropping off and picking up children at the start and end of the school day.
16. It is expected that the times proposed will significantly reduce the volume of any potential parking migration as opposed to a scheme which operated beyond the times of the school day. The revised proposals also provide short-term parking bays on Harrington Street and Devonshire Street for visitors to the area, further reducing potential parking migration.
17. The junction of Water Meadows and Devonshire Street is approximately 300m from the end of the controlled zone and it is anticipated that any displaced parking will be dissipated over the extent of this street and surrounding roads and not materially affect this junction.
18. It should be noted that where pavement parking constitutes an obstruction it is a matter for the Police, who are empowered to enforce on this matter. An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties is the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy (£200 in 2018-19) on request from local residents.

### **Other Options Considered**

19. Other options considered relate to the operational times of the residents parking scheme, which could have been either lesser or greater. Proposals were modified to include areas of limited waiting in direct response to comments received. The restrictions are considered a

reasonable balance between retaining public access to the highway and ensuring residents' reasonable access to parking.

### **Comments from Local Members**

20. County Councillor Greaves was involved in the development of the revised proposals and has expressed his support for the scheme.

### **Reasons for Recommendations**

21. The proposals are considered appropriate taking into account a balanced view of the needs of all road users; balancing the need to retain public access to the highway with ensuring residents' reasonable access to on-street parking. It is considered therefore that the proposals achieve a balance between competing demands for the highway and that all residents will have access to parking within a reasonable distance of their home.

### **Statutory and Policy Implications**

22. 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**

23. Nottinghamshire Police made no comments during the consultation. No additional crime or disorder implications are envisaged.

### **Financial Implications**

24. This scheme is being funded through the Local Transport Plan ITM budget for 2018/19 with an estimated cost to implement the works and traffic order of £5,000.

### **Human Rights Implications**

25. 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**

26. 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.

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 and the operational times of the scheme have been designed to maintain full public access to the highway network around the school at the start of and end of the school day.

### **Implications for Sustainability and the Environment**

28. The proposed waiting restrictions are designed to facilitate the operation of the wider highway network for drivers, cyclists and pedestrians.

## **RECOMMENDATION/S**

It is recommended that:

- 1) The Nottinghamshire County Council (Devonshire Street & Harrington Street, Worksop) (Residents' Controlled Zone & Parking Places) Traffic Regulation Order 2018 (1211) be made as the revised advertised proposals and the objectors notified accordingly.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Mike Barnett - Team Manager (Major Projects and Improvements) 0115 9773118 / Helen North (Improvements Manager) 0115 977 2087

### **Constitutional Comments [SLB 17/05/2018]**

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

### **Financial Comments [SES 18/05/2018]**

30. 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.

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**

Worksop South ED

Councillor Kevin Greaves