



meeting **COUNTY COUNCIL**

date **1 November 2007**

agenda item number

RESPONSE TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL ON 1ST NOVEMBER 2007

Purpose of Report

The purpose of this report is to make an initial response to the issues raised in the following petitions presented to the Chairman of the County Council at the Council meeting on 1st November 2007.

- a) **Regarding a residents' parking issue in Bingham Town Centre**
- b) **Regarding local traffic problems in Bingham Market Place**
- c) **Cycling along Beeston High Road**
- d) **Save Bishops Court against proposed closure**
- e) **Regarding the proposed closure of Raines Avenue Post Office, Worksop**
- f) **Solution on parking de-criminalisation in Newark and the effect on businesses**
- g) **Newark Bus Station to remain on its current site**
- h) **Against the proposed closure of Woods Court, Newark**
- i) **About the proposed closure of Kirklands Residential Day Centre**

a. Residents Parking Issues in Bingham Town Centre

b. Local Traffic problems in Bingham Market Place

1. It appears that these two petitions were submitted together and concern the same issues, although the text of the presentation to RBC on 20 September 2007 makes reference to both a petition of over 1300 signatures and a separate petition of 300 signatures
2. The former is "to the authorities responsible for parking and traffic in Bingham" and is concerning "the inadequate number of parking spaces, the amount of illegal parking and the frequent congestion in the Town Centre".

3. The second is headed "Bingham Town Centre residential streets with parking problems" and refers to a letter attached to the petition although this letter is not provided with the petition.
4. On this basis that numbered 1 above is assumed to be that with 300 supporters and that numbered 2 has 1300 supporters.
5. Comments concerning investigations into possible changes to the operation of traffic in Bingham have been made separately. The following applies in respect of enforcement of parking.
6. The County Council expects to commence Civil Parking Enforcement (CPE) in May 2008 taking responsibility from the police who are currently the enforcing authority for on-street parking.
7. This change will enable the County and District Councils to enforce waiting restrictions, which are an essential element of managing traffic and forms one strand of the authorities' obligations to tackle traffic congestion.
8. The petitioners' presentation suggests that there may be a knock-on impact on residential streets but that residents parking schemes are sometimes controversial. It is in part for this reason that studies will be undertaken to ensure that any amelioration measures are implemented in the best possible way.
9. As indicated above CPE is to be implemented to manage traffic and parking and is driven by requirements to address congestion. The purpose of CPE is not to raise revenue, although it is also a requirement that CPE is self financing.

Councillor Stella Smedley
Cabinet Member for Environment

(c) Petition – Cycling, Beeston Town Centre.

10. A 132 signature petition was presented to the 28th June meeting of the County Council by Councillor Steve Carr. The petition requests that a full time cycling ban be introduced in the pedestrianised areas of Beeston Town Centre.
11. Currently cycling along the pedestrianised length of Beeston High Road is banned between the hours of 10am to 4pm, Monday to Saturday, and this is prominently signed during the hours of prohibition. This restriction ties in with the existing time segregated access and loading ban in Beeston town centre, the aims of which are to keep traffic activity to a minimum during the busiest shopping times thus creating a safer and more pleasant environment.
12. Clearly contravention by cyclists is the main issue here and extending the hours of the existing cycling ban is unlikely to make any marked improvement. Such action would also affect commuter cyclists, there being no obvious alternative route.
13. Enforcement of cycling prohibitions is the responsibility of the Police. It should also be noted that this responsibility will not form part of Civil Enforcement in the future.

14. Beeston precinct is privately owned and as such the permission of the property owner would need obtaining before a cycling prohibition could be considered.
15. Given the lack of any suitable alternative route for cyclists and the fact that this problem is in the main contravention of the existing cycling prohibition it is recommended that the Police are approached to consider reviewing their current enforcement action of the existing cycling ban.

COUNCILLOR STELLA SMEDLEY
Cabinet Member for Environment

(d) Petition opposing the Closure of Bishops Court

16. A petition of 50 names urging the County Council to ensure that Bishops Court in Boughton Newark should remain open was presented sent to Council on the 1st November 2007 by Councillor Stella Smedley.
17. The wording of the petition is as follows:

18. Petition to save Bishops Court
19. There was no letter attached to the petition.
20. At its meeting on the 19th September 2007, Cabinet accepted the Cabinet Committee's recommendations to go out to consultation on the closure of a number of homes which included Bishops Court. The purpose of the formal consultation period which commenced on 2nd October 2007 and will end on 11th January 2008 will be to assist in the final decision making process by Cabinet early in 2008. This petition will be fully taken into account as part of the formal consultation process.

COUNCILLOR ALAN RHODES
Cabinet Member for Adult Services and Health

(e) Response to a petition presented to the Chairman of the County Council on 1st November 2007 - Raines Avenue Post Office Closure 361 Carlton Road Worksop Nottinghamshire.

21. The petition of over 700 names urging the Post Office to reconsider the proposed closure of the Raines Avenue Branch, was forwarded to Post Office Limited Network Change Consultation. The consultation closed on 12th November 2007, 6 weeks after Local Area Plans were released.
22. Raines Avenue was one of 33 Post Offices across Nottinghamshire highlighted for potential closure in Post Office Limited's Local Area Plan for the East Midland.
23. The petition did not form part of Nottinghamshire County Council's response to the consultation but was forwarded on behalf of the petitioners. Within the County Council's response to the consultation, specific reference was made the lack of consideration of areas of deprivation. The Raines Avenue Post office was shown within this context.

24. The outcomes of the consultation for the East Midlands Local Area Plan are expected on 11th December 2007.

Councillor Glynne Gilfolye
Cabinet member for Community Safety and Partnerships

(f) Parking Decriminalisation and the effect on Newark businesses

25. A petition of --- signatures was presented by County Councillor Keith Girling to the 1 November 2007 meeting of the County Council. The petitioners are wishing to express their concern regarding the parking decriminalisation and the effect on Newark businesses.

26. The petition questions the County Council in respect of their obligations to the community since decriminalisation of parking and alleges that the County Council is reluctant to fulfil its duties with the requisite diligence or urgency.

27. Although decriminalisation of parking was made available to local authorities in the 1990s, authorities wishing to take over enforcement could only do so with agreement from the police and it was not until the late 1990s that some authorities outside London started to take on this responsibility. Until more recent times the police and the traffic warden service have been content to retain responsibility for parking enforcement within Nottinghamshire and the transfer to the County Council as traffic authority has until that time not been possible.

28. Before any council can take up decriminalised parking enforcement powers (which covers both on and off street parking) it must first make a detailed proposal which is submitted to the Secretary of State for Transport and only once this has been approved and the council's scheme is deemed viable will permission be given to prepare for and introduce a decriminalised parking enforcement regime.

29. Where there are two-tier authorities involved it typically it takes between four and five years to proceed through the various stages to implementation, including obtaining the formal powers by the enactment of a Special Parking Area Order through parliament.

30. The County Council in conjunction with their District/Borough Council partners have successfully progressed through many of these stages and, having applied to make the County a special parking area, expect Parliament to make the necessary order to enable Civil Enforcement* in Nottinghamshire to commence in May 2008.

31. The Traffic Management Act 2004 changed the term Decriminalisation to Civil Enforcement.

COUNCILLOR STELLA SMEDLEY
Cabinet Member for Environment

(g) To keep Newark Bus Station on current site

31. A petition was presented to the 1 November 2007 meeting of the County Council by County Councillor Keith Girling. The petitioners see no reason to move Newark bus station from its present position and certainly not to the Town Wharf.
32. The petition to keep Newark bus station in its existing location expresses a preference that is shared by the County Council. The Council's position is clear on this issue - it would prefer to see a modern well equipped bus station located at the Potterdyke site as part of the new development.
33. Newark and Sherwood District Council is the determining Planning Authority for the current planning applications to redevelop Potterdyke. The County Council, as the Highway Authority, has a statutory duty to provide comments to the District Council on the potential impact of the proposals on the road network.
34. At the outset I would like to assure petitioners that the County Council is committed to ensuring that the people of Newark have access to a modern, well equipped bus facility that is easy to reach from the town centre. Many users of public transport are elderly, disabled or have young families. Bus facilities need to be safe and easy to use and must take passengers to where they want to go. The Council will do everything possible to ensure that proper facilities are maintained in Newark as part of these proposals.
35. Councils are working together to safeguard the development of the Potterdyke site and ensure bus users have access to convenient and good quality facilities.
36. Both of the Councils would have preferred to retain high quality and accessible bus facilities at the Potterdyke site and we tried our level best to achieve this. However, the original proposed location of the bus facility adjacent to the main access and exit to the development makes it impossible to design a junction that allows the safe and efficient movement of all traffic and bus movements without putting at risk public safety.
37. To overcome these problems, the two Councils have worked together with the developer's consortium to identify a viable alternative site at The Wharf with a convenient turnaround facility for buses at the Potterdyke site.
38. In addition, two extra north-bound bus stops on Lombard Street and Castle Gate are proposed along with electronic passenger boards and on-line bus information points in strategic locations in Newark.
39. We all recognise that the development of the Potterdyke site will bring significant economic and social benefits to the people of Newark. Both Councils are keen to see investment in the Potterdyke site and ensure that the town is served by high quality and convenient bus facilities together with a doctor's surgery, health clinic, new shops as well as a supermarket. This will be a significant step forward for Newark Town Centre.

40. All these measures are aimed at achieving considerable improvements for bus users, promoting sustainable transport and securing the economic and social well-being of Newark town and its communities.

41. The Wharf is currently proposed as the location of the bus station and the County Council, in its role as the Highway Authority, will be making formal comments to the Newark and Sherwood District Council in due course. Comments will be based on the following criteria.

Proximity to the town centre

Safety

Impact on traffic network

Support from bus operators

Provision of appropriate facilities

Practical and feasible to develop as a bus station (layout size)

42. Newark Castle station had been offered by the developers for consideration as a possible site for a new bus station. However, it has been rejected on safety and accessibility grounds (proximity to the level crossing), distance from the town centre (a further 210m) and lack of support from the bus operators to use it. As you will appreciate, many users of public transport are elderly, disabled or have young families and need to have close access to the town centre. Bus facilities need to be safe and easy to use and must take passengers to where they want to go to be commercially successful. I understand that a Hoppa bus has been discussed locally; however there are serious concerns about its operational viability and whether passengers would be willing to suffer the penalty of interchange. The County Council would have no funds to support such a service and it would therefore have to be commercially viable.

COUNCILLOR STELLA SMEDLEY
Cabinet Member for Environment

(h) Petition opposing the Closure of Wood Court

43. A petition of 247 names urging the County Council to ensure that Woods Court in Newark should remain open was presented to Council on the 1st November 2007 by Councillor Peter Prebble.

44. The wording of the petition is as follows:

‘We the undersigned strongly believe Woods Court should remain open for the benefit of the local community.’

45. A letter accompanying the petition stated “*Although we understand Woods Court is now considered viable we want you to be aware of the strength of felling against its closure*”

46. At its meeting on the 19th September 2007, Cabinet accepted the Cabinet Committee’s recommendations to go out to consultation on the closure of a number of homes which did not include Woods Court, which was recommended to be

retained. It is the purpose of the formal consultation period which will run from 2nd October 2007 – 11th January 2008 will be to inform final decisions by be made by Cabinet early in 2008. Although submitted prior to the commencement of the formal consultation, this petition will be fully taken into account as part of the formal consultation.

COUNCILLOR ALAN RHODES
Cabinet Member for Adult Services and Health

(i) Residents of Kirkby in Ashfield opposing the Closure of Kirklands

47. A petition of 1,562 names objecting to the closure of Kirklands was presented to Council on the 1st November 2007 by Councillor Yvonne Davidson. The petition consisted only of signatures: no address details were given.

48. The wording of the petition is as follows:

49. 'We the undersigned would like to lodge the strongest protest to the closure of Kirklands Residential Home and Day Centre. Also the other homes in Ashfield. We think it's a disgrace the way these elderly people are being treated also the staff who do a wonderful job'.

50. At its meeting on the 19th September 2007, Cabinet accepted the Cabinet Committee's recommendations to go out to consultation on the closure of a number of homes which includes Kirklands. The purpose of the formal consultation period which will run from 2nd October 2007 – 11th January 2008 will be to inform final decision making by Cabinet early in 2008. Although submitted prior to the commencement of the formal consultation, the strength of this petition will be fully taken into account as part of the formal consultation.

COUNCILLOR ALAN RHODES
Cabinet Member for Adult Services and Health

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