

18 June 2015**Agenda Item: 11****REPORT OF REPORT OF SERVICE DIRECTOR, HIGHWAYS****PROPOSED BUS STOP CLEARWAYS (BRAMCOTE LANE, CHILWELL,
POLPERRO WAY, HUCKNALL, NEW EATONS ROAD, STAPLEFORD,
WINDSOR ROAD, STAPLEFORD)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. This report groups together responses to the separate consultations to consider the objections received in respect of the above proposed bus stop clearways and whether they should be implemented.

Information and Advice

2. Nottinghamshire County Council has over 5,700 bus stops throughout the County and in 2009 adopted a policy for the Provision of Bus Stops and Shelters in Nottinghamshire, which outlined the minimum standards for roadside bus infrastructure. In line with this policy and as part of the County Council's ongoing commitment to improve public transport, works are planned to make it easier for buses to stop and enable passengers to board and alight safely and in comfort.
3. Nottinghamshire County Council works closely with all public transport operators across the County to identify bus stops that suffer from indiscriminate parking. These bus stops are then assessed for suitability and agreed as part of the Integrated Transport Measures (Bus Improvements) programme for improvement works. In order to help alleviate issues with indiscriminate parking bus stop clearways are installed to prohibit cars from parking or waiting in the bus stop during specific times and these are clearly identified with new road markings and signage. The main benefits of bus stop clearways are to:
 - Help the bus align with the kerb to enable level access for disabled passengers and pushchair users;
 - Ease congestion as a correctly aligned bus will not block the road for other road users;
 - Ensure that bus drivers discharge their duty to drop passengers off on the kerb and not on the road;
 - Ensure that the investment in raised kerbs, (as previously required under the Disability Discrimination Act 1995 and now required by the Equalities Act 2010), is not negated by indiscriminate parking at bus stops;
 - Ensure that bus services operate on time and are not delayed.

4. Where parking enforcement has been decriminalised (as in Nottinghamshire) bus stop clearways do not require a Traffic Regulation Order (TRO) but are nevertheless enforceable by Civil Parking Enforcement Officers, and operating hours can be adjusted to reflect bus services' hours of operation. At the Transport and Highways Committee report on 11th September 2014 it was agreed that outstanding objections received for bus stop clearways will reported to the Service Director for Highways or, in certain circumstances to Transport & Highways Committee for their consideration.
5. A number of clearways were consulted on during April and May 2015 and objections were received in respect of:
 - Bramcote Lane, Chilwell (bus stop reference: BR0155)
 - Polperro Way, Hucknall (bus stop reference: Tiverton Close AS0409)
 - New Eaton Road, Stapleford (bus stop references: The Vista BR0140 and BR0141)
 - Windsor Street, Stapleford (bus stop reference: BR0479)
6. Bramcote Road is a residential road in Chilwell comprising of semi-detached properties with off-street parking. The new NET phase 2 route bi-sects the road approximately half-way along and has necessitated the re-location of the stop (reference BR0155) to a new location around 35m further north, adjacent to an area of recreational open space. The proposals are to introduce a bus stop pole, shelter, real-time timetable information board, raised kerb and a 24hr bus stop clearway at the new location. The consultation took place between 21st April 2015 and 12th May 2015 and the attached drawing H/04078/2091/01 represents the advertised proposals.
7. Polperro Way is a residential road in Hucknall comprising mostly of semi-detached properties with off-street parking. The roads form part of a larger 1960s housing estate located approximately 2km south-west of Hucknall town centre. The bus stop is located in a lay-by opposite Tiverton Close and adjacent to a small green around which is an area of housing. The properties have no direct vehicular access to Polperro Way, but have off-street parking in the form of garages, accessed off Tavistock Close. The County Council has received reports of obstructive parking preventing buses accessing the bus stop. The proposal is to introduce a 24hr bus stop clearway to remove parked vehicles from the lay-by where the bus stop is located. The consultation took place between 1st April 2015 and 13th May 2015 and the attached drawing H/04078/2099/02 represents the advertised proposals.
8. New Eaton Road is a residential road in Stapleford comprising mostly of semi-detached properties with off-street parking. The roads form part of a larger 1950s housing estate located approximately 1km north-east of Stapleford town centre. The bus stops are located in two lay-bys on opposite sides of New Eaton Road, adjacent to an area of housing called The Vista. The Vista comprises twenty bungalows, ten on each side of the road, laid out around a small green. The properties have no off-street parking and pedestrian access to New Eaton Road. The County Council has received reports, via the bus operators, of obstructive parking preventing buses accessing the bus stops. The proposals are to introduce a bus stop clearway (Mon – Sat, 7am – 7pm) to remove parked vehicles from the lay-bys where the bus stops are located. The consultation took place between 24th April 2015 and 22nd May 2015 and the attached drawing H/04078/2082/11 represents the advertised proposals.
9. Windsor Street is a residential road, located near to Stapleford town centre, which comprises both detached and semi-detached properties with off-street parking. The bus stop is located approximately 200m from the junction of Windsor Street and the main road (Nottingham Road). The County Council has received reports, via the bus operators, of

obstructive parking preventing buses accessing the bus stop. The proposals are to introduce a bus stop clearway (Mon – Sat, 7am – 7pm) to remove parked vehicles from the stop. The consultation took place between 24th April 2015 and 22nd May 2015 and the attached drawing H/04078/2082/13 represents the advertised proposals.

Responses received

10. A total of thirty-six responses were received to the consultation, five of which were positive and twenty-two are outstanding objections to some or all of the proposals. This comprises responses in respect of the following locations:

- Bramcote Lane, Chilwell (eight responses, six outstanding objections)
- Polperro Way, Hucknall (twelve responses, six outstanding objections)
- New Eaton Road, Stapleford (ten responses, five outstanding objections)
- Windsor Street, Stapleford (six responses, three outstanding objections)

11. Objection – why is a clearway required

A common theme to objections received in each consultation was that the respondents questioned either the need for a clearway or for the bus service.

Response – why is a clearway required

The purpose of the bus stop clearways is to provide an area clear of parked vehicles to enable buses to pull up and allow passengers to board and alight from the footway. Each of these stops have been identified by passenger transport services as ones that suffer from habitual parking. These bus stops are then assessed for suitability and agreed as part of the Integrated Transport Measures (Bus Improvements) programme for improvement works. Not all stops along a particular route may experience problems with parked vehicles and so not all stops will be treated with clearways.

Each bus stop is used by a scheduled service (as opposed to a school service), which operates throughout the day, offering further sustainable transport choices to local residents, not all of whom have access to a private car. Data from the 2011 census shows that in both Broxtowe and Ashfield over a fifth of households (21.6% and 23.7% respectively) do not have access to car or van, this is higher than the Nottinghamshire average of 20.8%. Nottinghamshire County Council spends £4.2 million per year supporting local bus services, these services have been carefully assessed and prioritised for support because they meet community, social or economic needs. This significant investment can only be maximised if these services, some of which use these stops, can access the bus stop infrastructure which has been installed on the highway. Allowing any parking at the bus stops during service times could obstruct the movement of the buses and restrict their operation.

Whilst the primary purpose of the highway is to facilitate the movement of people and vehicles it is recognised that parking on the highway does occur, particularly for households with no alternative parking provision. However, unrestricted on-street parking is available on each of these roads, offering alternative on-street parking locations without obstructing the bus stop. The times of operation for each clearway has been linked to the days and times of the buses which service that stop.

12. Objection – on-street parking

A common theme to objections received in each consultation was that the respondents viewed the bus stops as available kerbspace to park private vehicles and so objected to the loss of on-street parking.

Response – loss of on-street parking availability

Aligning with the kerb provides level access for disabled passengers and pushchair users and ensures that investment in raised kerbs, as required under disability and equalities legislation, is not negated by indiscriminate parking at bus stops preventing the bus reaching the kerb. If the bus stop is not kept clear of parked vehicles, drivers are unable to discharge their duty to drop passengers off on the kerb and not on the road. Nottinghamshire County Council is committed to ensuring full accessibility to the transport network. The bus stop clearway will enable services to pull in, directly against the raised kerb, therefore enabling passengers with limited mobility and wheelchair users to access the bus.

Whilst the primary purpose of the highway is to facilitate the movement of people and vehicles, it is recognised that parking on the highway does occur, particularly for households with no alternative parking provision. However, unrestricted on-street parking is available on each of these roads, offering alternative on-street parking locations without obstructing the bus stop. The times of operation for each clearway has been linked to the days and times of the buses which service that stop.

13. Objection – Traffic congestion and safety issues (Bramcote Lane)

Additionally to the above issues objectors to the Bramcote Lane clearway were concerned that traffic would back up behind the bus as it waited at the stop, causing congestion and, the objectors felt, causing visibility issues for vehicles exiting the service road or driveways.

Response – Traffic congestion and safety issues (Bramcote Lane)

This stop is not a timing point so vehicles would only stop for short periods to allow passengers to alight or board. The stop location has been proposed at a location far enough from the tram line for any temporary congestion not to affect the operation of the tram. Any traffic which does queue behind a stationary bus will do so briefly. On occasion motorists may need to briefly wait to exit private driveways or the service road.

14. Objection – location of the proposed stop (Bramcote Lane)

Additionally to the above issues objectors to the Bramcote Lane clearway questioned the location of the proposed stop, as a temporary stop has been in operation further north.

Response – location of the proposed stop (Bramcote Lane)

The proposed location has been identified because it best meets the needs of the public transport network in that it retains the stop as close as is practical to the previous location providing access for Sandby Court residents and users of the doctor's surgery. It is adjacent to an open, grassed area in a location which minimises any impact on residents' properties. It is in a location which offers enough space to install the shelter and real time information unit.

The objectors have suggested other locations moving the stop north or south of its proposed location. If the stop was relocated further south away from Sandby Court, the footway is not wide enough to install the shelter and maintain the required footway width to meet Equalities requirements. The only option in this direction is to not replace the stop but to ask passengers to walk to the top of the hill and use the stop opposite Hallams Lane. This is over 300m from the previous Sandby Court location.

In the northerly direction the grassed area offers the only stretch of kerb where a bus could pull up not directly in front of a house and not directly obstructing a vehicle access dropped kerb. If the bus stop is not located in this grassed area the bus users would have to walk

320m to the stop near the Bramcote Avenue, rather than the 50m the proposed option requires. The proposed location is the closest position to the previous Sandby Court stop and is considered best suited to the installation of the bus stop infrastructure.

15. Objection – health / mobility concerns (New Eaton Road)

Additionally to the above issues some objectors to the New Eaton Road clearway objected on the grounds of health / mobility issues for family members which they felt necessitated being able to park in close proximity to their houses.

Response – health / mobility concerns (New Eaton Road)

Where residents have significant health issues it may be appropriate to request an advisory disabled bay marking on the Highway, which would be provided free of charge by the County Council, subject to set criteria being satisfied. These markings are only intended for use in very exceptional circumstances where parking levels are frequently high but available vehicle spaces are very limited.

16. Objection – obstructive parking on open green (Polperro Way)

Additionally to the above issues some objectors to the Polperro Way clearway raised concerns that the restrictions would result in parking migration and that vehicles would be parked on the green open area in front of the houses; a safety concern as this would require the vehicles to drive on the footway/grassed pedestrian area.

17. Response – obstructive parking on open green (Polperro Way)

It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction, however the clearway is considered necessary to remove parked vehicles from obstructing the bus stop and facilitate the safe operation of the bus service. There is unrestricted on-street parking along Polperro Way and nearby side-roads.

The possibility of vehicles illegally driving on the pavement to access and park on the green has been noted and a series of bollards, in keeping with those at other locations on the estate, will be erected at the southern edge of the green to prevent this.

Other Options Considered

18. Other options considered relate to the length of time and number of days that the bus stop clearway is in force. The demand for on-street parking is recognised and so the restrictions have been kept to the minimum required to ensure the safe operation of the bus stop.

Comments from Local Members

19. Local County Councillors Stan Heptinstall and Jacky Williams asked that the objections raised by their constituents be considered (New Eaton Road / Windsor Street). No other comments on the proposals were received from Members.

Reasons for Recommendations

20. The measures contained in the proposed traffic regulation order are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers, the County Council's network management duty and safety concerns. The proposals will assist the safe and effective operation of local bus services.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health

only), 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 require.

Financial Implications

22. The scheme is being funded through the 2015/16 Local Transport Plan Bus Improvements capital budget and the cost is estimated at £2,000.

Crime and Disorder Implications

23. Nottinghamshire Police made no comments on the proposals.

RECOMMENDATION/S

24. It is recommended that the bus stop clearways proposed at Bramcote Lane, Chilwell, Polperro Way, Hucknall, New Eaton Road, Stapleford and Windsor Road, Stapleford be implemented and the objectors informed accordingly

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Constitutional Comments (SJE – 01/06/2015)

25. This decision falls within the Terms of Reference of the Transport & Highways Committee to whom responsibility for the exercise of the Authority’s functions relating to the provision of passenger transport services, including bus initiatives, has been delegated.

Financial Comments (GB - 03/06/2015)

15. The financial implications are set out in paragraph 22.

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.

Reports:

Proposed Change To the Process Of Managing Objections To Bus Stop Clearways, 11th September 2014 (Agenda Item 5)

Electoral Division(s) and Member(s) Affected

Councillors Stan Heptinstall and Jacky Williams – Bramcote and Stapleford

Councillors Alice Grice, John Wilkinson and John Wilmott – Hucknall

Councillors John Doddy and Richard Jackson – Chilwell and Toton