

**6<sup>th</sup> June 2019**

**Agenda Item: 14**

## **REPORT OF CORPORATE DIRECTOR (PLACE)**

### **THE NOTTINGHAMSHIRE COUNTY COUNCIL (VARIOUS ROADS IN RUDDINGTON) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2019 (8282)**

#### **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 the amendments detailed in the recommendation.

##### **Information**

2. Ruddington is a village located approximately 7km south of Nottingham and Ruddington Business Park is located on the southern edge of the village adjacent to Rushcliffe Country Park. The business park comprises mainly of offices and light industrial units and the only parking restrictions on the estate roads are four bus stop clearways, which are in operation at all times. The Country Park can be accessed by vehicle through the estate roads, the Country Park has a dedicated car parking area for up to 170 vehicles including 11 disabled spaces, there is a £1 daily charge and the maximum stay is 8 hours.
3. The County Council has received concerns from members of the public regarding parking on Mere Way at Ruddington Business Park. Demand for on-street parking on some sections of the business park frequently exceeds supply and this leads to vehicles being parked close to and opposite junctions as well as on both sides of the road. These parking patterns effectively force moving vehicles into a single carriageway width.
4. The issues relating to parking raise safety concerns regarding the movement of vehicles around the site, in terms of both restricted visibility when exiting from premises and the potential conflicts of opposing traffic flows. The parking causes particular problems for larger vehicles, such as HGVs, as they are less able to find space to pull in when oncoming vehicles approach and to turn when vehicles are parked close or opposite junctions or accesses.
5. In response to these concerns the County Council proposed to introduce parking restrictions on roads within the business park designed to formalise the existing parking patterns around the site. The proposals consist of 'No Waiting at Any Time' restrictions (double yellow lines)

on sections of Mere Way to include all junctions and the inner circle of Mere Way and are shown on the attached plan H/SLW/2856/05.

6. The advertised traffic order also included “No Waiting At Any Time” restrictions on Camelot Street to address concerns raised regarding parked vehicles obstructing the movement of vehicles and impairing visibility. Camelot Street is a residential road in the north-west part of Ruddington village and the proposals are shown on the attached plan H/SLW/2856/01. These restrictions aim to remove instances of obstructive parking at junctions and around the bend.
7. The proposals on Ruddington Business Park and Camelot Street were subject to consultation and public advert between 22 January and 22 February 2019. During that period, 176 responses were received. Of these responses, 169 were objecting to the all or part of the proposals on Mere Way, whilst six were objections to the proposals on Camelot Street. Comments included:
  - Request that more car parks should be built or that grassed areas be converted into parking areas;
  - Concerns that the restrictions on Mere Way would result in the migration of parking to Ruddington village;
  - Requests that the extent / operational period of the proposed waiting restrictions be reduced;
  - Concerns that the restrictions will adversely affect businesses, their staff and / or the Country Park; and
  - Request for additional parking restrictions.
8. The responses received have been considered and amendments proposed to the scheme on Mere Way. The extent of the restrictions has been significantly reduced whilst maintaining the key objective of keeping junctions, accesses and pedestrian crossing points clear of parked vehicles. The recommendation in this report is based on these amended proposals, which can be seen on the attached plan H/SLW/2856/06. This revised proposal is supported by both County Councillor Reg Adair and Ruddington Parish Council.
9. Details of the amended scheme was sent to respondents who had objected to the Mere Way proposals. Forty-two subsequently confirmed that they were happy with the revised proposals and withdrew their objections, whilst three responded stating their objection remained. No response has been received from the remaining 124 objectors. Nine objections are therefore considered to be outstanding objections to the proposals on Mere Way and Camelot Street, whilst a further 124 respondents have not confirmed their stance on the revised proposal.

## **Objections Received**

10. Objection – loss of on-street parking (Ruddington Business Park)

The common theme on all outstanding objections was that the restrictions would reduce the availability of on-street parking. Respondents cite various detrimental effects this will have on businesses (including the country park) and individuals working on the site.
11. Response – loss of on-street parking (Ruddington Business Park)

It is accepted that the new restrictions will reduce the availability of on-street parking however the purpose of the proposed restrictions is to enable the safe movement of vehicles and pedestrians and the efficient operation of the highway. The limits of the restrictions have been significantly reduced to maximise the availability of on-street parking, whilst ensuring restrictions are in place to improve access and visibility at key conflict points such junctions and crossing points.

12. The County Council has a duty to facilitate the safe and efficient movement of people and vehicles on the highway and this must take precedence over the use of the highway for free parking. There is no duty on the County Council to provide on-street parking for any Highway user. Parking around junctions and accesses forces vehicles exiting or leaving the junction into the centre of the road, potentially conflicting with vehicles travelling in the opposite direction. In addition, parking at junctions inhibits visibility for drivers and for pedestrians when crossing. These hazards are present at all times of day and it is considered that the proposal for restriction to be in operation 'At All Times' is appropriate.
13. The Country Park has a dedicated car park and it is considered that any additional parking demand generated at peak periods, such as on Sundays, can appropriately be accommodated using the remaining on-street parking provision.
14. Objection – loss of on-street parking (Camelot Street)  
All six respondents objecting to the proposals on Camelot Street cited the loss of on-street parking as an issue. Comments were made that parking was already in short supply, as residents tended to have more than one vehicle, that the road was used for parking by school parents and business customers. Some respondents commented that residents did not want to / could not create driveways on their property, whilst others stated that additional off-street parking or dropped vehicle accesses should be provided for residents at public expense. Respondents also cited the inconvenience of having to park further away from their property if a space was not available directly adjacent to it.
15. Response – loss of on-street parking (Camelot Street)  
The proposals have been kept to the minimum extents necessary to ensure the effective and safe movement of pedestrians and vehicles along Camelot Street. Additional on-street parking remains available on the highway network further away from these junctions and bends, providing parking opportunities for residents, visitors and other users.
16. It is recognised that demand for such parking exists, particularly in residential areas with little 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 drivers with no private off-street parking provision to park further away from their property to ensure their vehicle is parked appropriately.
17. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and the wider highway network for drivers, cyclists and pedestrians. Obstructive parking near bends and junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements and, where this causes an obstruction or danger to other highway users, is already an offence.
18. The provision of a private vehicle access (dropped kerb) is of benefit to the householder and it is County Council policy that the costs of this must be met by the individual requesting it.

Likewise, if residents require off-street, private parking provision, it is their responsibility to supply / obtain this and if feasible, they may wish to consider the conversion of land within their property boundary to achieve this. It is not a duty of the County Council to construct inset parking bays on-street for the use of any specific individual or group. It should be noted that no restrictions are proposed for adjacent sections of Camelot Street and the wider local highway network, which will remain available for residents and their visitors.

## **Other Options Considered**

19. Other options considered relate to the length of waiting restrictions proposed, which were originally proposed to be more extensive on Mere Way. The proposals for Camelot Street and the amended proposals for Mere Way are considered appropriate taking into account comments received and a balanced view of parking demand and the safe and efficient movement of traffic on the highway.

## **Comments from Local Members**

20. County Councillor Reg Adair expressed his support for the proposals including the amended scheme for roads on Ruddington Business Park.

## **Reason/s for Recommendation/s**

21. The revised restrictions proposed are considered appropriate and the minimum necessary to address obstructive parking, improve safety and support the efficient movement of vehicles on the highway. As such the proposal with amendments as detailed achieves the best balance between addressing the concerns of objectors and the duty to facilitate safe and effective movement on the highway.

## **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 on the proposal. No additional crime or disorder implications are envisaged.

## **Financial Implications**

24. The scheme is being funded through the 2019/20 Traffic Management Revenue budget for Rushcliffe with an estimated cost to implement the works and traffic order of £3,000.

## **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.

27. 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**

28. The proposed waiting restrictions are designed to facilitate the safe operation of the highway 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 (Various Roads in Ruddington) (Prohibition of Waiting) Traffic Regulation Orders 2019 (8282) be made as advertised with the amendment to reduce the proposed 'No Waiting At Any Time' (double yellow line) restrictions on Mere Way to the extents as shown on drawing H/SLW/2856/06. and objectors advised accordingly

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

### **Name and Title of Report Author**

Mike Barnett - Team Manager (Major Projects and Improvements)

### **For any enquiries about this report please contact:**

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### **Constitutional Comments (SJE – 23/04/2019)**

29. 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 the planning, management and maintenance of highways (including traffic management) has been delegated.

### **Financial Comments (RWK - 25/04/19)**

30. The financial implications are set out in paragraph 24 of 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 NG2 6BJ.

### **Electoral Division(s) and Member(s) Affected**

Leake and Ruddington ED

Councillor Reg Adair