

4 February 2021

Agenda Item:11

**REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (ASKHAM ROAD, AND HIGH STREET, EAST MARKHAM) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2021 (1244)****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 subject to the amendments shown on drawing H/MN/3303/03 REV A.

**Information**

2. East Markham is a small village which is situated between the A1 and the A57(T), north-east of Tuxford. Askham Road is a local distributor route, linking the A57 with the village centre. The road comprises of a range of commercial and residential properties, with off-street parking. East Markham Primary School, a Grade II listed building, is also located on Askham Road.
3. In December 2019, East Markham Primary School was granted planning permission for an extension of school buildings and classrooms. This will, over time, increase the school roll to 160 pupils. Conditions attached to the planning permission require waiting restrictions to control on-street parking, to be applied at local junctions and footways on Askham Road.
4. In response to the planning requirement, the County Council proposes to introduce 'No Waiting At Any Time' (double yellow lines) and 'No Waiting Monday to Friday 8am - 4.30pm' (single yellow lines) restrictions on Askham Road and at its junction with the A57 and High Street.
5. The proposals as detailed on the attached plan H/MN/3303/02 were publicly advertised between 22<sup>nd</sup> January to 21<sup>st</sup> February 2020.
6. Eighteen responses were received during the consultation, three of which supported or made comments on the proposals, whilst the remaining number objected to the proposals. In light of the responses received, the proposal was revised to increase on-street parking opportunities where they could be safely located without obstructing the efficient movement of vehicular or pedestrian traffic. The revised proposals are shown on the attached plan H/MN/3303/03 REV and are considered to mitigate the concerns raised.

7. The revised proposals were sent to all objectors. These respondents were asked to confirm, if in light of the revised proposals, whether they still wanted their objection to remain. Three responses were received in respect of the revised proposal, including one from the Parish Council. Two responses confirmed their continued objection to the proposals, whilst the Clerk to the Parish Council indicated their likely intention to object, but reserved comment until the Parish Council formally met on 6<sup>th</sup> August 2020. No further response has been received from East Markham Parish Council, although this has been followed up by officers. For the avoidance of doubt, as the Parish Council objected to the original proposals and have indicated an intention to maintain that objection, it is being treated as such. Therefore, three responses are considered to be outstanding objections to the proposals.

## **Objections Received**

8. Objection – Different restrictions required

One respondent objected on the basis that they considered the restrictions should be located on the eastern side of the road rather than on the western (school) side. The respondent stated that the current proposals would force parents / carers to cross a busy road between parked cars, having parked on the opposite side of the road, to reach the school. They considered that this was both unsafe and inconvenient and commented that access to a new housing development on the western side would reduce on-street parking further. Furthermore, they commented that the vehicles currently parked on the east side of the road acted as a buffer between children and traffic travelling along the road and stated that removing this parking would endanger children by using the footway directly adjacent to moving traffic.

9. Response – Different restrictions required

The proposed double yellow lines will prohibit parking at the junctions at both ends of Askham Road. Obstructive parking in close proximity to junctions invariably impedes visibility for pedestrians when crossing and for vehicles negotiating the junctions.

10. The proposed single yellow lines in front of the school will improve visibility for pedestrians when crossing and enable traffic during the day, including larger vehicles such as buses, to travel along Askham Road without obstruction. Currently motorists park on both sides of Askham Road, including on its footways, verges and near to junctions. Parked vehicles currently create a bottle neck resulting in vehicles backing up onto the high speed A57 as they attempt to turn into Askham Road. The bus service is regularly obstructed by this parking, affecting punctuality and its ability to safely service stops along this part of the route.

11. Pedestrians travelling to school are obstructed by vehicles parked on the footways and their visibility is impeded by parked vehicles. The restrictions will improve visibility, provide space for vehicles to travel past each other, and increase footway capacity by preventing pavement parking on the footway outside the school.

12. The revised proposals incorporate a short stretch of on-street parking on both the eastern and western side of the road. This is designed to mitigate the reduction of on-street parking in the area while the presence of a small number of parked vehicles on both side may force passing motorists to reduce their speed.

13. Objection – More restrictions required

Two respondents stated that the proposals would not address concerns with highway safety and that more restrictions were required. East Markham Parish Council stated that restrictions on the High Street / Farm Lane junction were required. A further respondent

objected to the revised proposal stating that it would result in traffic congestion and that parking should be restricted on both sides of the entire length of Askham Road. One respondent also made reference to the new housing development opposite the school and the increase in traffic from that.

14. Response – More restrictions required

The proposals are designed to facilitate the safe movement of vehicles and pedestrians along Askham Road, whilst retaining on-street parking where feasible. It is recognised that the area is used for parking and that demand for unrestricted on-street parking at school arrival and dispersal times in particular, is high. As a result of the consultation the proposals were revised to retain a short stretch of on-street parking on the eastern side of the road, in addition to the available parking on the western side of the road. It is acknowledged that vehicles will briefly have to pause or give way when travelling along this short section. However, the design is considered to address respondent's concerns regarding the loss of on-street parking, potential increase in vehicle speeds and migration of parking into other areas.

15. There is always a balance to be struck between competing demands for a finite resource such as on-street parking. The concerns expressed by the respondents are noted but this must be weighed against the potential negative effects of additional waiting restrictions such as increased vehicle speeds.

16. Objections – Vehicle speeds will increase

Two respondents objected on the grounds that vehicle speeds on Askham Road would increase as a result of the parking restrictions.

17. Response – Increase in vehicle speeds

An element of on-street parking reduces the effective carriageway width and supports driver perception of the area being residential in nature, rather than a distributor road. As a result of the consultation the proposals were revised to retain a short stretch of on-street parking on the eastern side of the road, in addition to the available parking on the western side of the road. It is acknowledged that vehicles will briefly have to pause or give way when travelling along this section and the presence of parked vehicles may force passing motorists to reduce their speed. However, it was a compromise designed to address respondents concerns regarding the loss of on-street parking, potential increase in vehicle speeds and migration of parking into other areas.

### **Comments from Local Members**

18. Councillor Ogle supported the proposals.

### **Reasons for Recommendations**

19. The proposed scheme is considered to offer an appropriate solution to mitigate road safety concerns and facilitate the safe operation of the highway. It is considered that the proposed scheme presents a reasonable and proportionate balance between the needs of all highway users, including non-drivers, who live in or visit the area.

### **Other Options Considered**

20. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The proposals were revised, following comments received

during the consultation. The revised restrictions are considered to be a reasonable balance between the need to ensure the safe operation of the highway and on-street parking provision.

## **Statutory and Policy Implications**

21. 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**

22. Nottinghamshire Police did not comment on the proposals. No additional crime or disorder implications are envisaged.

### **Financial Implications**

23. The scheme is being funded by Bassetlaw District Council with an estimated cost to implement the works and traffic order of £5,000.

### **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.

