



15<sup>th</sup> December 2016

**Agenda Item: 6**

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

### **THE NOTTINGHAMSHIRE COUNTY COUNCIL (MAIN STREET, LAMBLEY) (BUS STOP CLEARWAYS – NO STOPPING AT ANY TIME, EXCEPT BUSES) TRAFFIC REGULATION ORDER**

## **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 and Advice**

2. Nottinghamshire County Council has over 5,700 bus stops throughout the County and continually invests in the network's infrastructure as part of the County Council's ongoing commitment to improve public transport.
3. The County Council works closely with all public transport operators across the County to identify bus stops that suffer from indiscriminate parking. To address this problem bus stop clearways can be installed that 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.
5. Lambley is a village in the Borough of Gedling located approximately 3 miles north-east of Nottingham city centre. Main Street is a moderately busy road providing a route between

Mapperley Plains and Lowdham. The County Council has received complaints, over a number of years, from both residents and the bus operator, regarding obstruction at two bus stop on Main Street in the village. The 'Chapel Road' bus stop (reference GE0696) is located between numbers 32 and 38 Main Street on the south side of the road opposite the junction with Chapel Lane. The adjacent properties, 32-38 Main Street, comprise of one commercial property whilst the rest are residential; none have off-street parking. The second bus stop, 'Ross Lane' (reference GE0677) is located outside number 70 Main Street, a business premises. The bus stops are both served by Nottingham City Transport's Sky Blue service 46, which provides a regular daytime service between Woodborough, Lambley and Nottingham city centre.

6. The County Council therefore proposes to introduce bus stop clearways, in force at all times, at these stops. The consultation took place between 16<sup>th</sup> September and 17<sup>th</sup> October 2016 and the attached drawings H/04078/2347/100, H/04078/2347/03 and H/04078/2347/04 represent the location of the stops within Lambley and the advertised proposals.

## **Responses Received**

7. A total of seven responses were received to the consultation, four of which are considered to be outstanding objections. Three of these are related to the bus stop clearway at GE0696 (Chapel Lane) and fourth to bus stop clearway at GE0677 (Ross Lane). A number of comments were received which include:
  - Concern over vehicle speeds and the effect that the removal of parking on Main Street would have on this;
  - Request for the clearway at GE0696 to either be extended or relocated approximately 2.5m in a westerly direction, to prevent vehicles obstructing a vehicle access.
8. Unrestricted on-street parking / loading on the highway is still available directly adjacent to the clearways and elsewhere on Main Street and nearby side roads. It is noted that not all parts of Main Street are suitable for parking, due to its width and the proximity of bends, however this is the nature of the road network in an historic village. As parking is retained elsewhere on Main Street it is expected that parking patterns will relocate around the clearway restrictions rather than remove from the area completely. As such it is not anticipated that there will be any material change to vehicle speeds within the village.
9. The bus stop clearway has been designed to enable a bus to align with the bus stop, which is already in place and, to reduce the effect on residents, it is designed to the minimum length necessary to provide access to the stop. It is not considered appropriate to extend the clearway beyond what is necessary for the operation of the service. 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 (£178) on request from local residents.
10. Objections - GE0696 (Chapel Lane)  
All three of the objections cited the loss of on-street parking and/or that the location of the bus stop, at the widest point of the road, was the safest point for them to park. They also felt that the stop is seldom used and the bus stop clearway unjustified.

#### Response – GE0696 (Chapel Lane)

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. Both of the stops have been identified by passenger transport services as ones that suffer from habitual parking. The County Council has received repeated complaints regarding parking obstruction at the bus stop and the situation monitored over a number of years and evidence includes photographs of vehicles obstructing the bus stop (September 2012, February 2013 and December 2015) and complaints from both users of the service and the bus operator.

The bus stop is used by a commercial NCT bus service (Sky Blue 46), 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 Gedling over a fifth of households (21.5%) do not have access to car or van, this is higher than the Nottinghamshire average of 20.8%.

The time of operation for each clearway is linked to the days and times of the buses which service that stop. The bus stop clearway at GE0696, as with the GE0677, is proposed to be in operation 24 hours a day, 7 days a week because the bus service runs on a weekday between 5.58 a.m. and 9.28 p.m. and between 6.33 a.m. and 9.28 p.m. on Saturdays (9.03 a.m. and 15.03 on Sundays). With such extensive hours of service operation, it is considered that a 24 hours a day, 7 days a week restriction is the most appropriate.

Unrestricted on-street parking on the highway is still available directly adjacent to the clearway and elsewhere on Main Street and nearby roads. It is noted that to the east of the proposed clearway, not all parts of Main Street are suitable for parking, due to its width and the proximity of bends, however this is the nature of the road network in an historic village.

#### 11. Objection - GE0677 (Ross Lane)

The business owner objected to the proposed clearway; on the grounds that a clearway is not required because the bus stop is not well used and they consider that obstruction is not an issue. The objector considers that “business should equally be given the rights to access and that this particular stop would be better served on the widened curvature of the road outside numbers 36, 38 and 40 so not to impede the flow of traffic and be more suitable for a clearway.”

#### Response – GE0677 (Ross Lane)

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. As with stop GE0696 this stop has been identified by passenger transport services as one that suffers from habitual parking. The County Council has received complaints from the bus operator regarding obstruction at the stop and, in addition, has photographic evidence of obstruction by a commercial vehicle (December 2015). Nottinghamshire County Council has undertaken significant investment in bus stop infrastructure around the County and the benefits of this to the wider community can only be maximised if bus services are able to access this infrastructure, such as raised kerbs, and improve the accessibility of the network.

Nottinghamshire County Council policy requires bus stops to be positioned at regular intervals (between 150 - 200m in urban and semi-rural areas) to ensure that the network is as accessible as possible. The positioning of stops GE0696 and GE0677 comply with this policy, as such it is not considered appropriate to remove or relocate stop GE0677 which operates effectively in its current location.

As with the adjacent stop (GE0696) the bus stop is used by NCT service 46 and provides a seven-day public transport service for commuters, residents and visitors to Lambley.

The desire for on-street parking is noted but is not the primary purpose of the highway and must be a secondary consideration to the accessibility of the public transport network. Loading would also be prohibited in the clearway, however unrestricted parking and loading is available on adjacent sections on Main Street. The objector expressed concern regarding the effect of their loading on residential neighbours, however as loading is, by its nature, a short-term activity, it is not expected that this would result in significant inconvenience for these properties.

### **Other Options Considered**

12. Other options considered relate to the position, 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**

13. The local County Councillor Boyd Elliott made no comments on the proposal.

### **Reason for Recommendation**

14. The recommendations represent the most appropriate action to reduce / prevent danger to highway users, and for facilitating the safe passage of traffic, particularly buses, incorporating the majority view and having had regard to all feedback received.

### **Statutory and Policy Implications**

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, 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 required.

### **Crime and Disorder Implications**

16. Nottinghamshire Police has raised no objection to the proposals.

### **Public Sector Equality Duty Implications**

17. The Council has a duty to provide a fair service to all users of the town. However, the Equality Act 2010 requires public bodies 'to advance equality of opportunity between people who share a protected characteristic and those who do not'. Disability is a protected characteristic. Therefore, the Council has a duty to make reasonable adjustments so that disabled people can continue to use the facilities of the town.
18. An Equality Impact Assessment has been undertaken to assess the potential impact of the proposal, the results of the consultation and any appropriate mitigation. This equality impact assessment is included as a background paper to this committee report.

### **Financial Implications**

19. The scheme is being funded through the 2016/17 Local Transport Plan Bus Improvements capital budget and the cost is estimated at £2,000.

### **RECOMMENDATION/S**

It is **recommended** that:

The bus stop clearways on Main Street, Lambley (references GE0696 and GE06778) are made as advertised and objectors notified accordingly.

**Tim Gregory**  
**Corporate Director – Place**

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

Mike Barnett - Team Manager (Major Projects and Improvements)

#### **Constitutional Comments (LMcC – 17/11/2016)**

20. 'The recommendations in the report fall within the Terms of Reference of the transport and Highways Committee'

#### **Financial Comments (GB 17/11/2016)**

21. The financial implications are set out in paragraph 19 of the report.

#### **Background Papers**

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, including the equality impact assessment, are contained within the scheme file which can be found in the Major Projects and Improvements Team at Trent Bridge House, Fox Road, West Bridgford, Nottingham, NG2 6BJ.

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

Calverton ED      County Councillor Boyd Elliott

