

7 March 2019

Agenda Item: 8

**REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (CHARLES STREET, CHURCH STREET AND PARKYNS STREET, RUDDINGTON) (PROHIBITION OF WAITING, PARKING PLACES AND RESIDENTS' CONTROLLED ZONE) TRAFFIC REGULATION ORDER 2019 (8279)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

**Information**

2. Charles Street and Parkyns Street are located within Ruddington village centre. The roads comprise of residential properties, commercial properties and community facilities. Both roads have existing double yellow lines on their southern side as the carriageway is too narrow to facilitate parking on both sides without obstructing the flow of traffic. Charles Street is also subject to a one-way order and there is an existing 2-hour limited waiting bay located at its eastern end. The residential properties are predominately terraced and semi-detached with no off-street parking. The community facilities include a church and a library situated at the western end of Charles Street. There are also a number of diverse commercial businesses located on the two streets, including a hairdresser, optician, café, flower shop and a kitchen retailer. The location of Charles Street and Parkyns Street are indicated on plan H/SLW/2686/03, which shows Ruddington village centre.
3. Nottinghamshire County Council has received requests, including a petition, for a Residents' Parking Scheme (RPS) on these streets. A parking survey was carried out which confirmed the presence of non-resident parking in the area. As a result, it was proposed to consult with residents on their support for a residents' parking scheme.
4. In April 2018, an initial questionnaire was sent to all properties (52) within the boundary of the proposed scheme. A total of 23 (44.2%) responses were returned, with 17 (74.0%) of those in favour of a scheme. The results exceed the criteria of 35% response rate with 65% of respondents in support that the County Council uses to progress the development of a RPS.
5. As a result, it is proposed to introduce a RPS, on Charles Street and Parkyns Street, which will operate Monday to Saturday, 8.00 a.m. to 6.00pm. The scheme will also include new 2-hour limited waiting bays on both roads and one on Church Street, these will also operate Monday to Saturday, 8am to 6pm.

6. The statutory consultation and public advertisement of the proposals, as detailed on the attached drawing H/SLW/2686/01, was carried out between 10<sup>th</sup> October and 7<sup>th</sup> November 2018.
7. A total of 40 responses were received during the consultation period including 6 from respondents either supportive and / or commenting on the scheme. Thirty-four responses, including Ruddington Parish Council, are considered to be outstanding objections to all or part of the proposals. The objections were received primarily from residents of other parts of Ruddington, individuals working in Ruddington village centre and businesses located within the proposed controlled zone or wider village centre.

## **Objections Received**

8. Objection – Negative impact on shops / village centre  
Thirty-two respondents, including the Parish Council, objected to the creation of permit only parking on Parkyns Street and Charles Street on the grounds that it would negatively impact on the economic sustainability of shops and businesses in the village and the amenity of residents and visitors using the village centre.
9. Concerns raised included the impact on trade which could occur if customers were unable to park in proximity to their destination and the potential for these users to choose to shop and visit elsewhere. The importance of the local shops on village life and society was also noted and concerns raised regarding the effect of business closure on the wider community.
10. Response – Negative impact on shops / village centre  
The scheme was requested by a petition, which was presented to full council in February 2017 by Councillor Reg Adair. A parking survey was undertaken which indicated that a majority of the vehicles parking on these streets during the day belonged to non-residents and that this was detrimental to residents attempting to park near their homes. The survey indicated that, at night, all the parking in the area was generated by residents. The RPS is designed only to remove intrusive non-resident parking, this is only in evidence during the day and the operational hours of the scheme therefore reflect this.
11. The importance of short-term parking availability within the village centre is acknowledged and the scheme therefore includes short-term parking to facilitate customer and visitor parking in the area. Four additional 2-hour limited waiting parking bays are proposed, providing an additional 42m of dedicated short-term parking, which equates to around 8-9 car spaces. The 2-hour limited waiting period has been chosen to reflect the needs of all visitors and customers to the area, whilst also ensuring a regular turn-over of spaces and so maintaining a sustained supply of on-street parking. The 2-hour period is a limit and where a visitor does not require parking for that length of time they will leave before this period and the parking space will be available for another user. A parking survey indicated that 36 of 75 (48%) of vehicles parked on either Charles Street or Parkyns Street parked for an hour or less. The survey also indicated that this parking was undertaken by non-residents of Charles St and Parkyns St.
12. Visitor and customer parking is also available in a free, off-street car park located behind the medical centre and limited waiting parking bays are already in place on the adjacent Church Street. It is understood that the Parish Council is currently also exploring options for additional off-street car parking provision within the village centre.
13. Objection – Loss of on-street parking / parking migration  
Twenty-five objections referenced the loss of unrestricted on-street parking, which would result from the proposals. Many of the respondents linked this to their concerns regarding the

economic impact businesses in the village and the potential adverse effect on the community. Several other respondents stated that they were employed in the village and objected to the loss of long-term commuter parking for them during the day. Ten respondents raised concerns that this loss of parking would result in parking migration of both commuters and visitors to other streets within the village. Comments included requests for resident parking schemes for other streets / all central village streets, requests for additional parking restrictions at specific locations and for the removal of parking restrictions.

14. Response – Loss of on-street parking / parking migration

The scheme is being introduced to reduce the volume of non-resident parking in the area, which is adversely affecting residents as residents cannot park within a reasonable distance of their homes during the working day. There is a finite supply of free on-street parking and the scheme is designed to manage this availability in favour of short-term parking and residents. As previously mentioned, some limited waiting parking bays are already available in the area and the scheme will provide an additional 2hr limited waiting bays for short-term parking. This is expected to improve parking availability for visitors and customers who may otherwise have been unable to access parking at this central location if kerb-space was already taken up with long-term commuter parking. The 2-hour period is a limit and where a visitor does not require parking for that length of time they will leave before this period and the parking space will be available for another user. Unrestricted on-street parking is also available on the wider highway network and in an off-street car park.

15. Businesses located within the controlled zone will also be eligible to purchase up to 2 permits for the scheme, which they can allocate to any specific vehicle. As it is primarily a RPS the number of permits for businesses is strictly limited and it is acknowledged that they may be insufficient for all staff employed. The take-up and allocation of these permits will be for the businesses to determine.

16. It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction. However, the proposed scheme has been designed facilitate parking for residents of Charles Street and Parkyns Street, who may previously have had to park on adjacent streets. The creation of limited waiting bays will increase the turn-over of parking spaces in the village centre and therefore increase parking capacity, again removing vehicles from elsewhere on the highway. It is anticipated that any unmitigated parking migration will be dispersed over the wider highway and not be concentrated at any one location.

17. Whilst the demand for on-street parking is recognised the County Council does not have a duty to provide free on-street parking for any highway user. The hours of operation of the scheme are Monday to Saturday 8am to 6pm, outside of these hours the carriageway is unrestricted and can be used by non-permit holders for evening, overnight and Sunday parking.

18. Objection – Scheme not required / should be reduced / dual-use

Twelve objections were received suggesting that the scheme was not required or that the hours of operation should be reduced with some objectors also stating that the scheme should be made dual-use for the use of both permit holders and limited waiting parking. Comments included the suggestion that residents on the streets were aware that their homes had no dedicated parking when they chose the property and that many of these residents would be away from their properties during the day and so not require parking. Some respondents suggested that this would mean that the permit areas would be empty during the daytime and that the available kerb-space could be better utilised by allowing both 2hr limited waiting and permit parking on these roads (a dual-use scheme).

19. Response – Scheme not required / should be reduced / dual-use

A dual-use scheme, which allows limited-waiting parking for all users and none time-restricted parking for permit holders, was not considered an appropriate solution for the parking issues in this area. The level of demand for free on-street parking in proximity to the village centre is such that a disproportionate volume of the available kerb-space would be used for short-term parking, which would leave permit holders struggling to park within the controlled zone.

20. Only one side of each street is unrestricted and so available for parking and the number of eligible properties that may purchase permits is likely to exceed the number of spaces available during the controlled period. The dropped vehicle access to a new pharmacy development will also remove a short stretch of on-street parking on Parkyns Street. Whilst the purchase of a permit does not guarantee a parking space within the scheme it is important that permit holders are offered a reasonable opportunity to park.

21. The operational period of the scheme is designed to reflect the periods of highest non-resident demand and therefore the times when residents' opportunity to park are most affected.

22. The proposed scheme has been developed with specific areas designated for limited waiting parking and separately, for permit parking. It is considered that the proposed scheme presents a reasonable balance between the needs of all highway users, including non-drivers who live in or visit the area.

23. Objection – Cost of permit

One objection to the scheme was received on the basis that the respondent considered it was unfair to be required to pay for a permit to enable them to park within the controlled zone.

24. Response – Cost of permit

Since 2010 it has been Nottinghamshire County Council policy to charge (£25 in 2018/19) for the issuing of permits within a RPS. Residents within the permit area who are over 75 or blue-badge holders are supplied with permits without charge. Whilst it is necessary to display a permit when parking within the controlled zone during operational hours (Monday to Saturday 8am – 6pm) the area can be used by non-permit holders outside of these times. Unrestricted on-street parking remains available on the wider highway throughout the village.

### **Other Options Considered**

25. Other options considered relate to the configuration and the operational times of the proposed limited waiting bays and residents' parking area. The scheme has undergone several stages of development, including a parking survey, resident questionnaire and statutory public consultation, to determine the best balance of measures to meet the complex needs of the area.

### **Comments from Local Members**

26. Councillor Reg Adair supports the introduction of the proposed residents parking scheme.

### **Reasons for Recommendations**

27. It is considered that the proposed scheme presents a reasonable balance between the needs of all highway users, including non-drivers; who live in or visit the area.

## **Statutory and Policy Implications**

28. 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**

29. Nottinghamshire Police made no comments on the proposal. No additional crime or disorder implications are envisaged.

### **Financial Implications**

30. The scheme is being funded through the 2018/19 Integrated Transport Measures capital programme with an expected cost of £4,000.

### **Human Rights Implications**

31. 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**

32. 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.

33. 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.

### **Safeguarding of Children and Adults at Risk Implications**

34. The proposals are intended to have a positive impact on all highway users.

## **RECOMMENDATION/S**

It is **recommended** that:

- 1) The Nottinghamshire County Council (Charles Street, Church Street and Parkyns Street, Ruddington) (Prohibition of Waiting, Parking Places and Residents' Controlled Zone) Traffic Regulation Order 2019 (8279) is made as advertised and the objectors advised accordingly.

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

**For any enquiries about this report please contact:** Mike Barnett - Team Manager (Major Projects and Improvements), Tel: 0115 9773118

### **Constitutional Comments [SJE 22/01/2019]**

35. 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 and residents' parking schemes) has been delegated.

### **Financial Comments [RWK 21/01/2019]**

36. The financial implications are set out in paragraph 30 of the report.

### **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.

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

Leake and Ruddington ED

Councillor Reg Adair