

**9 February 2022****Agenda Item: 9****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (FORGE HILL, HALLAMS LANE, HIGH ROAD, HURTS CROFT, THE CLOSE AND WOODLAND GROVE, CHILWELL) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2022 (5302)****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**

2. High Road is located approximately 2 km south-west of Beeston town centre. It is a busy distributor road with regular bus services. Properties along the route comprise of both residential houses and business premises, including a care home. The route lies within a conservation area and varies in width along its length. A number of side roads, leading to residential streets and cul-de-sacs are accessed from the section of High Road between Forge Hill and Hallams Lane. This includes Forge Hill a residential cul-de-sac, The Close and Hallams Lane.
3. Nottinghamshire County Council has received complaints from Broxtowe borough Council and the public regarding inconsiderate and obstructive parking at junctions and along Forge Hill. The Borough Council refuse services noted that this parking was impeding refuse collection vehicles and resulting in missed collections. Complaints were also received regarding obstructive parking along High Road including the junctions with Forge Hill, The Close, Hallams Lane; and Hurts Croft junctions with The Close and Hallams Lane. The local Members requested that measures be introduced to address these concerns.
4. In response Nottinghamshire County Council proposed to introduce new parking restrictions in the area. These comprised of a single yellow line (Monday to Friday between 8:30am and 4:30pm) on the south-west side of Forge Hill and double yellow lines on all of the affected junctions.
5. These proposals were publicly advertised at Traffic Regulation Order 5279, between 16<sup>th</sup> July and 17<sup>th</sup> August 2020, as detailed on the attached drawing H/SLW/3277/01.
6. During the consultation period a total of 19 responses were received, of which 12 were objections. Many objections related to the proposed single yellow line on Forge Hill, which respondents felt would be insufficient to address their concerns. Respondents stated that the restrictions were only required on the bends but needed to be place at all times to ensure the route remained unobstructed. Additional comments were received which raised issues with obstructive parking on High Road, outside the Nursing home and on other sections of the Highway.

7. Following consideration of the responses received during the consultation period, the proposals were revised and agreed with Councillor Eric Kerry and the Highways District Manager. The revisions included replacing the proposed single yellow line on Forge Hill with shorter lengths of double yellow lines. Additional double yellow lines were also proposed on High Road. The rest of the restrictions remained the same.
8. The revised scheme was publicly advertised as Traffic Regulation Order 5302, between 2<sup>nd</sup> July and 30<sup>th</sup> July 2021, as detailed on the attached drawing H/SLW/3732/01.
9. During the revised consultation period a total of 18 responses were received. Eight of these are considered to be outstanding objections to the proposals.

## **Objections Received**

### **10. Objection – Additional waiting restrictions required on High Road**

Four of the respondents objected on the grounds that the proposals were insufficient to address their concerns. They considered that the proposed restrictions were not extensive enough and would not prevent parking adjacent or across from private driveways, or parking on other stretches of the road at bends and opposite junctions. They expressed concern that the proposals did not cover the bend near Hallam Lane, stating that parking on this bend was dangerous. Concerns were expressed regarding parking outside the Nursing home affecting residents entering and exiting their driveways. They requested additional restrictions to cover both sides of High Road between The Close and beyond Hallam Lane.

### **11. Response – Additional waiting restrictions required on High Road**

The proposed extents for the scheme were carefully considered and focussed around improving access along the narrowest stretch of High Road and improving access and visibility at Highway junctions. If all parking was removed from both sides of High Road for the distance requested this would exacerbate parking migration into residential areas and is likely to significantly increase traffic speeds. The parking acts as a vehicle speed suppressant, as it reduces the effective carriageway width and supports driver perception of the area being residential in nature, rather than purely a distributor road.

12. The length of unobstructed carriageway provided by these restrictions will provide space for vehicles, including buses, to manoeuvre past each other on the narrowest stretch of High Road. The restrictions will prevent parking in proximity to the junctions and maintain visibility and access for pedestrians and vehicles. The restrictions have been kept to the minimum required to achieve this to minimise the potential for parking to migrate into nearby residential roads.

13. The frustration felt by residents, who are affected by on-street parking is recognised. It is an offence to park so as to prevent a vehicle accessing the highway via a dropped vehicle crossing and if this occurs it is a matter for the Police, who are empowered to enforce on this matter. An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties can be the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy on request from residents.

### **14. Objection – Restrictions excessive / not required (Forge Hill)**

Three respondents objected on the grounds that the proposals were excessive and/or not required. Two stated that the lining would negatively impact aesthetically on the conservation area and devalue their properties. They considered that restrictions were unnecessary on the sections of Forge Hill where dropped vehicle kerbs were in situ, and also that the proposed

restriction on the south-west side of Forge Hill was rarely parked on and therefore no restriction was required.

15. One respondent stated that they had a shared access driveway to the rear of their property but were unable to park on it as it would obstruct their neighbour's access. Therefore, they parked on Forge Hill. They stated that the proposed restrictions were excessive, and they objected on the grounds of the loss of on-street parking on Forge Hill. They stated that parking their vehicle directly in front of their property on the High Road, was unsafe due to the proximity of the bend.

16. Response – Restrictions excessive / not required (Forge Hill)

The restrictions are proposed in response to complaints received from both members of the public and also from Broxtowe Borough Council, with regard to obstructive parking impeding vehicle movements and refuse collection.

17. The Highway Authority has a duty to facilitate the expeditious movement of traffic on the network and is acting on complaints received. The restrictions will make additional running width available on the carriageway, which was previously obstructed with parked vehicles and will help ensure that the roads can be traversed by larger vehicles. The restrictions extend over vehicle accesses where these accesses are located on the bend; parking on-street at these locations, even by the householder over their own driveway entrance, would obstruct visibility and movement.

18. It is noted that Forge Lane lies within a Conservation Area and an alternative format of lining will be used to reflect the nature of that designation. Any new lining will be implemented in the paler 'primrose' yellow with the narrower 50mm wide lines, instead of the standard 100mm.

19. Nottinghamshire County Council as the Local Highway Authority has no duty to provide on-street parking and there is no legal right for a householder to park near their property. The purpose of the highway network is for the movement of people and vehicles and not for parking, although it is recognised that demand for such parking exists particularly in residential areas with limited off-street parking. However, it is the responsibility of the vehicle owner to ensure their vehicle is parked appropriately. This may require residents with insufficient or no private off-street parking provision to make other arrangements for parking their own vehicle, perhaps further away from their property. Unrestricted parking remains available on Forge Hill and the wider Highway network offering opportunity for residents and visitors to park appropriately.

20. Objection – Displaced parking / more restrictions required

Two of the objectors objected on the grounds that the proposals would result in displaced parking and that this parking would migrate to unrestricted locations and potentially block access to their driveways. One respondent stated that the restrictions should extend to the end of the road on Forge Hill to prevent this occurring.

21. Response – Displaced parking / more restrictions required

It is recognised that there may be an element of displaced parking with all new proposed highway waiting restrictions. With that consideration in mind the proposals have been kept to the minimum considered necessary to facilitate the safe and effective operation of the Highway. Both respondents have dropped vehicle access kerbs to their driveways. It is an offence to park so as to prevent a vehicle accessing the highway via a dropped vehicle crossing and it is not anticipated that drivers will choose to park in these locations.

22. There is always a balance to be struck between competing demands for a finite resource; it is considered that the proposed scheme offers the best solution to improving highway operation with minimal anticipated migration of parking.

### **Other Options Considered**

23. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The restrictions are considered to be a reasonable balance between the need to ensure the safe operation of the highway and on-street parking provision.

### **Comments from Local Members**

24. County Councillor Eric Kerry is supportive of the revised proposals. Councillor Richard Jackson did not comment on the proposals.

### **Reasons for Recommendations**

25. The proposed scheme offers a balanced solution to mitigate road safety concerns and are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers.

### **Statutory and Policy Implications**

26. 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**

27. Nottinghamshire Police raised no objections to the proposals.

### **Financial Implications**

28. The estimated cost to implement the works and traffic order detailed in the report is £5,000.

### **Human Rights Implications**

29. 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**

30. 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.

31. 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**

32. 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**

It is **recommended** that:

- 1) The Nottinghamshire County Council (Forge Hill, Hallams Lane, High Road, Hurts Croft, The Close and Woodland Grove, Chilwell) (Prohibition of Waiting) Traffic Regulation Order 2022 (5302) is made as advertised, and the objectors informed accordingly.

**Adrian Smith**  
Corporate Director, Place

**For any enquiries about this report please contact:** Helen North – Improvements Manager (0115 9772087)/ Sonya Hurt – Head of Major Projects and Improvements

### **Constitutional Comments (SG 30/12/2021)**

33. I confirm this decision falls within the Terms of Reference of the Transport and Environment Committee.

### **Financial Comments (KRP 23/12/2021)**

34. As noted in the report the cost of the proposals is £5,000 and this will be contained within existing budgets.

### **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, and Nottingham.

- None.

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

Toton, Chilwell and Attenborough

Councillor Eric Kerry

Toton, Chilwell and Attenborough

Councillor Richard Jackson