

REPORT OF COPORATE DIRECTOR, PLACE

PROPOSED BUS STOP CLEARWAYS, STAPLEFORD (BR0494, BR0092, BR0474, BR0125)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. The purpose of this report is to consider the objections received in respect of the above proposed bus stop clearways and whether they should be implemented.

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. In total, six bus stop clearways in the Stapleford area were consulted between 22nd May and 5th July 2017 and objections were received in respect of:
 - New Eaton Road, Stapleford (bus stop references: BR0139, BR0125)
 - Melbourne Road, Stapleford (bus stop references: BR0494, BR0092, BR0474)
5. New Eaton Road is a residential road, located near to Stapleford town centre, which comprises of both terraced and semi-detached properties; the latter predominately having off-street parking. The proposed clearways relate to a pair of bus stops at the northern end of New

Eaton Road (BR0139 and BR0125) which are located approximately 50m and 25m respectively from the junction with Brookhill Street. Nottinghamshire County Council has received complaints from the bus operator regarding the regular obstruction of these stops by parked vehicles; this is supported by photographic evidence. The attached drawing H/04078/2466/04 represents the proposals.

6. Melbourne Road is a residential road in Stapleford comprising of a range of properties; low-rise complexes of flats and maisonettes with off-street parking in the form of separate garage blocks or communal car parking areas and also semi-detached houses with private off-street parking - the road is the main route through a large housing estate. The subject of the consultation were three bus stops, located in three south-bound lay-bys on Melbourne Road (BR0494 Brisbane Drive, BR0092 Washington Drive and BR0474 Ramsey Close). The scheduled bus services operate in a south-bound direction only, following a circular route around the estate. The proposals follow requests received in from the Stapleford Traffic and Transport Group, via former County Councillor Stan Heptinstall, to address persistent obstructive parking in the lay-bys, which were preventing buses accessing the bus stops. The attached drawing H/04078/2466/05 represents the proposals.

Responses received

7. A total of eight responses were received to the consultation, two of which were in support of the proposals (including Councillor MacRea, District Councillor for North-West Stapleford) and six are considered to be outstanding objections to some or all the proposals. This comprises of responses in respect of the following locations:
 - New Eaton Road, Stapleford - three outstanding objections
 - Melbourne Road, Stapleford - three outstanding objections

8. Objection – why is a clearway / bus service required?

A common theme to all the objections received was that respondents questioned the need for a clearway or the bus service.

9. Response – why is a clearway / bus service required?

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. All five of these stops on New Eaton Road and Melbourne Road have been identified by Nottinghamshire County Council's Passenger Transport Services team as stops that suffers from persistent obstructive parking. In some cases, not all stops along a route may experience problems with parked vehicles and so not all stops will be treated with clearways.

The bus stops on New Eaton Road are served by the 510-scheduled bus service whose route includes the NET tram park and ride site at Toton and Beeston local centres (times at this stop are 07:23, 09:39, 10:08, 10:39 and then hourly with the last service at 18:23).

Melbourne Road stops are served by two scheduled services; the Trent Barton 18 serving Nottingham (with services starting around 7:00 and operating every 40 minutes between 10:40 and 14:40 with the last service just before 19:00) and the local Nottsbus 'Stapleford Shopper' 511 (operates hourly approximately between 10:00 and 15:00).

All these services operate throughout the day, offering sustainable transport choices to residents, not all of whom have access to a private car. Data from the 2011 census shows

that in both Broxtowe over a fifth of households (21.6%) do not have access to car or van, this is higher than the Nottinghamshire average of 20.8%. For public transport to be an attractive option services must be accessible and function effectively and reliably.

10. Objection – loss of on-street parking availability / access to driveways

A common theme to all the objections was that the respondents viewed the bus stops as available kerb-space to park private vehicles and so objected to the loss of on-street parking. Two objectors additionally stated that access to their off-street parking would be obstructed by the clearway. One objector stated that the parking would migrate to inappropriate locations causing safety issues for pedestrians and other motorists.

11. Response – loss of on-street parking availability

The bus stop clearway will enable services to pull in, directly against the kerb, fulfilling the operators' legal duty to discharge passengers directly onto the pavement and making it easier for passengers with limited mobility, carers with pushchairs or small children and wheelchair users to access the bus.

Several of the objectors have access to off-street parking provision and all objectors have access to unrestricted on-street parking which is available elsewhere on both Melbourne Road and New Eaton Road, offering alternative on-street parking locations for additional vehicles and visitors without obstructing the bus stop. There is no legal right for a householder to park on the highway near their home.

The householders' right of access to their driveway / garage is not adversely affected by the introduction of these bus stop clearways. A dropped vehicle access kerb provides a right of access over the footway and this right is unaffected by the presence of a bus stop or clearway. It is acknowledged that while a bus pulls up to drop off or pick up passengers, motorists may need to briefly wait to exit or enter private driveways or garages. This reflects the current position, as buses already pull up on the highway to serve these stops; the introduction of the clearway has no effect on this.

Unrestricted on-street parking / loading on the highway is still available directly adjacent to the clearways and elsewhere on these roads and the wider network. As parking is retained elsewhere on the network it is expected that parking patterns will relocate around the new restrictions rather than remove from the area completely. It is recognised that demand for highway parking exists, 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.

12. Objection – times of operation of the clearway (New Eaton Road BR0139 & BR0125)

Two objectors also questioned the duration of the proposed clearway restriction and considered that the duration should be reduced to mitigate its effect on the availability of on-street parking.

13. Response – times of operation of the clearway (New Eaton Road BR0139 & BR0125)

The proposed times of operation for the clearways has been linked to the operational days and times of the services which serve these stops. Nottinghamshire County Council makes a significant investment each year in supporting local bus services, these services have been carefully assessed and prioritised for support because they meet community, social or

economic needs. This investment can only be maximised if these services, some of which use these stops, can access the bus stop infrastructure which has been installed on the highway. Allowing any parking at the bus stops during service times could obstruct the movement of the buses and restrict their operation. If the times of operation of the clearway were reduced it is considered likely that the service would continue to be obstructed by parked vehicles for part of each daily service.

14. Objection – location of the proposed stop (New Eaton Road BR0139)

Three objectors also questioned the location of the stop BR0139 and state that it should be moved to another location; such as outside terraced properties further along New Eaton Road or within 15m of the Brookhill Street junction. Alternatively, they suggested that the bus stop should be decommissioned, as they considered that the route could be served by other stops in the area.

15. Response – location of the proposed stop (New Eaton Road BR0139)

The nearest alternative bus stops to this location are at least 325m away (The Vista). Nottinghamshire County Council policy requires bus stops to be positioned at regular intervals (up to 150m apart in urban areas) to ensure that the network is as accessible as possible. Stop BR0139 is appropriately placed at an equitable distance between the other stops on the network.

The bus stop location is historic and its current location is still considered appropriate; it is on a straight section of road and fronts properties with off street parking rather than the numerous properties along the northern end of New Eaton Road that do not have off street parking. The stop is located appropriately within the spread of stops serving this route and Passenger Transport Services team have identified no benefit to passengers in relocating the bus stop. In addition, Nottinghamshire County Council bus stop policy clearly states that bus stops will not be relocated unless there are concerns about highway safety. There are no highway safety concerns in this location.

It is considered that the current stop is located at the most appropriate point for the safe operation of the service and most equitable distribution of stops.

Other Options Considered

16. Other options considered relate to the length of time and number of days that the bus stop clearways are in force. The operational times proposed reflect the operational times of the service.

Comments from Local Members

17. No comments on the proposals were received from County Councillors John Doddy and John Longdon.

Reasons for Recommendations

18. The measures contained in the proposed clearway restriction are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers. The proposals will assist the safe and effective operation of local bus services.

Statutory and Policy Implications

19. 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

20. Nottinghamshire Police made no comments on the proposals.

Financial Implications

21. The scheme is being funded through the 2017/18 Local Transport Plan Bus Improvements capital budget and the cost is estimated at £3,000.

Public Sector Equality Duty implications

22. 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.

23. 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.

RECOMMENDATION/S

It is **recommended** that:

The bus stop clearways proposed at stop references BR0139 and BR0125 on New Eaton Road and BR0494, BR0092 and BR0474 on Melbourne Road are implemented and the objectors informed accordingly.

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Corporate Director, Place

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Constitutional Comments (LMcC 27/7/2017)

24. The recommendations in the report fall within the Terms of Reference of the Communities and Place Committee.

Financial Comments (GB – 26/07/2017)

25. The financial implications are set out in paragraph 20.

Background Papers and Published Documents

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.

Reports:

Transport and Highways Committee - Proposed Change to the Process of Managing Objections to Bus Stop Clearways, 11th September 2014 (Agenda Item 5)

Equality Impact Assessment:

Proposed Bus Stop Clearways, Stapleford (BR0494, BR0092, BR0474, BR0139, BR0125)

Electoral Division(s) and Member(s) Affected

Stapleford and Broxtowe Central ED
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Councillor John Doddy
Councillor John Longdon