



9<sup>th</sup> February 2017

Agenda Item: 6

## **REPORT OF CORPORATE DIRECTOR - PLACE**

### **THE NOTTINGHAMSHIRE COUNTY COUNCIL (LOWER ORCHARD STREET, MIDDLE ORCHARD STREET AND UPPER ORCHARD STREET, STAPLEFORD) (PROHIBITION OF WAITING AND RESIDENTS' CONTROLLED ZONE) TRAFFIC REGULATION ORDER 2017 (5219)**

#### **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. Lower Orchard Street, Middle Orchard Street and Upper Orchard Street are roads near the town centre of Stapleford. The roads are mainly residential and the majority of properties are Victorian terraced properties that do not have access to off-road parking. However, there are approximately eight town-houses on Middle Orchard Street which do have off-road parking; private parking is also available to residents of Kayes Court (located off Middle Orchard Street).
3. A petition was presented to the 26<sup>th</sup> June 2014 meeting of the County Council by Councillor Williams on behalf of 17 residents of Lower Orchard Street and Middle Orchard Street requesting the introduction of a residents' parking scheme to address intrusive parking in the area; which residents felt was by workers and visitors to the nearby town centre and other facilities such as the health centre.
4. In response to the petition a parking survey was conducted in April 2015 to determine levels of non-resident parking in the area. The results indicated that there were significant levels of non-resident parking in the area with parking on Upper Orchard Street reaching 80% capacity or more for half the day and, of those parking on the street, half were not residents. On Middle Orchard Street only five of the 16 vehicles that parked on the day of the survey were residents. Of the 11 non-residents, five parked for five hours or more. In addition, these roads are narrow such that significant numbers of vehicles parking opposite properties can make access difficult.
5. As a result of the survey residents were consulted on a proposal to introduce a residents' parking scheme. In April 2016 all residents on Lower Orchard Street, Middle Orchard Street, Upper Orchard Street and of Kayes Court received an initial questionnaire regarding the proposal. Kayes Court is a residential complex, accessed off Middle Orchard Street, which

has private parking bays for residents, however the hammerhead turning area within the complex is public highway and therefore parts of it could be used for vehicle parking by non-residents. A 37.5% response rate was achieved with 85% of responses supporting the introduction of a residents' parking scheme. This met Nottinghamshire County Council's threshold for the introduction of a residents' parking scheme.

6. As a result, it is proposed to introduce a residents' parking scheme on Lower Orchard Street, Middle Orchard Street, Upper Orchard Street and Kayes Court. This controlled zone would operate Monday to Saturday from 9am – 5pm; which is consistent with other schemes operating in the local area.
7. The statutory consultation and public advertisement of the proposals, detailed on the attached drawing H/04078/2258/01, was carried out between 16<sup>th</sup> August 2016 and 16<sup>th</sup> September 2016. The document packages were held at Stapleford Library and County Hall with copies of the notice erected at a number of locations in the area.

## **Objections Received**

8. A total of thirteen responses were received, one of which was received from County Councillor Williams who was supportive of the scheme, one commented on the boundary of the scheme and the remaining eleven responses are considered to be outstanding objections.
9. Objection – Proposed Residents Parking Scheme is not required  
Ten objectors (including 6 individuals writing from three households), objected on the basis that they did not consider a scheme was required and that they would find such a scheme inconvenient. Among the comments made were that the problems with parking occurred primarily in the evening and that the permit scheme would not resolve this. Other comments made were that all but one property on their road had driveways and that the majority of on-street parking in the area was residents and their visitors. Some respondents felt that the relocation of two small businesses away from the area had changed the situation from when the controlled zone was originally requested and that there was no need for a scheme because sufficient parking was now available. They objected to the introduction of a scheme due to the complication, restriction and cost to residents.
10. Response– Proposed Residents Parking Scheme is not required  
It is recognised that a permit scheme can be an inconvenience and expense to households within the controlled area. This is why extensive consultation is undertaken to determine both need for such a scheme and residents' support for it. The change in local businesses since the initial parking survey is noted. However, these changes were in place when the questionnaire was circulated to residents in April 2016, and the response from this questionnaire still indicated majority support for the introduction of a scheme. Comments were received from other residents which referred to problems with intrusive parking from non-residents and of regularly being unable to park in reasonable proximity to their homes. Regrettably it is not always possible to achieve a solution which meets everyone's needs so it is necessary, in these cases, to reflect the majority view. The times of operation of the scheme are 9.00am – 5.00pm, Monday to Saturday, will address the problem with commuter and staff parking but retain flexibility for households to have unlimited visitor parking on-highway outside of this period.

11. Objection – Cost / number of permits available

Two residents also objected on a number of points relating to the purchase and issuing of permits. One respondent has multiple vehicles and whilst these are normally kept garaged, they are occasionally parked on the highway. Under the scheme rules, the resident would not be able to obtain permits for each of their vehicles. The other respondent objected to having to pay for permits (both visitor and resident) and felt it was unfair, however the resident also noted that they currently had difficulty parking near her house.

12. Response – Cost / number of permits available

Under the operational rules relating to County Council Resident Parking Schemes, permits are issued to residents who own or keep and use a car, light van or motorcycle on a full time basis. Each resident is entitled to a single permit, allocated to a specified vehicle. In houses with multiple residents (two or more individuals, living at the same address) who each own/use a vehicle they will each be eligible for a single permit for their vehicle. However, a resident who owns multiple vehicles will only be able to apply for one permit to use for one of these vehicles. The household will also be entitled to apply (and pay) for a single visitor permit, which is not linked to any particular vehicle.

It is recognised that the objector will only be able to obtain a permit for one of the several vehicles that they own. However, they are also eligible to purchase one visitor permit, which under the rules of the scheme, can be used on any vehicle parked on the public highway. The times of operation of the scheme are 9.00a.m. – 5.00pm, Monday to Saturday, and households would have unrestricted parking on-highway outside of this period. It is acknowledged that the introduction of a scheme will cause a degree of inconvenience to the objector; but the rules of operation for a residents' permit scheme are standard throughout the County and have been designed to ensure an equal opportunity between residents to park on the highway available.

The installation of a residents' parking scheme in an area benefits only the residents of that area, not the highway network as a whole. It is County Council policy that permits for these schemes must be issued at the applicant's own expense. Whilst the objector does not want a scheme to operate in their area, the majority view expressed in the questionnaire undertaken in April 2016, indicated support for the scheme.

13. Objection – scheme should be extended to adjacent roads

A local resident of Pinfold Lane objected on the basis that they parked in the proposed controlled area and that the introduction of restrictions there would increase parking pressures on their road (outside the proposed zone) making it harder for them to park.

14. Response – scheme should be extended to adjacent roads

The objector lives at the junction of a street within the proposed controlled zone and under the rules for County Council Resident Parking scheme this household would be eligible to apply for permits to park within the controlled zone. They also have off-road parking at their property.

Pinfold Lane is outside the proposed controlled zone, it is further away from the town centre and the majority of properties on the road have off-road parking. This means it would not meet criteria for a residents' permit scheme.

It is noted that a new development comprising housing and an Aldi store is planned for Pinfold Lane, but as each development will have dedicated parking it is unlikely to have a detrimental effect on parking availability.

## **Other Options Considered**

15. Other options considered relate to the times and extent of the controlled zone proposed, which could have been either lesser or greater. The proposed scheme is consistent with other schemes operating in the area. The restrictions are considered to be a reasonable balance between the retaining public access to the highway, ensuring residents' access is maintained and the reasonable availability of parking.

## **Comments from Local Members**

16. County Councillor Jacky Williams expressed her support for the proposals; County Councillor Stan Heptinstall MBE did not comment on the proposals.

## **Reason for Recommendation**

17. The proposals are considered appropriate taking into account a balanced view of the needs of all road users; balancing the need to retain public access to the highway with ensuring residents' access is maintained and their reasonable access to on-street parking.

## **Statutory and Policy Implications**

18. 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.

## **Financial Implications**

19. This scheme is being funded through the Local Transport Plan Integrated Transport Measures budget for 2016/17 with an estimated cost to implement the works and traffic order of £5,000.

## **Crime and Disorder Implications**

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

## **RECOMMENDATION/S**

It is **recommended** that:

The Nottinghamshire County Council (Lower Orchard Street, Middle Orchard Street and Upper Orchard Street, Stapleford) (Prohibition of Waiting and Residents' Controlled Zone) Traffic Regulation Order 2017 (5219)

is made as advertised and objectors notified accordingly.

**Adrian Smith**  
**Corporate Director – Place**

**Name and Title of Report Author**

Mike Barnett - Team Manager Major Projects and Improvements (Via East Midlands Limited)

**Constitutional Comments (LMcC – 05/01/2017)**

21. The recommendations in the report fall within the Terms of Reference of the Transport and Highways Committee.

**Financial Comments (GB – 05/01/2017)**

22. 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 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**

Stapleford and Bramcote ED	County Councillor Jacky Williams
Stapleford and Bramcote ED	County Councillor Stan Heptinstall MBE