

21st March 2013

Agenda Item:

REPORT OF SERVICE DIRECTOR, HIGHWAYS

The Nottinghamshire County Council (Holly Drive, Mansfield) (Prohibition of Waiting and Driving) Traffic Regulation Order 2012 (2161)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. To consider the objections received in respect of the proposed Traffic Regulation Order for Holly Drive, Mansfield.

Information and Advice

2. Holly Drive is situated in the residential area of Forest Town, Mansfield and provides access to the cul-de-sacs of Beechwood Close, Fernwood Close and Minton Pastures. Holly Drive Primary School is also situated on Holly Drive and currently provides primary education for approximately 300 children. Mr Duncan White, the Head teacher, has advised that by 2014 this could increase by up to another 50 children. Holly Drive also forms part of two bus routes which have a frequency of 4 trips every hour during the day. The problems have been the source of escalating concern for local residents and the school headmaster over recent years culminating in the current proposals which have significant support from those parties.
3. A number of the residents of the properties of Beechwood Close, Fernwood Close and Minton Pastures are vulnerable and require access to and from their properties.
4. Parking has become an increasing issue during school pick up and drop off times, with parents parking on both sides of Holly Drive, Beechwood Close, Fernwood Close and Minton Pastures. This parking creates considerable congestion problems as Holly Drive is approximately 7 metres in width, Minton Pastures and Beechwood Close are approximately 5.5 metres in width and Fernwood Close is approximately 5 metres in width. As the roads are narrow, the vehicles are often parked on both pavements. The presence of this parking prevents buses from travelling along Holly Drive, prevents residents from

accessing their properties and also presents pedestrians and especially school children, with safety issues.

5. The proposals are for the introduction of prohibition of driving (with except for access) on Minton Pastures, Fernwood Close and Beechwood Close; the introduction of no waiting at any time around the safety critical junctions of Minton Pastures, Fernwood Close, Holly Drive and Beechwood Close; the provision of no waiting during morning and afternoon school times and no stopping on 'school keep clear' markings along Holly Drive to assist with school related traffic movements. The proposals are shown on the accompanying drawing. The prohibition of driving is proposed to operate at all hours which will remove the opportunity for parents to arrive in the affected areas close to but outside of the hours of its operation.
6. The above proposed restrictions are designed to protect junctions from parked vehicles thereby ensuring visibility for vehicle manoeuvres, improve road and pedestrian safety by restricting where vehicles can park and preventing parking on pavements. These improvements will assist local residents in accessing their properties and assist the emergency services and public transport services to negotiate the affected roads.
7. A statutory consultation and public advertisement of the proposals took place between 12th December 2012 and 25th January 2013 and ten objections have been received. The objections and their responses are summarised below and all the objections are itemised in Appendix A and where possible/relevant a response has been provided.

Objection 1

8. Seven parents have objected that the proposals will shift parking onto the surrounding road network and will therefore just displace the problem to other residential streets and properties. The closest available road is Holly Road, which objectors consider less suitable for the dropping off/picking up of children, as it is considered dangerous for children to walk along and does not have a school crossing patrol.

Response

9. It is inevitable that some displacement of parking will occur with the introduction of the proposals. Holly Road has continuous pavement situated along its northern side, and on its southern side to the east of Holly Drive. The speed limit is 30mph on Holly Road and although there are roads that have access from it, it does not have any direct residential access. School warning signs are placed either side of Holly Drive on Holly Road. There is car parking available at Kings Way Hall which is situated to the south of Clipstone Road and provides free parking within walking distance of the school.
10. The presence of indiscriminately parked vehicles in the vicinity of the school and junctions on Holly Drive presents pedestrians and especially vulnerable road

users such as children with safety issues when trying to walk to and from school and cross the road.

11. Approximately 15 parking spaces are being retained on Holly Drive and for those with parents/carers with disabled badges it will be possible to legitimately pick up and drop off children.

Objection 2

12. Seven parents objected to the proposals on the grounds that they do not provide a solution for parents who need to park to drop off and pick up children.

Response

13. The proposals allow for approximately 15 parking spaces on Holly Drive for parents to drop off and pick up children. Kings Way Hall car park is also available for parents to park and walk the short distance to school and it is not considered unreasonable that most parents are able to walk this short distance of 250 metres. The restrictions will cause some parents to alter their parking habits. Holly Primary school provides and is extending the breakfast club so that it is available from 7.45am rather than 8.00 am. The current take up is over 50 children, and this therefore is allowing a staggering of the start times of the school day which will alleviate some of the parking pressure experienced at the traditional school times.

Objection 3

14. The proposal was consulted on and advertised over Christmas. Copies of the risk assessment, business case, appraisal and other options considered should be provided.

Response

15. The due process has been conducted regarding the consultation and the advertising of the proposals and meets the requirements of the traffic regulation process. Consultation letters were provided to the school, residents and all other statutory bodies on the 12th December 2012, the notices for the traffic regulation orders were placed on site on 18th December 2012. The consultation period and advert period were extended to take into account the Christmas period, with the advert period finishing on 25th January 2013. Other options that have been considered are discussed in paragraphs 18 to 23. Over recent years a number of measures have been introduced in an attempt to influence parking at the school but have had limited success, it is now considered appropriate to introduce the measures as described within this report and as detailed as part of the Traffic Regulation Order making process. Previous measures have included providing signs on Minton Pastures, Beechwood Close and Fernwood Close, bollards and parental engagement. There is no formal risk assessment, business case or appraisal.

Objection 4

16. The Police objected to providing the prohibition of driving with except for access on Minton Pastures, Beechwood Close and Fernwood Close as there have been no personal injury collisions and the police would be required to enforce a prohibition of driving with except for access order on these roads and therefore prefer a scheme which can be enforced using civil enforcement.

Response

17. It is accepted that Nottinghamshire Police may not be in a position to carry out enforcement action regarding the prohibition of driving. This scheme forms part of the countywide Safer Routes to School programme which in addition to addressing safety concerns at schools is also intended to offer opportunity for children to travel to school by means other than private vehicle by creating an environment which is not dominated by parked/waiting vehicles. Other options to achieving this were examined and are discussed below.

Other Options Considered

18. Providing no waiting restrictions at school drop off and pick up times on Beechwood Close, Fernwood Close and Minton Pastures rather than a prohibition of driving with except for access traffic regulation order. However, these measures would require more intrusive lines and signs.
19. Providing an additional entrance on Attlee/Laurel Avenue. This has been investigated and would require investment to provide a path, camera and electronic gate to the same standards as that situated for the entrance on Holly Drive. Mr Duncan White, the Head teacher, has advised that by only having one entrance this allows movements in and out of the school to be monitored as it is directly overlooked by reception.
20. Widening Holly Drive. Holly Drive is currently approximately 7 metres wide with continuous pavement each side, at various locations properties have boundaries with this pavement, therefore there is limited scope to widen Holly Drive without removing some sections of pavements and this would have an adverse impact on pedestrian safety.
21. Opening up the waste ground adjacent to Holly Road and provide a car park or footpath. Consideration has been given to providing nearby off street parking on the waste land though it has not been possible to develop this.
22. Providing a school crossing patrol. School sites are assessed and monitored for the introduction of School Crossing Patrols (SCP). Holly Road and Holly Drive have been considered for SCP sites but have not been approved
23. Provide a school bus. There are two public service buses which route close to Holly Primary School that could be utilised by parents. Nottinghamshire County Council's current policy is that primary school pupils who are aged between 4 and 7 years and live greater than 2 miles from their catchment school, are entitled to free school transport, for children aged 8 to 11 the distance increases to 3 miles. The full policy can be examined on Nottinghamshire County Council's website.

Reasons for Recommendations

24. A total of twenty eight positive responses have been received by residents to the complete proposals. The comments have included;
 - Residents are often elderly and require access to properties and pavements

- The parking causes a safety problem for children
 - The buses frequently cannot get down Holly Drive
 - Concern has been expressed that the emergency services cannot access the roads due to parked vehicles
 - Exiting Minton Pastures is difficult as visibility is obscured by parked vehicles
25. In addition there have been 2 partial supportive responses: one from Nottinghamshire Police who support the junction protection and enforceable 'school keep clear' markings and a parent who supports the prohibition of driving with except for access ban on Beechwood Close and Fernwood Close, and the enforceable 'school keep clear' markings.
26. The local County Councillor Martin Wright supports the proposals.
27. The recommendation is made as it is considered that the benefits of the scheme address the concerns which have been expressed locally regarding the safety of road users, especially vulnerable users. The proposals will also assist the local bus services to negotiate Holly Drive which has been the source of scheduling problems for bus operators and which have been reported to this authority. It is accepted that the proposals to alleviate the problems being experienced represent a more rigorous approach than has previously been implemented in what may be considered similar circumstances. This conclusion is reached given the scale of the safety and obstruction problems experienced in this instance and is not considered to be a solution which will necessarily be applicable to other locations around the County. The impact of the changes will be monitored very closely and assessed during the first 6 months of its operation.

Statutory and Policy Implications

28. This report has been compiled having given due regard to the Public Sector Equality Duty and after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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

29. The scheme is being funded by the Local Transport Plan budget for 2012/13. The cost of implementing the scheme and the associated works will be in the region of £5,000.

Crime and Disorder Implications

30. Nottinghamshire Police has raised an objection to the prohibition of driving with except for access orders proposed on Minton Pastures, Beechwood Close and Fernwood Close. This objection has been discussed in paragraph 16 and a response given in paragraph 17. However, they support the other proposals.

RECOMMENDATION/S

It is recommended that

The Nottinghamshire County Council (Holly Drive, Mansfield) (Prohibition of Waiting and Driving) Traffic Regulation Order 2012 (2161) be made as recommended on the attached drawing, and the objectors informed accordingly.

**Andrew Warrington
Service Director (Highways)**

For any enquiries about this report please contact:

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Constitutional Comments (SHB 26/02/13)

31. Committee has the authority to approve the Recommendation.

Financial Comments (IC 25/02/13)

32. The financial implications are stated in paragraph 29 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 those as summarised in Appendix A are contained within the scheme file which can be found in the Major Projects and Improvements Team at Trent Bridge House.

Electoral Division(s) and Member(s) Affected

Councillor Martin Wright - Mansfield East