

10th January 2019**Agenda item: 10****REPORT OF CORPORATE DIRECTOR (PLACE)****THE NOTTINGHAMSHIRE COUNTY COUNCIL (HUMBER ROAD,
BEESTON) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER
2018 (5259)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

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

Information

2. Nottingham City Council secured £6m for an Enterprise Zone through the Local Growth Fund. The Enterprise Zone (which comprises of part of the Boots site plus the Beeston Business Park, the Nottingham Science Park and the MediPark site) is located within both the city and county areas. Officers from the City and County Councils have worked in partnership, and with the Nottingham Cycling Development Group which (in addition to the City and County councils, Highways England and the police) comprises cycling representatives such as the Sustainable Travel Collective, Pedals and Sustrans to develop a package of improvements to help people access the Enterprise Zone.
3. The partnership working resulted in the development of £0.905m of cycle route improvements in the county to join-up with proposals in the city aimed at delivering continuous cycle routes across the administrative boundaries to enable people to access the employment opportunities that the Enterprise Zone will deliver. This investment aims to make the best use of existing cycle routes by upgrading them and providing new routes to deliver joined-up coherent cycle networks throughout the area.
4. The Department for Transport (DfT) aims to double cycle usage by 2025 throughout the country and it is anticipated that this investment will help meet these targets at a local level. Nottinghamshire County Council (NCC) has committed to increasing cycling levels from 3% currently to 10% by 2025. This ambition is detailed in the Nottinghamshire Cycling Strategy Delivery Plan (2016) which was developed to complement Nottinghamshire's Local Transport

Plan in the delivery of local and national cycling related objectives. The plan intends to meet its target through a combination of transport objectives, focusing upon the development of a high quality, connected cycling network as well as encouraging cycling through smart travel planning and increased educational opportunities.

5. An extensive public consultation regarding the planned improvements to cycle links from the Enterprise Zone to Beeston Town Centre was undertaken in 2017. This report relates to cycle route improvements along Humber Road, between Queens Road and Broadgate, in the form of widening the existing footway along the south west side of Humber Road to facilitate a new shared use cycle / footway. The proposals were supported by the majority of respondents.
6. The widening of the existing footway will ensure that the new facility will be of an appropriate width to safely accommodate both pedestrians and two-way cycle traffic. At times, the footway is partially obstructed by vehicles, some of which are large commercial vehicles, parked half on the footway and half on the carriageway. To prevent this occurring in the future and obstructing use of the new facility, it is proposed to introduce No Waiting At Any Time (Double Yellow Lines) along the south-west side of Humber Road, between its junctions with Queens Road East and Queens Drive. These will ensure that vehicles are not parked on both sides of the Humber Road carriageway, as this would prevent two-way flow of vehicles along the road and therefore impact on road capacity.
7. The statutory consultation and public advertisement of the proposals, as detailed on plan H/SLW/2872/01, was carried out between 2nd October and 29th October 2018. The attached plan HW10179/44 represents the wider planned improvements to cycle links, existing network, key destinations within the area and the location of the proposed restrictions that are detailed in this report.

Objections received

8. Eleven responses were received to the consultation, all of which are considered to be outstanding objections to the proposals. This includes objections from the County Councillor and the local Borough Councillor.
9. Objection – loss of parking / parking displacement
All respondents objected to the proposed double yellow lines on the grounds that the availability of on-street parking on Humber Road will be reduced and / or parking will be displaced to other streets.
10. Response – loss of parking / parking displacement
The delivery of the new shared use cycleway is one element of a wider network plan which is focused upon the development of a high quality, connected cycling network. This network will provide improved opportunities for residents and visitors to access employment, training and leisure sites by sustainable transport modes. The restrictions are required to ensure that use of the new off-carriageway facility is not compromised by obstructive parking of vehicles.
11. It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction. An assessment of parking on Humber Road has been undertaken to identify current usage. This indicated that sufficient capacity exists on Humber Road to accommodate any displaced vehicles and therefore no significant parking migration to other streets is anticipated.

12. It is noted that several of the objectors do have access to private off-street parking, however it is acknowledged that not all do. Nevertheless, whilst the demand for on-street parking is recognised not only does the County Council not have a duty to provide free on-street parking for any highway user but the purpose of highway provision is to enable traffic to pass and repass and not for parking. Nonetheless, on-street parking remains available on the wider highway network and in local off-street car parks.
13. Objection - adverse effect on businesses
Two respondents are objecting to the proposals on the grounds that the proposals will adversely affect their businesses location on Humber Road, as on-street parking near their premises is used by their staff and customers. One respondent noted that there were disused commercial properties in the area which, if they re-opened, would increase demand for on-street parking.
14. Response - adverse effect on businesses
It is acknowledged that the introduction of the new shared use cycleway and the necessary waiting restrictions will reduce levels of on-street parking on Humber Road. However, on-street parking remains available elsewhere on Humber Road (including directly in front of two respondents' premises), on the wider highway network and in local off-street car parks (the latter being more suitable for staff parking which, by its nature, is of a longer duration). In addition, the investment in the cycleway will further improve the accessibility of this part of Humber Road to customers using sustainable transport modes.
15. Objection – scheme not required / waste of money
Seven respondents objected to the proposals on the basis that they did not consider that the new facility or the parking restrictions were required and some stated there was no need for an off-road facility as the road was already safe for cyclists to use. Similarly, another respondent stated that Humber Road was no more unsafe than any other road for cyclists and it was not worth the investment on the proposed facility. Other respondents stated that the budget allocated to the project should be spent on other measures such as resurfacing, drainage maintenance or community policing.
16. Response - scheme not required / waste of money
The delivery of the new shared use cycleway is one element of a wider network plan which is focused upon the development of a high quality, connected cycling network. This section of primarily shared use cycle route forms part of a longer route stretching from Beeston town centre to the Boots site and will provide a quality off-carriageway route for cyclists.
17. The investment for the cycle routes in Beeston has been provided by Nottingham City Council as part of a central government funding allocation from the Local Growth Fund. The decision to invest in cycle routes throughout Beeston was taken by County Council Members after due consideration. The funding is not available to be used on maintenance or any other highway works. However, as part of the cycleway construction the shared use footway/cycleway will be resurfaced. Community officers/police officers are employed by the Police and so this funding cannot be used to provide additional policing.
18. Objections – access to premises
Three respondents objected to the proposed double yellow lines and cycle route on the grounds that it would reduce access to their homes / businesses. A respondent commented

that Fountains Court and the shops fronting Queen's Road needed access across the new cycle way. Other respondents from residents of Queens Drive state that they have vehicle access to the rear of their properties onto Humber Road and that the double yellow lines would prevent them from loading, create congestion and restrict the safe use of their accesses.

19. Response – access to premises

The right of access is not affected by the introduction of the cycleway; a dropped vehicle access kerb provides a right of access over the footway and this right is unaffected by the presence of the cycleway. All existing dropped kerbed vehicular accesses will be reinstated as part of the works. The road will be narrowed by 0.5m and the centreline will be adjusted to suit. Loading (including the dropping off / picking up of passengers) is permitted on double-yellow lines where it cannot be completed without stopping on the double-yellow lines. However, vehicles must be removed as soon as the loading activity has been completed. It should be noted that the dropped vehicle access to premises grants a right of vehicular access over the footway only; there is no right to park/load directly adjacent to a particular vehicle access.

20. The scheme has been subject to a Road Safety Audit as part of the detailed design and once the scheme is built and operational a further safety audit will be undertaken and any recommendations considered. The introduction of parking restrictions on the south-west side of Humber Road will ensure that two-way traffic will be able to flow unobstructed along the route, which will not result in congestion.

Other Options Considered

21. Other options considered include the design and route of the cycle route including the potential to physically segregate the shared use cycle route with a high kerb, however this was not possible due to the number of private vehicle accesses and the detrimental effect on road capacity of vehicles parking on both sides of Humber Road. The option to ban pavement parking was considered but discounted as this would simply displace parked vehicles into the carriageway preventing through traffic.

Comments from Local Members

22. County Councillor Kate Foale objected to the proposals on the grounds of the loss of on-street parking, which she considered to be unacceptable due to levels of demand in the area.

Reason/s for Recommendation/s

23. It is considered that the proposals will facilitate the safe operation of the highway for drivers, cyclists and pedestrians, in accordance with the Authority's duty to ensure the safe and expeditious movement of all traffic, including pedestrians.

Statutory and Policy Implications

24. 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 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

25. Nottinghamshire Police made no comment on the proposals.

Financial Implications

26. The cost of the Traffic Regulation Order and works will be fully met through the £0.905m funding package received externally from the Nottingham City as part of their Nottingham Enterprise Zone sustainable transport package budget.

Public Sector Equality Duty implications

27. 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.

28. 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

29. The proposals, as part of the wider Nottingham Enterprise Zone sustainable transport package will provide a comprehensive, coherent cycle route network and will assist in delivering the Nottinghamshire Cycling Strategy Delivery Plan (2016) which is committed to increasing cycling levels from 3% currently to 10% by 2025. Increasing levels of sustainable transport use, will improve health, cut congestion and emissions and provide greater equality of access to sites of employment and learning.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (Humber Road, Beeston) (Prohibition of Waiting) Traffic Regulation Order 2018 (5259) is made as advertised and the objectors informed accordingly.

Name and Title of Report Author

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For any enquiries about this report please contact:

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Constitutional Comments (SJE – 06/12/18)

30. 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) has been delegated.

Financial Comments (RK 05/12/2018)

31. The financial implications are set out in paragraph 26.

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.

Electoral Division(s) and Member(s) Affected

Beeston Central and Rylands ED

Councillor Kate Foale