

16th July 2015

Agenda Item:11

REPORT OF SERVICE DIRECTOR, HIGHWAYS

THE NOTTINGHAMSHIRE COUNTY COUNCIL (WILLIAM STREET AND NEW STREET, NEWARK ON TRENT) (PROHIBITION OF WAITING AND RESIDENTS' CONTROLLED ZONE) TRAFFIC REGULATION ORDER 2015 (3185)

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 with amendments as detailed in the recommendation and shown on drawing H/04078/1925/03.

Information and Advice

2. William Street and New Street are residential streets close to Newark Town Centre. The houses are mostly terraced without off-street parking. The central section of William Street is restricted to traffic except for access and used as a shared space with small walls, tree and planter areas controlling both the flow of vehicles but also parking provision. New Street is situated off this central restricted section of William Street and can also be accessed off Whitfield Street that runs parallel to William Street. In the vicinity are several non-residential properties including B&B's, post office and public house. A number of private parking areas (on land owned by Newark and Sherwood District Council) for residents of Howes Court (operated by Newark and Sherwood Homes Limited) are also accessed off William Street.
3. The proposals for a Residents' Parking Scheme (RPS) followed consultation undertaken by County Councillor Stuart Wallace resulting in a petition from the residents of William Street that was presented to full council on 17th May 2012. This was as a result of residents contacting the local member concerned about congestion and inconvenience stating that they were unable to park their vehicles as it was being used by workers, shoppers and commuters to avoid car park charges in the town centre. The consultation carried out by Councillor Wallace involved the completion of a questionnaire in which residents could indicate support for such a scheme accompanied by a covering letter giving an introduction and explanation of the workings of such a scheme from Councillor Wallace. It was reported that a 69% response rate was achieved with 75% of those responding in favour.
4. As a result a RPS was included in the annual highway capital programme. On 5th March 2013 residents of William Street were sent questionnaires by the County Council asking them to confirm whether or not they were still in support of a RPS. At this stage New Street was excluded from the boundary of the proposed scheme. In total 79 questionnaires were sent to residents with 40 (51%) returned of which 30 (75%) supporting the introduction of a

scheme. The results exceed the criteria of 35% response rate with 65% of respondents in support that the County Council uses to progress the development of a scheme.

5. A further consultation with residents of William Street was carried out between the 4th October 2013 and 1st November 2013 on proposals for a Residents Parking Scheme that would be in operation on Monday to Saturday from 8am – 6pm. The proposals are shown on the enclosed drawing H/04078/1925.
6. However, as part of the following years annual works programme for 2014-15 a scheme was proposed for a RPS on Whitfield Street which runs parallel to William Street between Barnby Gate and Balderton Gate. As a result of this proposal further progress for proposals on William Street were put on hold to enable work to be developed on Whitfield Street with a view of combining public advertisement and the construction work.
7. Questionnaires were sent to 79 residents of Whitfield Street asking them to confirm whether or not they were in support of a RPS on the 20th May 2015, this included information that it was the intention of the County Council to combine the scheme with William Street. A total of 27 (34%) were returned of which 14 (51%) were in favour of a scheme. The results do not meet the County Council's criteria and therefore the proposals for Whitfield Street were dropped from the works programme. This meant the proposals for William Street could be progressed to the next stage.
8. The proposals for William Street were publicly advertised in the Newark Advertiser between 27th November and 19th December 2014 and can be seen on the enclosed drawing H/04078/1925/02.

Comments received

9. During the consultation period and public advertisement twenty individual responses were received with eighteen considered as outstanding objections to some or all of the proposals, this included one in the form of a petition. Objections have been summarised and responses grouped by street and each contains various issues raised by residents.
10. Objections – William Street
Six objections were received from residents of William Street through the consultation process and a range of comments were received, including:
 - The proposals will create more problems than they solve and vehicles will displace onto nearby roads;
 - From their own experience / observations consider that parking issues are not an issue and the proposals are unnecessary;
 - The introduction of a permit scheme will force residents to pay for parking on the road outside their properties, particularly as they consider parking not to be an issue;
 - Suggest the scheme should include three sets of parking areas that form part of access to Howes Court;
 - Proposals should include 'No Waiting At Any Time' restrictions (double yellow lines) on the junction of William Street and Balderton Gate and outside the planters close to the New Street / William Street junction;
 - Designated bays should be allocated to specific properties along New Street at the side of 30a / 32 William Street due to area long standing issues following the construction of the Community Centre, requirement for emergency access point and warden houses.

Response – William Street

The proposals follow concerns raised by residents through the local member Councillor Wallace and have necessary support of local residents. Issues related to parking availability will vary on different days and time. In addition the perception of parking varies between households depending upon personal circumstances and requirements, this is reflected in the views and comments received.

In response to concerns raised further surveys were undertaken on 28th January 2015, in some areas it is difficult to set the area of available parking due to planters / trees and it is also dependent upon the size of vehicles / spacing individuals leave after parking etc. However, survey figures show that throughout the working day parking availability varied along different sections of the road.

Another issue raised by objectors is the requirement to pay for parking permits. This is a requirement of the Authority and on 25th February 2010 the council's budget included a recommendation that a charge should be made for permits issued for use in residents' parking schemes. The charge is to cover the administration and management of the permit scheme and the direct costs of the permits. Parking permits would cost £25 each and will usually be valid for 12 months, with 100% discount concessions for Blue Badge Holders and residents 75 years old and over.

This proposed scheme involves signing the controlled zone at the entry and exit points with repeater signs, lining works are minimal. Parking within this type of scheme is self-managed and specific bays / areas cannot be allocated to specific properties as suggested by one local resident. It is not proposed to install any advisory H-bar markings as part of the works to cover any specific access point. No new double yellow lines were considered appropriate to introduce as part of the proposals at the junction of William Street / Balderton Gate.

Three areas were identified by local residents through consultation where parking currently occurs that is not on the main section of William Street and suggested that these areas should be included in the permit scheme, these are:

- Area 1. An access road and parking area between 50 and 56 William Street;
- Area 2. Parking area between 44 and 38 William Street leading to a grassed areas and footpaths at the rear of Howes Court and;
- Area 3. An access road and parking area at the side of 18 William Street.

Each area is referenced on drawing H/04078/1925/03 enclosed as part of the report. All these areas are not public highway and the land is owned by Newark and Sherwood District Council (NSDC). Two of these areas provide vehicular access to private parking areas for residents of Howes Court that are managed by permits provided by NSDC. The residential complex is managed by Newark and Sherwood Homes (NSH). There is no Traffic Regulation Order covering parking restrictions / zones along these sections.

Meetings and discussions have been held with NSDC and NSH regarding the inclusion of these areas in the residents' parking scheme. A traffic regulation order can be put in place on areas of land that is not public highway with the land owner's permission and no transfer of land is required. Any subsequent change in use of the land or alteration in the permissions would require the traffic order to be amended.

It has been agreed that Area 1 between 50 and 56 William Street is not included; the access road is narrower at this location and doesn't have the appearance of public highway.

Due to the width available at this location any vehicles parking within this area may have to go into the Howes Court area to turn around.

Area 2 between number 38 and 44 William Street is not included. This area may be subject to further development in the future and it was considered that a traffic order on this section may have an impact on the development plus require the amendments to the order in the future.

Area 3 at the side of 18 William Street was included in the public advert subject to agreement with NSDC. The district council has agreed in principle for this to be included in the scheme subject to no land transfer being required and has requested that residents of Howes Court have the option for a limited number of permits. As part of the questionnaires Howes Court was not included in the questionnaires due to off-street parking provision being provided by NSH. It is proposed that ad hoc requests will be considered by the District Manager once the scheme is implemented subject to assessments on usage and availability.

As two areas will not be included in the proposed traffic order, any issues with contravention and enforcement within those areas would be the responsibility of NSDC. As part of the works to implement the RPS the siting of signs indicating the end of the residents parking zone and start of the private parking area will be considered and agreed with the district council with any changes being completed as part of the scheme.

11. Objections – Whitfield Street

Six objections were received from residents of Whitfield Street following public advertisement of the proposals. Objections were linked to the issue of displaced parking as a result of the permit scheme on William Street and New Street and suggestions that a large numbers of properties were unoccupied when the questionnaires were sent out, concerns that results are not reflective of residents' views and that the process should have included face to face consultation and be provided in alternative languages.

Response – Whitfield Street

A residents' parking scheme for Whitfield Street was included in the 2014-15 annual highway programme and proposals delayed on William Street to combine the two schemes. It is considered that this would have helped manage issues related to displaced parking. However, as stated questionnaires were sent out to residents on Whitfield Street and of the 79 sent out there were 27 (34%) replies of which 14 (52%) were in favour of such a scheme. The response rate fell short of the County Councils criteria (35% / 65%) and due to the response and levels of support proposals for Whitfield Street were dropped. The questionnaires were sent out to individual households by letter in the same way as other similar type schemes, no requests for alternative language letters or face to face meetings were received at the time.

12. Objections – Barnby Gate

Four objections were received over concerns about further displaced parking on Barnby Gate causing further issues to those currently encountered by residents. Objections included two from residents, a petition (2014/092) presented at the County Council meeting on 20th November 2014 by Councillor Maureen Dobson of 12 signatures requested a residents' parking scheme between numbers 75 and 91 Barnby Gate and an objection from County Councillor Maureen Dobson. The objection from Councillor Dobson is as a result of comments received from constituents on Barnby Gate; the properties on the north side of Barnby Gate opposite William Street are within the Collingham Electoral Division. Whilst not against the proposals for William Street, Councillor has objected on the basis that Barnby

Gate is considered as a whole and suggested proposals are deferred until this has been completed.

Response – Barnby Gate

The County Council has an ongoing programme of review and proposed changes to on-street parking restrictions. This has resulted in several schemes being proposed to address existing parking issues such as the new residents' parking scheme on William Street, Newark. The inclusion of Barnby Gate was outside the scope of the project and the request has been made as a result of the proposed William Street scheme as residents consider that existing William Street parking may be displaced to Barnby Gate. It is, however, far from certain that this displacement will occur, as is the level of additional parking that may occur.

The Traffic Regulation Order for the William Street residents' parking scheme was already advertised when the petition was received and to amend it to include Barnby Gate at this stage could further delay the delivery of the scheme and possibly generate further objection. Any residents' parking scheme on Barnby Gate would also likely need to encompass more than a small section of the road. In the response to the petition Transport and Highways Committee on the 8th January 2015 approved the recommendation for parking surveys to be undertaken on Barnby Gate prior to the introduction of the William Street residents' parking scheme so that the extent of any displaced parking can be determined once the scheme has been implemented.

13. Objections – Balderton Gate

Two objections were received from local Bed and Breakfast businesses located on Balderton Gate on the junction with William Street. Concerns raised include eligibility for permits as 117 and 119 Balderton Gate both have vehicular access off William Street, concerns over further displaced parking in the area, access difficulties to the rear of the properties due to vehicles parking across the vehicle crossing and suggested that double yellow lines are introduced on the junction of William Street and Balderton Gate. Both objections suggest that as the key issue is related to long term commuter parking then restrictions should be amended to 0900 - 1700 hours Monday to Friday which in their view will still achieve the objectives of the scheme and minimise the impact on visitors to their businesses.

Response – Balderton Gate

Usually as part of any RPS the property adjacent to the proposals on the junction is included in the eligibility for permits. As both 117 and 119 Balderton Gate have vehicular access off William Street it is considered that the situation is the same for both properties and as they have demand as residents and local businesses then the proposed boundary of the RPS should be amended – this is reflected in the revised recommendation.

No other comments have been received to amend the days or times of the proposed scheme. It is considered that restrictions are required Monday to Saturday to help alleviate issues related to both long term commuter parking and visitors to the town centre area. The times advertised were based around times typically used on other RPS zones, however based on comments received it is proposed that the restrictions are amended to 0900 – 1700 hours as suggested.

Other Options Considered

14. Other options considered related to the days / times of operation of the scheme and extents of the scheme. This is reflected in the William Street proposals being delayed to incorporate

Whitfield Street although this changed as a result of questionnaire results. The amendments to the advertised proposals reflect comments received.

Comments from Local Members

15. The local County Councillor Stuart Wallace is in support of the revised scheme. As discussed in the report an objection was received from County Councillor Maureen Dobson due to the perceived impact on adjacent roads that lie within a neighbouring electoral division.
16. Newark Town Council is supportive of the proposals.

Reasons for Recommendations

17. The proposals are to be introduced to remove the parking problems caused by non-residential parking on William Street and New Street.

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 NHS Constitution (Public Health only), 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. Funding provision has been made from the 2015/16 Integrated Transport Measures (ITM) budget and works will cost in the region of £6,000.

Crime and Disorder Implications

20. Nottinghamshire Police have made no comments on the proposal.

RECOMMENDATION/S

It is recommended that:

The Nottinghamshire County Council (William Street and New Street, Newark On Trent) (Prohibition Of Waiting And Residents' Controlled Zone) Traffic Regulation Order 2015 (3185)

is to be made as advertised with the following amendments and objectors notified accordingly:

- Amend hours of operation from 0800 – 1800 hours to 0900 – 1700 hours and
- Amend boundary of proposed residents parking schemes (properties eligible to apply for permits) to include 119 Balderton Gate.

The revised scheme layout is shown in drawing H/04078/1925/03.

Neil Hodgson
Service Director (Highways)

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 24/06/15)

21. This decision falls within the Terms of Reference of the Transport & Highways Committee to whom responsibility for the exercise of the Authority's functions relating to traffic management have been delegated.

Financial Comments (GB 24/06/15)

22. The financial implications are stated in paragraph 19 of the report.

Background Papers

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.

Electoral Division(s) and Member(s) Affected

Newark East ED

Councillor Stuart Wallace