



5 December 2019

Agenda item: 14

REPORT OF CORPORATE DIRECTOR, PLACE

PROPOSED BUS STOP CLEARWAYS – MANTON ESTATE, WORKSOP (BA0037, BA0052, BA0039, BA0010, BA0006, BA0005, BA0004 AND BA0656)

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

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, (in accordance with the Equality Act 2010), is not negated;
 - Ensure that bus services operate on time and are not delayed.
4. The County Council has received reports from the bus operator and members of the public regarding obstructive parking affecting access to a number of bus stops on the Manton estate in Worksop that is inhibiting traffic movements on the highway. In response, it is proposed to implement bus stop clearways (No Stopping Monday to Sunday 7.00am to 7.00pm) at the following locations:
 - BA0037 Pelham Street (located on Shrewsbury Road);

- BA0052 Kingston Road (located on Kingston Road);
 - BA0039 Spur Crescent (located on Rufford Street);
 - BA0010 Edinburgh Road (located on Cavendish Road);
 - BA0006 Martlet Way (located on Cavendish Road);
 - BA0005 Hannah Park View (located on Cavendish Road);
 - BA0004 Cavendish Road (located on Cavendish Road); and
 - BA0656 Richmond Road (located on Richmond Road).
5. The proposals were consulted on between 26th July and 23rd August 2019. Objections were received in respect to 4 of the 8 proposed bus stop clearways, namely stops BA0006 and BA0010 on Cavendish Road, BA0052 on Kingston Road and BA0656 on Richmond Road, Worksop. No responses were received in relation to the other proposed clearways.
 6. Cavendish Road, Kingston Road and Richmond Road are local roads which link together to form a circular route through the Manton estate. The roads comprise of predominately semi-detached properties, the majority of which have off-street parking. The stops are served by Stagecoach service 4, which operates a 20-minute service from Monday to Saturday from around 7.30am to 6.30pm. The Service 4a operates hourly on the same route on a Sunday.
 7. The attached site notices for BA0006, BA0010, BA0052 and BA0656 represent the proposals.
 8. During the consultation period a total of eight responses were received in relation to these stops, seven of which are considered to be outstanding objections. Four objections relate to BA0010 and one each to BA0006, BA0052 and BA0656 respectively.

Objections Received

9. Objection – Loss of on-street parking
A common theme to all the objections was that the respondents viewed the bus stops as available kerb-space to park private vehicles and objected to the loss of on-street parking. Two respondents commented that they had small children and stated that they needed to be able to park directly outside their destination. One householder stated that they were disabled and required close access to their vehicle and a further two respondents that they had disabled visitors who they felt needed to be able to park directly outside their properties.
10. Response – Loss of on-street parking
Nottinghamshire County Council has received complaints regarding parked cars obstructing access to the bus stop and of congestion for other road users resulting from buses being unable to pull into the stops. The County Council therefore proposes to install bus stop clearways at these stops to prevent vehicles parking or waiting Monday to Sunday between 7.00a.m and 7.00pm. Outside of these times the kerb-space will remain available for parking.
11. The proposed bus stop clearways will enable the bus 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 safely access the bus.
12. On-street parking / loading on the highway is still available close to the clearways and elsewhere on these roads and the wider network. 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 unreasonable obstruction to traffic. This may require drivers with insufficient or no private off-street parking provision to park further away from

their property or to make other arrangements such as renting a garage, for example, to ensure their vehicle is parked appropriately. All respondents who raised concerns in relation to visitors with young children or their disabled visitors have access to private off-street parking on their drives, which can therefore be utilised by these visitors.

13. The householder objecting to the proposed clearway at stop BA0006 stated that they were disabled and were directly affected by the proposed clearway. Given the respondent's objection and their specific needs, consideration has been given to the introduction of an advisory disabled bay at this location, as the necessary criteria have been met in terms of disability. An advisory disabled bay could be introduced behind the proposed clearway, but the householder has indicated that they do not consider that this bay meets their needs and as such an alternative access improvement has been offered which would enable them to access their driveway.
14. It is considered that either of these mitigation measures is suitable for the needs of the householder and will ensure their access to the Highway is maintained, in line with the County Council's responsibility under the Equality Act 2010. At this time the householder has not accepted either option, however both remain available to them until such time as the clearway works are completed.
15. Objection – Obstruction of vehicle dropped access
One respondent stated that access to their off-street parking would be obstructed by the clearway.
16. Response – Obstruction of vehicle dropped access
The householders' right of access to their driveway / parking area is not adversely affected by the introduction of these bus stop clearways. An authorised dropped kerb vehicle access provides a right of vehicular 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.
17. Objection – Bus stop not required / should be moved
Four respondents objected on the grounds that the stop should be moved to an alternative location away from their property frontage. 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.
18. Response – Bus stop not required / should be moved
The County Council has received complaints regarding parked cars obstructing access to the bus stops on the Manton estate. Stops are served by Stagecoach service 4, which operates throughout the day to key locations such as the town centre and Bassetlaw Hospital. The service offers sustainable transport choices to residents, not all of whom have access to a private car. Data from the 2011 census shows that in Bassetlaw nearly a quarter of households (23.7%) 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, convenient and function effectively and reliably.
19. Nottinghamshire County Council policy requires bus stops to be positioned at regular intervals (between 150 - 200m in urban and semi-rural areas) to ensure that the network is as accessible as possible. The bus stops in question are located appropriately within the spread of stops serving this route and no benefit to passengers has been identified in relocating any

of the bus stops. In addition, the 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. As such it is not considered appropriate to relocate the bus stop from their current positions.

Other Options Considered

20. Other options considered relate to the length of time and number of days that the bus stop clearways are in force. The clearway periods proposed reflect the operational times of the services using these stops.

Comments from Local Members

21. No comment on the proposals were received from County Councillor Kevin Greaves during the consultation period.

Reason/s for Recommendation/s

22. The measures contained in the proposed clearway restrictions are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers and having particular regard to the respective needs of those with protected characteristics, be they residents, drivers or bus users. The proposals will assist the safe and effective operation of local bus services.

Statutory and Policy Implications

23. 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

24. Nottinghamshire Police stated that they had no objection to the proposed clearways. No additional crime or disorder implications are envisaged.

Financial Implications

25. This scheme is being funded through the Local Transport Plan ITM budget for 2019/20 with an estimated cost to implement the works and traffic order of £5,600.

Human Rights Implications

26. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

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. It is considered that a key part of facilitating this is making bus service provision more accessible to disabled people by ensuring they may safely board and alight buses which can pull up at raised kerb bus stops squarely and without a gap.
29. 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.

Safeguarding of Children and Adults at Risk Implications

30. The proposed waiting restrictions are designed to facilitate the safe and efficient operation of the bus service, offering sustainable transport options to residents of the Manton Estate. The proposals will also improve the operation of the highway network for drivers, cyclists and pedestrians.

RECOMMENDATION/S

It is **recommended** that:

- 1) The bus stop clearways proposed on the Manton Estate, Worksop (BA0037, BA0052, BA0039, BA0010, BA0006, BA0005, BA0004 and BA0656) are implemented and the objectors informed accordingly.

Adrian Smith
Corporate Director Place

Name and Title of Report Author

Mike Barnett - Team Manager (Major Projects and Improvements)

For any enquiries about this report please contact:

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Constitutional Comments (SJE 30/10/2019)

31. 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 (GB 30/10/20190)

32. The estimated cost of implementing the works and traffic order outlined in this report is £5,600. This will be funded from the 2019/20 Integrated Transport Measures capital budget which totals £7.3m and is already approved as part of the Communities and Place capital budget.

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, Nottingham. This includes:

- Equality Impact Assessment: (Proposed Bus Stop Clearways, Manton Estate, Worksop - BA0037, BA0052, BA0039, BA0010, BA0006, BA0005, BA0004 and BA0656)

Electoral Division(s) and Member(s) Affected

Worksop South ED

Councillor Kevin Greaves