

13 October 2021**Agenda Item:9****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (VARIOUS ROADS IN
CROPWELL BISHOP (PROHIBITION OF WAITING) TRAFFIC REGULATION
ORDER 2021 (8309)****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 subject to the amendments shown on drawing H/SLW/3534/01 Rev A.

Information

2. Cropwell Bishop is a small village situated approximately 10 miles south-west of Nottingham. Nottingham Road forms part of the main street through the village linking to the A46(T). The proposals relate to a section of Nottingham Road that provides access to several side streets, has residential properties fronting the road, several small businesses, a local public house, and Methodist church.
3. The County Council has received complaints from residents regarding issues with traffic congestion relating to parking on Nottingham Road. In 2019 a new Co-op opened, constructed on a private car park, which had previously been used informally by residents for off-street parking. This resulted in transferred parking onto the adjacent road and incidents of gridlock were reported.
4. County Councillor Neil Clarke and Cropwell Bishop Parish Council requested additional parking restrictions to ease traffic movements in the village, however the District Manager advised against clearing the route entirely as this could increase traffic speeds and exacerbate instances of rat running, which were also a concern amongst residents.
5. A pattern was devised where on-street parking would be retained in some areas of Nottingham Road thereby creating a chicane effect. This was informally agreed with Councillor Clarke and the Parish Council, accepting that public consultation would determine the eventual layout. Junction protection on Church Street is also to be included to replace advisory H-bar markings.
6. The statutory consultation, as agreed, was undertaken between 20th October and 16th November 2020, and are detailed on plan H/SLW/3534/01.

7. During the consultation period a total of 22 responses were received. Five of the responses, including that from Cropwell Bishop Parish Council expressed support and / or made comments on the scheme, the rest were considered objections.
8. Following consideration of the responses received during the consultation period the proposals were revised and agreed with Councillor Neil Clarke and the Parish Council. The revisions included a reduction in the extent of the proposed restrictions; by approximately 128 metres on the south side of Nottingham Road and Fern Road, and 14 metres on Stockwell Lane. The revised scheme also includes an advisory disabled parking bay on the south side of Nottingham Road, as requested by one of the respondents. The revised scheme is shown on plan reference H/SLW/3534/01 Rev A.
9. The revised proposal was sent to all the objectors. These respondents were asked to confirm, if considering the revised proposals, they wanted their objection to stand. Six respondents formally withdrew their objection. It is therefore considered that there are eleven outstanding objections to the revised proposals.

Objections Received

10. Objection – loss of on-street parking

Seven respondents objected on the grounds of loss of on-street parking; these comments included statements that the proposed restrictions were unnecessary or excessive. Respondents stated that parking opportunities within the village were already limited and that this would be exacerbated by the proposed restrictions. One respondent stated that a reduction in available on-street parking would negatively affect their business by reducing opportunities for customers to park.

Respondents referred to the 2019 redevelopment of a central private car park into a Co-op, which had reduced parking availability. They stated that additional on-street restrictions, would impact on residents who had no access to off-street parking, such as residents of Mill Lane. Several requests were made regarding the proposals; to reduce their extent, amend the proposed locations and for a resident parking scheme.

11. Response – loss of on-street parking

The double yellow lines (No Waiting at Any Time) proposed are to ensure sufficient unobstructed carriageway is available to facilitate the safe movement of vehicles and pedestrians, thereby facilitating efficient operation of the Highway. The restrictions are designed to address issues with visibility at junctions and reduce obstruction to traffic flow through the village caused by parked vehicles.

12. Nottinghamshire County Council as the Local Highway Authority has no duty to provide on-street parking and there is no legal right for a householder to park near their property. The purpose of the highway network is for the movement of people and vehicles and not for parking, although it is recognised that demand for such parking exists particularly in residential areas with limited off-street parking. The extent of the proposed restrictions has been revised and on-street parking retained where this is commensurate with the efficient movement of vehicles. On-street parking remains available on the wider highway network, including outside retail and leisure premises, providing parking opportunities for customers, residents, and their visitors.
13. Most properties on Nottingham Road have access to off-street parking and therefore do not meet criteria set by Nottinghamshire County Council, for a residents parking scheme.

14. Objection – proposals will displace parking and add to inconsiderate parking
Four objections stated that the scheme would result in parking migration to other areas within the village, negatively impacting on residents of those areas. Respondents stated that this would exacerbate existing issues with obstruction of driveway accesses, parking on bends, or encourage parking on private roads. Two respondents requested additional parking restrictions to address their concerns. It was stated that the new advisory disabled bay on Nottingham Road would obstruct refuse / delivery vehicles using Mill Lane.
15. Response – proposals will displace parking and add to inconsiderate parking
It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction, however the proposed restrictions are required to enable the safe movement of vehicles and pedestrians. The limits of the restrictions have been revised in response to consultation to retain on-street parking where this can be achieved without detriment to the effective and safe operation of the highway. The proposed disabled bay will not adversely affect access to Mill Lane as it will be installed on an area of highway which is currently unrestricted and already used for on-street parking.
16. There is always a balance to be struck between competing demands for a finite resource; it is considered that the proposed scheme offers a balanced solution improving highway operation with the least loss of parking. It is considered that the reduced extents of the restrictions will minimise the impact on those residents who may be affected by parking migration.
17. An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties can be the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy, on request from residents. The management of vehicle parking on private roads, such as the erection of warning signs or enforcement, is not a function of the Highway Authority and where such parking causes an obstruction, this would be a matter for the Police, who are empowered to enforce on this matter.
18. Objection – traffic speeds / safety concerns
Five respondents objected on the grounds that removing the parking would lead to increased traffic speeds in the village and / or place vulnerable users, such as pedestrians, near moving traffic as many of the footways within the village were narrow. Respondents stated that increased traffic speeds would make it more hazardous for vehicles (including pedal cycles) emerging from side roads or private car parks. They stated that allowing parking on the north side of Nottingham Road would have the effect of slowing down vehicles approaching the Co-op store.
19. Response – traffic speeds / safety concerns
Concern regarding the potential for an increase in traffic speeds was recognised at the design stage of these proposals. The scheme was developed in conjunction with the local Councillor, Parish Council and Highway District Manager to create a scheme which incorporates staggered parking areas along Nottingham Road. Vehicles parked at these locations will create an informal chicane effect, which will restrain traffic speeds whilst still enabling efficient traffic flow along the route. The Police stated that they had no objections to the proposals, and it is considered that the design is an appropriate response to pre-empt any negative impact of the anticipated improvement in traffic flow.
20. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists, and pedestrians. Obstructive parking near junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements into and out of the junction.

21. Objection – over-running or parking on footways

Four of the objections were concerned that the restrictions may encourage drivers to over-run or park on footways. Concerns were raised that this may damage adjacent property foundations and be hazardous and / or obstructive to pedestrians. Respondents cited comments from a District Manager from eleven years ago and extracts from a 2015 report relating to parking restrictions in Cropwell Bishop, which they viewed as a commitment from the County Council to retain parking on particular sections of Nottingham Road.

22. Response - over-running or parking on footways

The County Council made no commitment to permanently retain on-street parking at any location in Cropwell Bishop and would be unable to do so as the situation regarding patterns of parking and traffic levels is constantly evolving. The Highway Authority has a duty to facilitate the expeditious movement of traffic on the network and is acting on recent complaints regarding congestion and obstruction of traffic. The restrictions will make additional running width available on the carriageway, which was previously obstructed with parked vehicles. It is anticipated that the reduction in congestion and obstruction to vehicles will reduce the likelihood of impatient or impeded drivers over-running the footways to negotiate around obstacles. It should be noted that where pavement parking constitutes an obstruction it is a matter for the Police, who are empowered to enforce on this matter.

Other Options Considered

23. The other option that has been considered related to the extent of the waiting restrictions proposed. These were previously proposed to be more extensive, but have been reduced in response to concerns raised, whilst still fulfilling the primary objective of facilitating the safe and effective operation of the highway.

Comments from Local Members

24. County Councillor Neil Clarke expressed his support of the revised proposals.

Reasons for Recommendation

25. The other option that has been considered related to the extent of the waiting restrictions proposed. These were previously proposed to be more extensive, but have been reduced in response to concerns raised, whilst still fulfilling the primary objective of facilitating the safe and effective operation of the highway.

Statutory and Policy Implications

26. 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

27. Nottinghamshire Police expressed their support to the proposals. No additional crime or disorder implications are envisaged.

Financial Implications

28. The scheme is being funded through the 2021/2022 Traffic Management budget for Rushcliffe with an estimated cost to implement the works and traffic order of £1500.

Human Rights Implications

29. 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 within the scope of such legitimate aims.

Public Sector Equality Duty implications

30. 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 do not;
 - Foster good relations between people who share protected characteristics and those who do not.
31. 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.
32. 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.

RECOMMENDATION

It is **recommended** that:

- 1) The Nottinghamshire County Council (Various Roads in Cropwell Bishop (Prohibition of Waiting) Traffic Regulation Order 2021 (8309) is implemented as advertised subject to the amendments shown on drawing H/SLW/3534/01 Rev A.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

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Constitutional Comments (SJE – 14/09/2021)

33. This decision falls within the Terms of Reference of the Transport & Environment Committee to whom responsibility for the exercise of the Authority's functions relating to traffic management and traffic regulation orders has been delegated.

Financial Comments (SES 07/09/2021)

34. The financial implications are set out in paragraph 27 of the report. The estimated cost to implement the works and traffic order detailed in the report is £1,500. This cost will be funded as part of the contract with VIA which includes an allocation of £934,500 in 2021/22 for Traffic Management works.

Background Papers

35. 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.
36. 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.
37. Equality Impact Assessment:
- Cropwell Bishop – proposed waiting restrictions

Electoral Division(s) and Member(s) Affected

Bingham West

Councillor Neil Clarke