

17th July 2014**Agenda Item: 9****REPORT OF SERVICE DIRECTOR, HIGHWAYS****THE NOTTINGHAMSHIRE COUNTY COUNCIL (NORTH STREET AREA,
HUTHWAITE) (PROHIBITION OF WAITING) ORDER 2014 (4117)****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 the amendments as detailed in the recommendation.

Information and Advice

2. The North Street area in Huthwaite has had a residents' parking scheme in operation since 15 March 1989 and covers the roads of North Street, King Street, Duke Street and High Street. The current scheme is a mixture of residents parking, unrestricted parking and 2 hour limited waiting which applies Monday to Saturday between 8am and 6pm, excluding bank holidays.
3. Nottinghamshire County Council has received a number of queries relating to the existing residents' parking scheme which include:
 - Whether the location and details of the current lines and signs within the current restrictions are correct;
 - Requests for unrestricted parking spaces within the scheme;
 - Requests for additional residents' parking places to be provided;
 - Requests for additional restrictions outside of the existing scheme;
 - Requests for provision of loading facilities for the existing businesses and additional enforcement patrols.
4. As a result of concerns raised a review of the scheme was carried out in February 2012 in which residents and businesses were asked to respond to a questionnaire. Results from the questionnaire indicated that 80% of respondents requested that the scheme remain but raised a number of issues. Based on feedback provided a proposal was sent out for consultation in 2012 providing more residents parking places. However, this did not resolve all the issues raised and the consultation highlighted the different needs between individual residents and businesses.
5. As a result of the County elections in 2013 the scheme was put on hold due to the previous member not standing for re-election, residents were advised at the time.

Feedback from the newly elected local member Councillor Hollis indicated that the general consensus from his own detailed consultation was that the residents' parking scheme was no longer required and that removal was the favoured option which he supported.

6. Further consultation with all the residents was conducted during October and November 2013 to establish if there was support for the removal of the residents' parking scheme. This was done in the form of postcard questionnaires and a total of 67 postcards were issued to the residents and businesses eligible for a residents' parking permit. A total of 42% of those residents/businesses consulted responded with 75% supporting the removal of the scheme. Therefore, both criteria set by Nottinghamshire County Council (35% response rate is required, of these 65% of respondents need to be in support) have been met for the residents' parking scheme to be removed.
7. The final proposals, which can be seen on the enclosed drawing 47059385.4117.405 were consulted on and publicly advertised between 15th January 2014 and 21st February 2014. The document packages were held at Huthwaite Library and County Hall and copies of the notice were erected at a number of locations in the area. All those residents / businesses entitled to a residents' parking permit were consulted as were the properties between 13 and 19 Sutton Road.
8. As part of the scheme, the following parking restrictions were proposed as the replacement to the residents' parking scheme:
 - The introduction of a continuous single yellow line restriction operating between 8am and 6pm Monday to Saturday on both sides of Duke Street to enable safe and unobstructed loading and unloading to the businesses and ensure traffic movement is maintained;
 - The provision of a loading bay outside numbers 2 to 6 King Street to enable safe and unobstructed loading and unloading to the business premises;
 - The provision of 2 hour limited waiting with no return in 2 hours within the existing parking bay outside 13 to 19 Sutton Road;
 - The removal of parking bays on Duke Street, North Street, King Street and High Street;
 - The retention of all the other existing single yellow line restrictions operating between 8am and 6pm Monday to Saturday on Duke Street, North Street, King Street and High Street in order that parking does not cause an obstruction and road safety is maintained;
 - The retention of the double yellow line restrictions on North Street and King Street

Objection Received

9. During the consultation and advertisement period, seven comments were received with six considered as outstanding objections.
10. Objections 1 and 2
Two objections were received, one anonymously and the other as a resident of North Street regarding the location of restrictions outside 35-39 North Street.

One resident requested that the residents' parking scheme be retained at this location and the current single yellow line (8am to 6pm Mon – Sat) restrictions outside their house be removed to allow parking. However, another objector requested that the existing restriction be increased to a 24 hour restriction (double yellow line) to ensure that the factory can maintain heavy goods vehicle access.

Response

This location is opposite the entrance to the factory and it is proposed to maintain the existing 8am – 6 pm restriction (single yellow line) to allow access to the factory during the day but parking for the residents during the evening and overnight. The proposed scheme is the same as the existing restriction and is a compromise between the objections received.

11. Objection 3

A resident on Sutton Road is objecting to the proposals and requesting that existing visitor parking bays on North Street close to the Sutton Road junction are altered to residents' parking bays. This is to offer the resident greater opportunity to park outside their house for limited periods during the day.

Response

The Nottinghamshire County Council criteria have been met to remove the residents' parking scheme, providing a scheme to enable one resident to park for limited periods is not practical. Currently the parking on North Street between Sutton Road and Duke Street is designated as visitor parking and as part of the proposals this will be unrestricted. In addition areas previously requiring a permit will be available for any road user subject to the availability of space. The introduction of limited waiting bays further along Sutton Road should also provide a higher turnover of parking and possible capacity to park for up to 2 hours within the proposed time restrictions.

12. Objection 4

A business owner on King Street is objecting to the proposals on the basis that the proposed loading bay outside 2-6 King Street does not suit the business needs. This area is utilised by the employees of the business for parking at this location.

Response

The proposed loading bay is in place of an existing single yellow line parking restriction that has been illegally blacked out enabling the business to park across the existing dropped kerbs at this location. This arrangement is not supported by any regulations.

Providing a loading bay would enable the business to access their premises, and prevent indiscriminate parking. Removing the single yellow line restriction would allow anyone to park in this area unless causing an obstruction and would not ensure the business access.

However, based on feedback from the business and also concerns from another objector about displaced parking the recommendation is to exclude this element of the proposals and part make the traffic regulation order with the option to reintroduce the advertised loading bay within two years of making the Traffic Regulation Order should issues / problems with access be encountered.

13. Objection 5

A local business owner is concerned about the future plans for the factory which is currently empty and that this might result in the reintroduction of another scheme in the future. The limited waiting outside the businesses on Sutton Road between North Street and King Street is welcomed but have commented that the 2 hour time restriction is reduced to 30 minutes. The business owner also wants to be able to park their van outside the shop from 2pm until the next morning due to concerns about vehicle damage.

Response

The proposed times of operation and duration were derived to consider the mix of businesses situated at this location. Therefore providing a 2 hour limited waiting period accounts for the differing mix of businesses. However, the recommendation will include a proposals to reduce the time of operation from 6pm to 4pm. This would allow parking from 2pm and throughout the evening and overnight subject to availability of space.

14. Objection 6

A local resident on King Street is objecting stating that the residents parking scheme should not be removed as the proposed changes will increase the pressure on the available parking on King Street making the residents' parking scheme essential. Issues raised by the objector include:

- Vehicles that currently park in the area of the proposed loading bay on King Street and on Duke Street (in area of proposed no waiting restrictions) will be further displaced into the residential area;
- The resident believes that the survey completed at the end of 2012 was more accurate and representative of the needs of residents and businesses;
- Disputes the findings of the questionnaire carried out during October and November 2013 and due to the change in opinion on retaining the residents' parking scheme states that there must be an error in the data and has no confidence with the results. In addition the objector has queried why the local member was provided with copies of the questionnaires as part of this process;
- The local resident has concerns that the questionnaire asking for opinion on removing the scheme was misleading. This was because it did not include details of the proposed additional restrictions within the area that the resident considers will have a large impact on parking;
- Consultation responses have been provided to the objector through a Freedom of Information (FOI) request. Based on information provide the resident feels that scheme should be left as it is with a few minor alterations;
- Feels that residents on King Street do not support the proposed removal and if considered on its own would not meet the criteria set out by the County Council;
- Prefers to see residents parking retained outside the objectors property

Response

Whilst previous consultations did indicate support for the scheme, views can change as a result to differences in parking behaviour and needs. This is reflected in the fact that criteria set by Nottinghamshire County Council has been met to remove the residents' parking scheme. As part of a FOI request data provided to the objector confirmed that responses from residents on King Street, if considered independently did meet the County Council's criteria for scheme removal. From 31 matching address, 16 responses were received with 13 respondents agreeing that the current RPS is no longer required and should be removed, this represents a response rate of 52% and 81% of respondents supporting the proposal.

It is correct that the local member, Councillor Hollis did ask for copies of the questionnaires sent out in October 2013 to hand out as part of his routine door knocking of local constituents. Copies were provided on the understanding that additional ones were only handed out to any residents claiming to have lost or not received them. All returns were checked for duplicates and that they were from valid address on return to the designer. As part of an FOI request copies were provided to the objector with personal information removed.

The questionnaire sent out during 2013 was designed to simply confirm views on the retention of the residents' parking scheme. Detailed proposals were subsequently included in consultation and public advertisement documents, at which stage anybody can comment or object.

Assurances have been provided by County Council officers directly to the objector that the process followed is correct and that results have not been manipulated. These assurances have also been confirmed through correspondence via the Ashfield MP and also the Chair of Transport and Highways Committee.

A key concern raised by the objector is the displacement of parked vehicles from the proposed single yellow lines on Duke Street, loading bay on King Street and limited waiting bay on Sutton Road. The proposed restrictions should provide greater flexibility within the North Street area for residents and businesses on the basis that any areas of unrestricted highway can be utilised. Clearly, with the road being a public highway and without specific permit bays road users can choose to park anywhere so there is a risk that vehicles may be displaced outside residential properties. It is suggested that given the results of the last set of questionnaires completed the opinions on intrusive parking previously encountered in this area are not the same as previously held.

However, in order to minimise displacement and alleviate concerns raised the County Council proposes to modify the advertised proposals by not introducing the following restrictions:

- Limited waiting restrictions (single yellow lines) on north side of Duke Street in place of existing visitors parking places;
- Loading bay outside units 2-6 King Street (as detailed in section 12);

- In addition the time limit of the parking bay on Sutton Road (as detailed in section 13);

The County Council proposes to retain the option to reintroduce these restrictions within two years of making the permanent Traffic Regulation Order to respond to any issues caused by parking at these locations. The resident has been notified of the process the County Council uses to report and consider objections and has been provided with details of the date and time of the Committee meeting.

Other Options Considered

15. Other options considered relate to the extents / types of restrictions and the have been reflected in the multiple rounds of consultation undertaken by the County Council.

Comments from Local Members

16. The local County Councillor Tom Hollis promoted the removal of residents' parking schemes and supports the proposals.

Reason for Recommendation

17. The recommendations represent the most appropriate action to satisfy the majority view.

Statutory and Policy Implications

18. 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

19. The scheme was originally planned to be funded by the 2013/14 Integrated Transport Measures (ITM) Highways budget. Due to delays and issues raised through consultation, funding provision has been made from the 2014/15 ITM budget and will cost in the region of £5,000.

Crime and Disorder Implications

20. Nottinghamshire Police have raised no objection to the proposals.

RECOMMENDATIONS

It is recommended that:

The Nottinghamshire County Council (North Street Area, Huthwaite) (Prohibition of Waiting) Order 2014 (4117) is made as advertised with amendments and objectors advised accordingly.

Amendments are:

- a) The provision of 2 hour limited waiting with no return in 2 hours within the existing parking bay outside 13 to 19 Sutton Road to be enforced between 8am and 4pm Monday – Saturday;
- b) Exclude a length of 25 metres of the single yellow line restriction on the north side of Duke Street;
- c) Exclude the removal of the loading bay outside units 2 – 6 King Street.

In accordance with 'Guidance on the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the above amendments may be introduced in a time period of up to two years from the making of the TRO4117 subject to review and confirmation that parking is causing issues with access, safety or congestion.

Recommendations amendments to the advertised Traffic Regulation Order are shown on enclosed drawing 4705385.4117.406

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Service Director (Highways)

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Constitutional Comments (LM 25/06/14)

21. The Transport and Highways Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (GB 25/06/14)

22. The financial implications are as contained in paragraph 19 of this 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

Huthwaite ED

Councillor Tom Hollis