

13 October 2021**Agenda Item:10****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (HARTLAND DRIVE, SEATON WAY, SHALDON CLOSE AND SPRING LANE, MAPPERLEY) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2021 (7236)****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/JAB/3600/10 Rev A.

Information

2. Hartland Drive, Seaton Way and Shaldon Close are roads within a new housing development off Spring Lane that was first occupied in 2016/17. The site is approximately 6.5 Km (4 miles) north-east of Nottingham city centre. Spring Lane is the main route between Mapperley Plains and Lambley village. The housing development is adjacent to the Gedling Country Park which opened in 2015. There are three pedestrian entrances into the park from within the housing development. The country park is a popular tourist destination and has a car park with over 200 spaces, accessed from Spring Lane.
3. Since March 2020, and the introduction of the restrictions for fighting the Covid 19 pandemic, there has been a large increase in the numbers of people visiting the country park. At times this has resulted in a high demand for the car parking facilities within the park. This has led to users parking on the roads within the housing development to then access the park on foot. This has frequently resulted in large numbers of parked cars within the estate creating highway safety concerns and making it difficult for residents and their visitors to gain access or egress.
4. In response to the parking issues the local County Councillor, Michael Payne, on behalf of the residents, had asked for parking restrictions to be introduced to help alleviate the problems. The initial response was to introduce temporary restrictions to immediately relieve the issues. Soon after, in December 2020, an initial consultation was sent to all the residents within the estate, a total of 149 letters, asking for their opinions on the introduction of permanent parking restrictions. The consultation showed three different options for Hartland Drive and Seaton Way, including options for both single and double yellow lines. The consultation period ended on 8th January 2021 with responses from 35 residents. The consultation attracted a large range of opinions; suggestions ranged from having no restrictions to having restrictions on all roads throughout the estate.

5. After considering all the responses to the initial consultation a revised scheme was drawn up for the statutory public consultation. The main aims of the proposals are to keep the bends and junctions clear of parked vehicles especially near the pedestrian entrances into the country park. In response to comments made during the initial consultation the proposals minimise restrictions directly outside properties. Also, a section of carriageway on Hartland Drive was left unrestricted to allow for some on-street parking, between Spring Lane and the start of the houses. The consultation period started on 1st March and ended on 26th March 2021. The extents of the restrictions are shown on plan H/JAB/3600/10.
6. Twenty-two responses were received during the consultation, of which eight are considered to be outstanding objections to the scheme. One respondent objected to the extent of double yellow lines outside their property and requested this be shortened to allow parking for one vehicle. The proposals were designed to minimise parking restrictions directly outside properties and so reduce the impact on drivers visiting residents and so it is considered that the proposed restrictions can be reduced per the request, without an adverse effect on the safe operation of the Highway. Therefore, it is proposed that the advertised scheme be amended to accommodate this, with the revised extents shown on H/JAB/3600/10 Rev A.

Objections Received

7. Objection – additional parking restrictions required
Four respondents objected on the grounds that they considered the proposed restrictions were insufficient. Comments included a request for additional restrictions at the junction of Hartland Drive and Seaton Way, another stated their preference for all the roads within the estate to be subject to double yellow lines.
8. Response - additional parking restrictions required
The proposed extents for the scheme were carefully considered and informed by initial consultation and discussions with the local Member. The proposed restrictions take into account the demand from residents for on-street parking for their visitors, the potential for parking migration and the need for highway safety. The restrictions are concentrated on the bends and junctions near the pedestrian entrances into the Country Park. It is considered that the extent of the proposed restrictions provides the best balance between addressing the problem of obstructive parking whilst maintaining the availability of on-street parking where appropriate.
9. Objection – loss of on-street parking
Two respondents objected on the grounds that the proposed double yellow lines were inappropriate for a residential area and they did not want the lines outside their properties. They stated that lines would limit the places where their visitors could park and were disproportionate to the nature of the problem. Comments included a request for a residents' parking scheme instead.
10. Response – loss of on-street parking
The proposed restrictions are designed to facilitate the safe and efficient operation of the Highway by removing parking from areas where this parking is obstructive in order to facilitate the safe and efficient operation of the Highway. The double yellow lines are felt to be the most effective way of stopping parking at inappropriate locations. The proposed restrictions are located on the opposite side of the road to the objectors' properties on Seaton Way; there are in fact no restrictions proposed directly outside the properties.

Nottinghamshire County Council's criteria for the provision of resident parking schemes was revised on 17th March 2016. In addition to the previous requirements, it states that "residents' parking schemes are only delivered where people do not have off-street parking". The respondents all have off-street parking provision, which means the area does not meet the Council's criteria for the introduction of a residents' parking scheme.

11. Objection – Proposed restrictions will encourage parking outside property

One objector lives on Seaton Way and felt that having double yellow lines on only one side of the road (opposite side to properties) drivers would be encouraged to park outside their property instead. They stated that drivers would park half on and half off the footway which would obstruct the footway for pedestrians. The objector stated they would prefer either double yellow lines on both sides of the road or no double yellow lines at all.

12. Response – Proposed restrictions will encourage parking outside property

Responses to the initial consultation indicated that the residents did not want parking restrictions directly outside their properties and the advertised proposals reflect this by retaining the opportunity for residents' visitors to park outside the relevant property. The proposals on Seaton Way will ensure that at least one side of the road will be kept clear of parked vehicles to allow the safe and efficient passage of traffic and pedestrians.

13. Objection – Restrictions inappropriate / other measures required

Two objections were on the basis that other measures were required, either in addition to or instead of the proposed restrictions. One objector stated that the estate was a semi-rural development and the introduction of double yellow lines was inappropriate. They stated that the parking problems could be alleviated by the construction of a bigger car park in the country park. The objector believed that no other alternatives had been considered. Both objections requested permanent signs to inform drivers that there is no parking within the estate for the country park.

14. Response – Restrictions inappropriate

As a Highway Authority the County Council has a duty to ensure the safe and efficient movement of people and vehicles on the Highway. The proposed restrictions are considered to be an appropriate response to manage parking on the estate roads and mitigate the problems highlighted by the residents and the local County Councillor. Two rounds of consultation have been undertaken, considering a range of options, in order to determine the most appropriate solution to the identified issues.

The country park and its car park are the responsibility of Gedling Borough Council and are not within the control of the County Council. The car park has already been enlarged from its original capacity. Permanent signs, as suggested by the objector, cannot be installed as the roads within the estate will be dedicated highway and only signs of a type prescribed by the Department for Transport may be installed on them. A new sign has been proposed, however, on Spring Lane (opposite Hartland Drive) which will direct drivers to the country park car park.

Comments from Local Members

15. Councillor Michael Payne fully supports the proposals. There were no comments received from Councillor Pauline Allan

Reasons for Recommendation

16. The proposed scheme offers an appropriate solution to mitigate road safety concerns and facilitate the safe operation of the highway. It is considered that the proposed scheme presents a reasonable and proportionate balance between the needs of all highway users, including non-drivers, who live in or visit the area.

Other Options Considered

17. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The restrictions are considered to be a reasonable balance between the need to ensure the safe operation of the highway and on-street parking provision.

Statutory and Policy Implications

18. 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

19. Nottinghamshire Police did not comment on the proposals. No additional crime or disorder implications are envisaged.

Financial Implications

20. The scheme is being funded from the Gedling revenue budget with an estimated cost to implement the works and traffic order of £2,000.

Human Rights Implications

21. 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

22. 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.

23. 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.

RECOMMENDATION

It is **recommended** that:

- 1) The Nottinghamshire County Council (Hartland Drive, Seaton Way, Shaldon Close and Spring Lane, Mapperley) (Prohibition of Waiting) Traffic Regulation Order 2021 (7236) is made as advertised with the amendments as shown on plan H/JAB/3600/10 Rev A and the objectors advised accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Helen North – Improvements Lead Tel: 0115 9772087 / Naomi Cook (Major Projects and Improvements Manager) Tel: 0115 9773290

Constitutional Comments (SJE – 24/08/2021)

24. 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 [RWK 23/08/2021]

25. The estimated cost to implement the works and traffic order detailed in the report is £2,000. This cost will be funded as part of the contract with VIA which includes an allocation of £934,500 for Traffic & Parking works.

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

- Arnold North ED
Councillor Michael Payne
Councillor Pauline Allan