

**5<sup>th</sup> November 2020****Agenda Item:9****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (REMPSTONE ROAD, EAST LEAKE) (PROHIBITION OF DRIVING) TRAFFIC REGULATION ORDER 2020 (8300) AND THE NOTTINGHAMSHIRE COUNTY COUNCIL (REMPSTONE ROAD, EAST LEAKE) (40 M.P.H. SPEED LIMIT) ORDER 2020 (8301)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider the objections received in respect of the above Traffic Regulation Order and Speed Limit Order and whether they should be made as advertised.

**Information**

2. East Leake is a large rural village, located approximately 13km south of Nottingham in the Borough of Rushcliffe. Rempstone Road is a local distributor road linking the southwest of the village centre with the Loughborough Road and A6006 Melton Road past Home Farm. Planning permission was granted, on appeal, in November 2017 for the erection of 235 dwellings and associated infrastructure (Ref 16/01881/OUT) in East Leake. The development is located on land to the north of Rempstone Road, which was previously used for agricultural purposes. Conditions attached to the planning permission require that the speed limit on Rempstone Road in the vicinity of the development be lowered to 40mph and that part of the eastern arm of Rempstone Road (between Home Farm and its junction with Loughborough Road) be closed to motorised traffic.
3. In accordance with the planning conditions, the County Council proposes to lower the current derestricted (60mph) section of Rempstone Road to the west of Loughborough Road to 40mph and to implement a prohibition of driving on Rempstone Road at its eastern junction with Loughborough Road as detailed on the attached plan H/JAB/3372/01. The prohibition of driving would apply to motorised vehicles only, a through-route for pedestrians, cyclists and equestrians is proposed to be retained and the proposals includes a gate to the north of Home Farm on Rempstone Road to prevent vehicles (other than those requiring legitimate access) from accessing the north-western stretch of the road up to the point of closure. An appropriately sized gap will be retained adjacent to the gate to allow non-motorised users unimpeded access. The gate is designed to reduce the likelihood of the closed section being used as a fly-tipping site and prevent vehicles needing to reverse back along this section of road as there is no space within the highway to create a turning head.

4. The proposals were publicly advertised between 12<sup>th</sup> March and 14<sup>th</sup> April 2020. The consultation period was interrupted by the Covid19 lockdown and inhibited the public's opportunity to be meaningfully involved in the consultation process. To ensure the process was fully accessible to all, the consultation was resumed when restrictions on movement were lifted and the second consultation period operated from 15<sup>th</sup> June to 17<sup>th</sup> July 2020. All submissions, received during either consultation, are considered in this report.
5. During both consultation periods a total of 38 responses were received, of which eleven expressed support and eleven made comments on the proposals. It is considered that there are 16 outstanding objections to the proposals, including an objection from East Leake Parish Council.

## **Objections Received**

### **6. Objection – Speed limit**

Three respondents, including the Parish Council objected to the proposed 40mph speed limit. One respondent objected to the lower limit, stating that it would increase congestion and inconvenience rural residents commenting that significant improvements were required to straighten local roads, increase junction capacity and generally upgrade the local distributor network to carry more traffic. The remaining respondents objected to the proposed limit on the basis that they considered the that the restriction should be a lower limit of 30mph.

### **7. Response – Speed limit**

The County Council use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include existing traffic speeds, history of collisions, road purpose/function, population size, expected vulnerable road users and environmental effect. A 30mph speed limit is normally only proposed where the road is clearly in an urban area with multiple properties directly accessed from the road.

8. The new development on Rempstone Road is located on one side of the road only and the properties will not have driveways directly accessed off the main road. The straight, rural nature of the road, combined with few vehicle accesses, low pedestrian and cyclist numbers do not visually reinforce a lower 30mph speed limit. If speed limits are set at an unreasonably low level it can increase collisions associated with driver frustration prompting inappropriate and unsafe overtaking manoeuvres to pass what they perceive as vehicles driving 'too slowly'. It is good practice to maintain the association between only built up areas and a 30mph speed limit.
9. It is not anticipated that the 40mph speed limit will increase traffic congestion, nor substantially increase journey times for residents.

### **10. Objection – Prohibition of driving**

Fifteen respondents, including the Parish Council, objected to the proposed prohibition of driving on the eastern arm of Rempstone Road. Concerns included that the proposals would increase traffic congestion at other junctions, most notably at the Loughborough Road / A6006 Melton Road junction, increase journey times and potentially lead to more vehicle collisions at other junctions. Respondents also stated that junctions in the surrounding area were already subject to congestion at peak times or were unfit for purpose and should be upgraded and considered that the closure was unnecessary and that it would not improve safety at the

junction. Other comments were that the closure was unreasonable because the route was legitimate and served a useful purpose in accessing the A6006 and that the closure could lead to increased fly-tipping. A suggestion was also made that this section of Rempstone Road be made one-way eastbound.

11. Response – Prohibition of driving

The prohibition of driving is proposed in response to an existing pattern of personal injury collisions (PICs) at the crossroads junction of Rempstone Road and Loughborough Road. In the period 1<sup>st</sup> January 2015 to 30<sup>th</sup> April 2020 there have been five PICs, all resulting from vehicles overshooting the junction onto Loughborough Road. These PICs resulted in eight slight and two serious injuries. The crossroads has been treated over a number of years with various measures intended to improve road user safety, including rumble strips, stop lines and large yellow-backed warning signs, and whilst this has improved driver awareness of the junction it continues to be a collision site. During the planning process it was recognised that the increase in traffic resulting from the new development would exacerbate this and increase the risk of further and more serious collisions.

12. The physical closure of one arm of the crossroads will remove traffic movements directly across Loughborough Road and so mitigate this risk and improve safety at the junction. The south-eastern section of Rempstone Road (between Loughborough Road and Melton Road) is a narrow, single-track carriageway and is frequently used by local horse-riders and cyclists. The removal of through-traffic from the route will increase safety for these vulnerable users, many of whom wrote to express their support for the scheme.
13. It is acknowledged that vehicular traffic which previously used the south-eastern section of Rempstone Road will now use other local junctions and that as a result queue times at peak periods may increase. Loughborough Road and the A6006 are better suited to an increase in traffic levels rather than the narrow section of Rempstone Road. The Loughborough Road / A6006 Melton Road junction will continue to be monitored and appropriate measures implemented / proposed if road safety is detrimentally affected by the closure of Rempstone Road.
14. It is not considered appropriate to make this section of Rempstone Road one-way eastbound, as this will not remove the ahead manoeuvre over Loughborough Road, which has been a factor in the road traffic collisions. In addition, it would lead to an increase in traffic speeds along the south-eastern section of Rempstone Road, as drivers would expect to proceed unopposed. The route is used by vulnerable users, such as horse-riders and pedestrians who would not be subject to a one-way restriction, this would increase the likelihood of high severity PICs between vehicles and these users on this narrow, single-track carriageway and would be detrimental to road safety. It should also be noted that two-way access along the route is required by landowners accessing agricultural land, local businesses, such as Home Farm, and residents.
15. The closure would apply to motorised vehicles only, access would be retained for pedestrians, cyclists and horse-riders. A gate is proposed to the north of Home Farm on Rempstone Road to prevent vehicles (other than those requiring legitimate access) from accessing the northern stretch of the road, which is designed to reduce the likelihood of the closed section being used as a fly-tipping site.

## **Other Options Considered**

16. Other options considered included the extent of the proposed 40mph limit and the need for additional measures, such as a gate to mitigate against an increase in fly-tipping on the closed section of Rempstone Road. 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.

## **Comments from Local Members**

17. Councillor Brown expressed his support for the proposals.

## **Reason/s for Recommendation/s**

18. The proposed scheme offers a balanced solution to mitigate road safety concerns and facilitate the safe operation of new junction into the housing development. The measures contained in the proposals meet the requirements of the Rempstone Road development planning conditions and are appropriate considering a balanced view of the needs of all sectors of the community, including non-drivers.

## **Statutory and Policy Implications**

19. 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 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**

20. Nottinghamshire Police responded to confirm that they had no objection or comments to make on the proposals. No additional crime or disorder implications are envisaged.

## **Financial Implications**

21. The scheme is being wholly funded by the developer.

## **Human Rights Implications**

22. 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**

23. 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.
24. 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/S**

It is **recommended** that:

- 1) The Nottinghamshire County Council (Rempstone Road, East Leake) (Prohibition of Driving) Traffic Regulation Order 2020 (8300) and the Nottinghamshire County Council (Rempstone Road, East Leake) (40 M.P.H. Speed Limit) Order 2020 (8301) be implemented as advertised and the objectors informed accordingly.

**Adrian Smith**  
**Corporate Director Place**

**Name and Title of Report Author**  
Naomi Cook – Projects and Improvements Manager

**For any enquiries about this report please contact:**  
Helen North (Improvements Lead) 0115 977 2087

## **Constitutional Comments (SJE – 05/10/2020)**

25. 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 ( )**

26. The cost of the Traffic Regulation Orders and works will be fully funded by the developer.

## **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.

**Electoral Division(s) and Member(s) Affected**

Leake and Ruddington ED

Councillor Andrew Brown