

5 December 2019

Agenda Item:13

REPORT OF CORPORATE DIRECTOR, PLACE**HICKINGS LANE, STAPLEFORD - PROVISION OF ZEBRA CROSSING****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider the objections received in respect of the above proposed pedestrian crossing and whether it should be implemented.

Information

2. Stapleford is a small town which lies on the border of Nottinghamshire and Derbyshire approximately 9km west of Nottingham. The B6004 Hickings Lane is a local distributor route, which links the A6007 Ilkeston Road to the north-east with the B6003 Church Lane to the south-west. Planning permission was granted by Broxtowe Borough Council in November 2016 (application ref 16/00107/FUL) for the erection of 48 new retirement living apartments, including communal gardens and car park. The development is located on a site at the north-eastern end of Hickings Lane, which was previously used by a commercial and industrial equipment supplier. The complex, known as Carpenter Court, is now complete and is located on the south-eastern side of Hickings Lane. On the opposite side of the road there are several businesses, including a local food store and takeaway. In addition, accessed off Washington Drive, there is a recreation ground and a local community centre. Conditions attached to the development's planning permission require that a pedestrian crossing be installed on Hickings Lane.
3. Two potential locations for the crossing had been identified and both were considered by Broxtowe Planning Committee at its meeting on 10th October 2018. Option one was between Maranello Cars / KAM Servicing and the Co-op, whilst Option two would place the crossing between Washington Drive and Ewe Lamb Lane. The two locations are indicated on plan H/SLW/3207/03. The Committee noted that both sites had been assessed as safe locations to have a pedestrian crossing and concluded that because the condition and therefore the funding related to Carpenter Court, the crossing should be situated at location described as option one, as it was closer to the development and so best met the needs of those residents.
4. In response to the planning requirement for a pedestrian crossing it is proposed to introduce zebra crossing on Hickings Lane, to the north-east of Carpenters Court. The statutory notice relating to the crossing, as detailed on the attached drawing H/SLW/3207/01 was publicly advertised between 20th August and 17th September 2019.

5. During the advertisement period 30 responses were received of which 25 expressed support and / or made comments on the proposals. Comments included references to the restricted mobility experienced by many of the respondents and their current difficulties in crossing Hickings Lane to make use of the shops and services located on Hickings Lane. Stapleford Town Council supported the introduction of the zebra in the proposed location but asked that traffic calming and/or additional pedestrian crossings be considered in this area.
6. It is considered that there are five outstanding objections to the proposals.

Objections Received

7. Objection – Crossing proposed in the wrong location
Four respondents, including a local Town Councillor, objected to the proposal to locate the crossing at the site described previously as option one between the entrance of the Co-op carpark and the entrance to KAMs. The respondents stated that the proposed location was too close to busy vehicle entrances and that the location was unsafe. Furthermore, the location of the crossing would lead to traffic congestion on Coventry Lane or queuing within the controlled area of the crossing. One respondent requested additional double yellow lines be introduced on both sides of the road between the proposed zebra and the junction with Ilkeston Road. All respondents considered that the crossing would be safer and of more use to the wider community if it was located further south on Hickings Lane; between Ewe Lamb Lane and Washington Drive.
8. Response – Crossing proposed in the wrong location
Planning permission for the Carpenter Court development was granted by the Planning Committee of Broxtowe Borough Council. The permission was conditional on several requirements being met; one of which was the construction of a pedestrian crossing. Broxtowe's Planning Committee subsequently considered two proposed locations for the crossing and concluded that the advertised option (option one) should be delivered as it directly served the development to which the condition related.
9. The subsequent detailed design to obtain technical approval for the new crossing as part of a section 278 agreement, required a safety audit. The audit report noted that the delivery of a zebra crossing, rather than a puffin crossing, was subject to low enough speeds recorded in a formal speed survey. This survey was undertaken in June 2019 and showed that 85th percentile speeds were well within appropriate boundaries for a zebra crossing. The safety audit also suggested additional measures to increase the conspicuousness of the crossing. The design was subsequently amended to include 50m of high friction surfacing on both approaches to the crossing. Street lighting in the area was also assessed and deemed appropriate and no additional waiting or stopping restrictions were required as part of the audit.
10. It is acknowledged that traffic flow on Hickings Lane will be interrupted by pedestrians using the crossing. However, this is not considered to be detrimental and the provision of such facilities is in line with the Highway Authority's network management duty to facilitate the expeditious movement of traffic of all kinds on the highway, including pedestrians.
11. Whilst it is noted that the respondents would prefer the crossing to be located elsewhere, the proposed location has been subject to a successful safety audit and is directly on the desire line for pedestrians wishing to access the shops and services on the north-western side of Hickings Lane. Twenty-five responses were received to the consultation expressing support

for the crossing in the proposed location, including from the Town Council and residents of both Carpenter Court and the wider area.

12. 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.
13. Objection – access and loading concerns
One respondent, a local business owner, objected on the grounds that the controlled zone of the crossing may negatively affect their business operation by inhibiting their vehicular access and loading. The respondent stated that they required unimpeded access to their premises for company and staff vehicles and deliveries as they received multiple daily deliveries from suppliers and that these were frequently heavy. The majority of these would be made by large vans, but occasionally by lorries. The respondents stated that their delivery vehicles need to be able to pull up on the carriageway and reverse into the premises or alternatively reverse out of the premises onto the carriageway and that they did not consider that the shared tarmac frontage, shared with a neighbouring business, that has two vehicle entrance points, to be a safe through-route for vehicles.
14. Response - access and loading concerns
The respondent's right of access to their premises is not adversely affected by the introduction of the zebra crossing. A dropped vehicle access kerb provides a right of access over the footway and this right is unaffected by the presence of the controlled zone. Unrestricted on-street loading on the highway is still available directly adjacent to the clearways and elsewhere on the road and the wider network. It is considered that there is enough off-highway area within the premises curtilage for loading activities to take place.
15. It is acknowledged that vehicles will need to manoeuvre into and out of the site. The introduction of a controlled zone does not prevent normal highway manoeuvres such as turning or reversing. However, it remains the responsibility of the vehicle driver / business to ensure such entrance or egress onto the highway is done safely. This may require the business to provide a banksman to ensure their larger delivery vehicles can access and leave the site safely.

Other Options Considered

16. Other options considered relate to the position of the proposed crossing. The planning condition and therefore the funding related to Carpenter Court and therefore it was determined by Broxtowe Borough Council's Planning Committee that the crossing should be located at the position closer to the development and with the needs of those residents in mind.

Comments from Local Members

17. Although Councillors Longdon and Doddy made no formal comment during the consultation period they subsequently expressed their continued support for the proposed crossing at this location.

Reason/s for Recommendation/s

18. The proposed scheme will facilitate pedestrian movements over Hickings Lane. The measures contained in the proposals meet the requirements of the Carpenter Court planning conditions

and are considered appropriate taking into account 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 did not comment on the proposals. No additional crime or disorder implications are envisaged.

Financial Implications

21. The scheme is being wholly funded by Broxtowe Borough Council, using funds of £40,000 secured by Section 106 agreement from the developer of Carpenter Court residential complex.

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.

Safeguarding of Children and Adults at Risk Implications

25. The proposals are intended to have a positive impact on all highway users.

RECOMMENDATION/S

It is **recommended** that:

- 1) The zebra crossing proposed for Hickings Lane is implemented as advertised (Option 1) and the objectors informed accordingly.

Adrian Smith
Corporate Director Place

Name and Title of Report Author

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For any enquiries about this report please contact:

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Constitutional Comments (SJE 17/10/2019)

26. 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 23/10/2019)

27. The cost of this scheme totals £40,000 and will be funded from Section 106 contributions secured from the developer of Carpenter Court Residential complex. The Communities and Place capital programme will be varied at the Finance and Major Contracts Committee to reflect this external funding received.

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

Stapleford and Broxtowe Central ED
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Councillor John Doddy
Councillor John Longdon