

01 October 2020

Agenda Item: 10

REPORT OF CORPORATE DIRECTOR, PLACE

THE NOTTINGHAMSHIRE COUNTY COUNCIL (HIGH STREET AND MATTERSEY ROAD, EVERTON) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2020 (1248)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. To consider the objections received in respect of the above proposed Traffic Regulation Order and whether it should be implemented as advertised.

Information

2. Everton is a small village located approximately 10km to the north of Retford. High Street is the main access road into the village and runs in a northerly direction from its junction with the A631 Gainsborough Road. High Street is used by all traffic types including a regular bus service and large agricultural vehicles, the road has commercial premises on its eastern side near the junction with the A631.
3. The County Council has received requests from the Parish Council and a local resident to consider restrictions on High Street and at its junction with Mattersey Road to address issues with obstructive parking.
4. In response it was proposed to introduce 'No Waiting At Any Time' (double yellow lines) restrictions at the junction of High Street extending from the A631 Gainsborough Road for 17m and further double yellow lines at the narrow part of High Street between Corner Farm Drive and Metcalfe Court. High Street varies in width and parking at the narrow part of the road makes it difficult for buses, agricultural vehicles and other large vehicles to use the road. The initial consultation was sent out on 9th January 2020 with a closing date of 14th February 2020, the proposals are as detailed on plan H/JAB/3339/01. During the consultation periods a total of 10 responses were received, these included expressions of support, comments, requests for further measures and objections.
5. In light of the responses received and further dialogue with the Parish Council the decision was taken to amend the proposals. The changes included extending the double yellow lines at the High Street / A631 Gainsborough Road junction and introducing additional double yellow lines opposite Metcalfe Court to make it easier for residents turning out onto High Street. The consultation on the revised scheme took place between 24th June 2020 and 24th July 2020, the proposals are as detailed on plan H/JAB/3339/01 Rev A.

6. A further three responses were received during this period and it is considered that there remain five outstanding objections to the proposals. The outstanding objections all related to the proposed parking restrictions on High Street.

Objections Received

7. Objection – Loss of on-street parking

Three of the respondents objected on the basis of the loss of on-street parking commenting that the proposed double yellow lines on the eastern side of High Street should be reduced by five metres to allow additional on-street parking for residents and visitors.

8. Response – Loss of on-street parking

The proposed waiting restrictions are designed to facilitate the safe operation of junctions and the wider highway network for drivers, cyclists and pedestrians. Obstructive parking in close proximity to junctions and on narrow sections of carriageway invariably restricts visibility for pedestrians and impedes vehicle movements and, where this causes an obstruction or danger to other highway users, is already an offence.

9. It is not considered appropriate to reduce the length of the lines as a parked car in this location would encroach onto the narrower part of High Street and potentially obstruct larger vehicles driving along High Street.

10. Whilst the demand for on-street parking is recognised, the County Council does not have a duty to provide free on-street parking for any highway user. It is recognised that demand for such parking exists, particularly in residential areas with little off-street parking, however it is the responsibility of the vehicle owner to ensure their vehicle is not parked in such a way as to cause an obstruction. This may require drivers with no private off-street parking provision to park further away from their property to ensure their vehicle is parked appropriately.

11. Objection – Parking migration

One respondent objected to the proposals as they considered that parking would be transferred onto Corner Farm Drive, which is a private road.

12. Response – Parking migration

The proposed restrictions are designed to prevent obstructive parking impeding the safe and efficient movement of vehicles and pedestrians on the highway. The restrictions have been kept to the minimum necessary to achieve this and on-street parking opportunities remain available on High Street. It is considered unlikely drivers would choose to park on a private access road.

13. Objection– Additional restrictions required

One respondent objected on the basis that additional parking restrictions were required requesting additional parking restrictions implemented on the western side of High Street and to either side of their driveway on the eastern side. They stated that this was necessary to facilitate vehicle movements into their driveway as inconsiderately parked vehicles currently cause access problems.

14. Response

The primary purpose of the scheme is to maintain carriageway width and visibility at junctions to facilitate the safe movement of pedestrians and vehicles. It is considered that the extent of the restrictions proposed proportionately addresses this problem.

15. It is an offence to park so as to prevent a vehicle accessing the highway via a dropped vehicle crossing and if this occurs it is a matter for the Police, who are empowered to enforce on this matter. 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 (£210 in 2020/21) on request from residents. This option was suggested; however, the respondent did not consider that such a measure would address their concerns.
16. It is not considered appropriate to further restrict parking on High Street as it would adversely affect visitors' parking for other businesses and residents of the area. There is always a balance to be struck between competing demands for a finite resource; it is considered that the proposed scheme offers the best solution improving highway operation with minimal loss of on street parking.

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 proposals were revised in response to comments received to the first round of consultation.

Comments from Local Members

18. Councillor Taylor made no comment during the consultation period but has expressed her support of the proposed revised scheme.

Reason/s for Recommendation/s

19. The restrictions are considered to be a reasonable balance between the need to ensure the safe operation of the highway and maintaining some on-street parking availability for visitors to businesses and residents. The proposed scheme will ensure that larger vehicles can drive along High Street without being obstructed by parked vehicles. Vehicles turning from or onto A631 Gainsborough Road will be able to do so without having to negotiate parked vehicles. Pedestrians will also have an unobstructed route across the mouths of the junctions.

Statutory and Policy Implications

20. 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

21. Nottinghamshire Police had no comments to make on the proposals. No additional crime or disorder implications are envisaged.

Financial Implications

22. The scheme is being funded through the 2020/21 Traffic Management Revenue budget for Bassetlaw with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

23. 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

24. 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.

25. 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

26. The proposals are intended to have a positive impact on all highway users, particularly vulnerable users travelling on High Street.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (High Street and Mattersey Road, Everton) (Prohibition of Waiting) Traffic Regulation Order 2020 (1248) is implemented as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director Place

For any enquiries about this report please contact:

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Constitutional Comments (SJE 07/09/2020)

27. 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 (RWK 07/09/2020)

28. The estimated cost to implement the works and traffic order detailed in the report is £5,000. This cost will be funded as part of the contract with VIA which includes an allocation of £934,500 for Traffic Management works.

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

Misterton ED Councillor Tracey Taylor