

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3522
Author:	Paul Boulton
Department:	Development and Growth
Contact:	Paul Boulton (Job Title: Head of Traffic, Email: paul.boulton@nottinghamcity.gov.uk, Phone: 0115 8765565)

Subject: **Hockley Area - Urban Realm Improvements**

Total Value: **£100,000 (Type: Capital)**

Decision Being Taken:

1. To note the progress made in the delivery of highway network changes in Hockley as part of the ongoing pedestrianisation proposals as set out in section 2 of Appendix A.
2. To approve implementation for the next phases of the Hockley Pedestrianisation scheme, including the timescales, as set out in section 4.2.3 of Appendix A.
3. To agree the timescales for introduction of a permanent Traffic Regulation Order in relation to the scheme, subject to the outcome of the necessary consultation and legal processes required, as set out in section 4.2.6 of Appendix A.
4. To approve the funding approach set out in section 4.6 of Appendix A for the next stages of the pedestrianisation scheme utilising the approved budget allocation for Protecting Open Spaces.

Reasons for the Decision(s) **Hockley has changed a lot in recent years and is one of the most varied and exciting areas of the city centre, full of fantastic independent retailers and businesses. In 2017, bollards were installed to prevent cars driving through the area in the evening. The extraordinary summer in 2018 helped to demonstrate the true potential of the area with the warmer weather and less traffic supporting a vibrant cafe culture with greater footfall for shops. Hockley has the potential to be even better and a recent online survey demonstrated that the vast majority of respondents felt that extending the traffic restrictions to make the area more pedestrian friendly would improve the area encouraging people to spend even more time there. The aim of the proposals is to ensure the urban environment across Hockley is fit for purpose, encouraging a wide range of uses, supporting economic growth and the vibrancy of the area by creating a pedestrian friendly environment. The approval of the recommendations will enable the next stage of the Hockley Pedestrianisation Scheme to progress.**

Briefing notes documents: Appendix A. v.1.5.pdf, Hockley Traffic Routes.pdf, FAQ leaflet web version.pdf, Draft Parking Plan.pdf

Other Options Considered: Do nothing. This option has been discounted for the following reasons: initial proposals have already been introduced and have been well received with a recent public opinion survey demonstrating that the vast majority of users visiting the area support further pedestrian measures. It is acknowledged that a small number of businesses have concerns about further reducing vehicle access and we would continue to engage with them prior to and during the implementation of any additional changes to try and address these concerns wherever possible. Segregation of motorised vehicles is essential in creating a more vibrant street environment. It is also important that the City Council take appropriate measures in helping to ensure levels of Nitrogen Dioxide are effectively managed and reduced. Any reduction in vehicle movements and particularly unnecessary vehicle movements will assist the authority in meeting its clean air objectives plan.

Background Papers: None

Published Works: Consultation document titled 'A more pedestrian friendly Hockley' (April 2019). (<https://www.transportnottingham.com/consultations/a-more-pedestrian-friendly-hockley/>)

Affected Wards: Castle

Colleague / Councillor Interests: None

Consultations:
Date: 22/02/2017
Other: Residents, businesses and other interested groups.
Consultation and engagement with residents, businesses and other interested groups has been ongoing since February 2017, prior to the introduction of the original 6pm to 6am prohibition of driving scheme to enhance the night time economy. Following this initial engagement, consultation on the subsequent changes, as outlined in this Delegated Decision, has also taken place in April 2017, October 2017, December 2017, October 2018, February 2019 and April 2019. The overall response to the changes has been positive, with many businesses and visitors to the area in support of the changes. A small number of businesses and residents have expressed some concerns about vehicular access during the restricted times and we will continue to engage with all parties to try and address any concerns where at all possible in line with the legal process for introducing traffic regulation orders.
The results of a recent public engagement survey carried out in February and March 2019 found that nearly 90% of those responding thought that extending the traffic restrictions beyond the existing 6pm to 6am to make Hockley more pedestrian friendly would make the area better and more pleasant to visit. Of businesses and residents in the area who responded nearly 80% supported the idea of further pedestrian friendly improvements in Hockley.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

The original access restrictions were positively supported by Nottingham Police. Any additional vehicle access restrictions are likely to have a positive impact on the interaction of vehicles and pedestrians throughout the area by further limiting the interface with vulnerable users.

Equality:

Please login to the system to view the EIA document: Hockley Pedestrianisation EIA.final.docx

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

17/05/2019

Advice Sought:

Legal, Finance, Equality and Diversity

Legal Advice:

Appendix A to the delegated decision refers to a proposal using a phased approach to extend the times of day when the Hockley Area is closed to vehicles to create a more pedestrian friendly environment, and a review of the parking capacity, amendments to traffic routes and other parking provision is being examined.

Traffic Authorities can place temporary, experimental or permanent restrictions on traffic within their areas by way of a Traffic Regulation Order ('TRO') made under the Road Traffic Regulation Act 1984 ('the 1984 Act'). Subject to any applicable limitations or restrictions and timescales contained in the relevant provisions of the 1984 Act, TROs can regulate, restrict or prohibit the use of a road or any part of a road by vehicular traffic or pedestrians.

Under section 92 of the 1984 Act, in some circumstances when the passage of vehicles or a vehicle of any class is prohibited by an experimental or permanent TRO the Traffic Authority may, in accordance with the section, place bollards or other obstructions at or near that point as they consider appropriate.

Before deciding whether to make a TRO the Traffic Authority for the relevant area must first follow the applicable procedure required in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('the 1996 Regulations') for permanent restrictions and experimental restrictions respectively, and the procedure required by the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 ('the 1992 Regulations') for temporary TROs.

It is noted that this delegated decision is to 'approve the wider vision for the Hockley Pedestrianisation scheme using a phased approach...', and it not to authorise the legislative procedure required before a decision can be taken whether or not to make a TRO. The decision to commence the applicable procedure required before the making of a TRO, and the subsequent decision whether or not to make that proposed TRO, have been delegated to the Corporate Director for Development and Growth in Nottingham City Council's Scheme of Delegation, and these powers have been sub-delegated to the Head of Service, Traffic and Safety. A delegated decision therefore is not required to commence the procedure that is necessary under the 1996 Regulations or the 1992 Regulations as applicable for TROs proposed for Hockley.

Some of the identified potential further improvements listed in Appendix A may also require approvals under other legislation for some of the suggested alterations, such as public realm improvements and stands for hackney carriage vehicles. Any such approvals will require appropriate authorisation in due course in accordance with the relevant legislative provisions and Nottingham City Council's Constitution.

Advice provided by Tamazin Wilson (Solicitor) on 24/04/2019.

Finance Advice:

February Executive Board 2019 approved a budget of £500,000 for Protecting Open Spaces. This decision allocates £100,000 of this budget for the Hockley scheme as defined in the report. Therefore, this decision does not require any changes to the current capital programme as it is clarification of what was approved previously.

The Head of Traffic and Safety is required to ensure all expenditure incurred is in accordance with the Integrated Highways Block grant conditions.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 23/04/2019.

Equality and Diversity Advice:

The proposal will have clear benefits for some of our most marginalised citizens and will have great impact in terms of accessibility in its broadest sense. Continued involvement and consultation with a number of protected groups particularly disabled people will need to be instituted from concept to full implementation and beyond in order for the Council to fully meet its Public Sector Equality Duty to ensure equality of opportunity.

Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 26/04/2019.

Signatures

Jon Collins (Leader of the Council)
SIGNED and Dated: 09/05/2019
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 29/04/2019