

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**1 October 2013**

Report of the Strategic Director – Environmental Services

**SPIRE HEIGHTS AND CROSS STREET, CHESTERFIELD –  
PROPOSED PROHIBITION OF WAITING, WAITING  
RESTRICTION AND ONE WAY TRAFFIC ORDER**

(1) **Purpose of the Report** To consider the objection received following consultations on the provision of a Proposed Prohibition of Waiting, Waiting Restriction and One Way Traffic Order.

(2) **Information and Analysis** In July 2010, Chesterfield Football Club relocated from Saltergate to Sheffield Road. Planning for 68 residential properties was submitted and subsequently granted on the site of the old football ground. The development is in close proximity to St Mary's Primary School and Chesterfield Town Centre. Construction is currently well underway with some completed properties already occupied.

Due to the development's close proximity to the town centre and St Mary's Primary School, officers were concerned that if a restriction is not provided on Spire Heights this would inevitably lead to parking problems, associated with commuter, shopper and school parking.

As part of the Section 278/38 Agreement it is anticipated that the County Council will promote a Traffic Regulation Order (TRO), which includes a short section of prohibition of waiting (double yellow line), a prohibition of waiting 8am – 6pm, Monday – Saturday (Single yellow line), amendments to the existing limited waiting on Cross Street to accommodate the new residential estate access road (Spire Heights) and the introduction of a one-way system on Spire Heights. Also included in this Agreement is that the residential properties would be served via a one-way street with an entrance and exit onto Cross Street.

The proposed Order was advertised in the local press and on site from 20 June 2013 to 12 July 2013 (See Appendix 1). During the advertisement, one objection was received and included the following comments:

## **Public**

- 1) The proposed no parking on Spire Heights, Monday to Saturday between 8am and 6pm is far too onerous.
- 2) Residents' parking is already severely restricted effectively limiting properties to space for two cars, including one in the garage.
- 3) Nowhere for any visitors, trades people to park.

Requests no parking Monday to Friday between 8:30am and 4:00pm and or introduce a Residents' Parking Scheme.

### **Local Member Comments**

Councillor Mihaly comments:

- 1) "Firstly, they are reservations not objections and relate to the practicality for the residents of Spire Heights.
- 2) I acknowledge that if there are no restrictions then Spire Heights will become a "car park" for those visiting/working in the town centre.
- 3) The 8am until 6pm, Monday to Saturday restriction proposal will make it very difficult for those residents with more cars than parking spaces within the curtilage of the property, especially on Saturday when I assume they will not be at work. I also envisage problems with casual visitors and tradesmen carrying out work at the development.
- 4) Relating to 3 above, it may be worthwhile to consult with the residents regarding a Residents' Parking Scheme linked with the restrictions you propose. I acknowledge that such a scheme should be cost neutral to the County Council, but it could be included as part of the existing larger residential parking scheme in the locality, i.e. Cobden Road, Gladstone Road, etc.
- 5) I am content with the other proposals you made".

### **Officer Comment**

As part of this residential development, it was agreed that the properties would be served via a one-way street with an entrance and exit onto Cross Street. Officers are also mindful of the residential development's close proximity to St Mary's Primary School and the town centre and the problems, which would be experienced by its residents with the school, shoppers and all day commuter parking on Spire Heights should a restriction not be implemented. Experience has shown that where restrictions have not been provided on residential streets close to the town centre, motorists have demonstrated a tendency to park inconsiderately affecting access.

## Public

A Residents' Parking Scheme is normally provided when residents encounter severe parking problems on a regular basis and for long periods of time, such as parked commuter vehicles and an off-street parking facility is not available to most residents. Officers considered the introduction of a Residents' Parking Scheme for Spire Heights, however, all 68 properties have off-street parking provision and thus the development does not meet the criteria.

In addition, one of the planning conditions states *"The parking provision, including the garages, indicated on the revised plans received on the 21st May 2012 shall be provided on site for each dwelling (plot to corresponding parking space) prior to that property being occupied and shall be maintained throughout the life of the development free from any impediment to its designated use."*

Officers are concerned that a reduced time limit for the prohibition of waiting, such as 8:30am – 4pm, may lead to problems with parking at school arrival time and the potential for parking problems associated with short duration town centre shopping in the late afternoon. However, taking into consideration the objections received and the comments of the local Member, it is proposed to amend the restriction to 8:30am – 4:30pm.

From an early stage, the developer has been made aware of the County Council's desire to provide a restriction to help combat the inevitable problems with school and commuter parking should a restriction not be provided. As such, the proposal is included in the Section 278/38 legal Agreement between the developer and the County Council.

It is important to note that the residential properties are likely to have been sold to prospective buyers on the basis that the proposed restriction is implemented.

Taking into consideration all of the above comments, officers recommend the introduction of a prohibition of waiting 8:30am to 4:30pm Monday to Saturday on Spire Heights, as detailed in Appendix 1, and that the success of this be monitored. If overwhelming support from local residents for change to the restrictions is evident, further and/or different measures could be considered.

**(3) Financial Considerations** The cost of the scheme, estimated at £9,000, is to be met by the developer as part of the Section 278 Agreement.

**(4) Legal Considerations** Section 1 of the Road Traffic Regulation Act 1984 enables a traffic authority to make a TRO if it considers it expedient for a number of purposes.

Section 2 of the 1984 Act states what a TRO may provide for and this includes requiring vehicular traffic (either generally or a specified class) to proceed in a

## Public

specified direction or prohibiting it from doing so; specifying the part of the carriageway to be used by such traffic proceeding in a specified direction; prohibiting or restricting the waiting or loading and unloading of vehicles; prohibiting the use of roads by through traffic; prohibiting or restricting overtaking. Notice of proposals must be given in accordance with Regulation 7 of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 and at least a minimum of 21 clear days for the receipt of written objections must be allowed. Objections can then be considered by the Local Authority.

Section 122 of the 1984 Act states that it shall be the duty of every Local Authority exercising the functions in that Act (so far as practicable having regard to the matters listed below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities both on and off the highway.

The matters referred to above are:-

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to improve the amenities of the areas through which the roads run; 2ii) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 3) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- 4) any other matters appearing to the Local Authority to be relevant.

Having considered all the objections made, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected and road markings placed on site in accordance with the new Order. No Order can be made until after the last date for objections. No Order can be made more than two years after the date of the publication of the notice of proposals. No part of a TRO can come into force before that date when it is intended to publish a notice of making.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(4) **Key Decision** No.

## **Public**

(5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(6) **Background Papers** Held on file in the Traffic and Safety Section of the Environmental Services Department. Officer contact details – Lee Wright, extension 38674.

(7) **OFFICER'S RECOMMENDATIONS** That:-

7.1 The Authority proceeds with the introduction of the proposed prohibition of waiting but at the reduced hours 8:30am to 4:30pm

7.2 The effectiveness of the reduced timescale be monitored.

7.3 The Local Member and objector be notified accordingly.

**Mike Ashworth**  
**Acting Strategic Director – Environmental Services**

**THE DERBYSHIRE COUNTY COUNCIL**  
**(SPIRE HEIGHTS AND CROSS STREET, CHESTERFIELD)**  
**(PROHIBITION OF WAITING, WAITING RESTRICTIONS AND**  
**ONE-WAY TRAFFIC) ORDER 2013**

Derbyshire County Council proposes making an Order under the Road Traffic Regulation Act 1984 to restrict waiting by vehicles (except those delivering or collecting goods or loading and unloading) on the following lengths of road:-

**PROPOSED NO WAITING AT ANY TIME**

**Cross Street, Chesterfield**

South side

From a point 23 metres from its western junction with Spire Heights in a westerly direction for a distance of 6 metres.

From a point 2 metres west of its western junction with Spire Heights in an easterly direction for a distance of 11 metres.

From a point 6 metres west of its eastern junction with Spire Heights in an easterly direction for a distance of 13 metres.

**Spire Heights, Chesterfield**

Both sides

From its western junction with Cross Street in a southerly direction for a distance of 10 metres.

From its eastern junction with Cross Street in a southerly direction for a distance of 10 metres.

**PROPOSED NO WAITING 8AM TO 6PM, MONDAY TO SATURDAY**

**Spire Heights, Chesterfield**

Both sides

From a point 10 metres south of its western junction with Cross Street in a southerly then easterly and northerly directions to a point 10 metres south of its eastern junction with Cross Street.

**PROPOSED 2 HOURS LIMITED WAITING, MONDAY TO FRIDAY, 8AM TO 6PM,**  
**NO RETURN WITHIN 4 HOUR**

**Cross Street, Chesterfield**

South side

From a point 29 metres west of its western junction with Spire Heights in a westerly direction for a distance of 10 metres.

From a point 2 metres west of its western junction with Spire Heights in a westerly direction for a distance of 21 metres.

From a point 9 metres east of its western junction with Spire Heights in an easterly direction for a distance of 43 metres.

From a point 8 metres east of its eastern junction with Spire Heights in an easterly direction for a distance of 17 metres.

**PROPOSED ONE WAY TRAFFIC**

**Spire Heights, Chesterfield**

Vehicles permitted to travel in a southerly direction only from its western junction with Cross Street to its junction with the east west link of Spire Heights, in an easterly direction only from its western section to its eastern section, and in a northerly direction only from its east west link to its eastern junction with Cross Street.

The Derbyshire County Council Residents Parking Zone B Chesterfield Order 2010 will be revoked insofar as it relates to the lengths of Cross Street listed above.

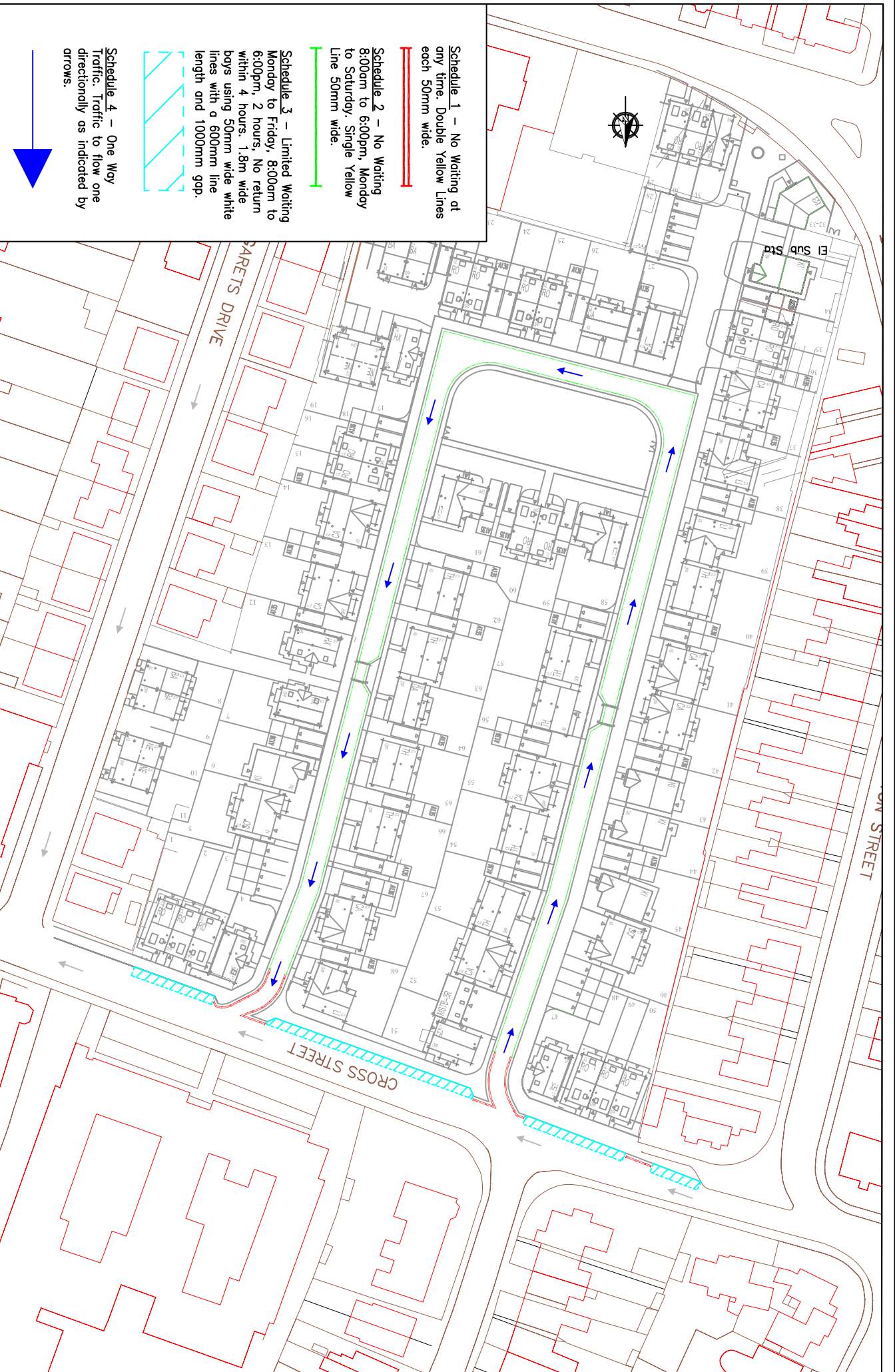
**Exemptions will be made for vehicles used in connection with any building operation or demolition; removal of any obstruction to traffic; carrying out of statutory powers or duties taking in petrol etc, from any garage situated within the lengths of road; or as part of a funeral or wedding cortege. The usual exemptions for disabled persons' vehicles will also apply.**

**A copy of the Order and documents giving more detailed particulars of the Order are available for inspection at the offices of the Derbyshire County Council, Main Reception, County Hall, Matlock between 9am and 5pm, Monday to Friday until 6 weeks after the Order is made, and at Chesterfield Library, Local Studies Library, New Beetwell Street, Chesterfield, Monday to Friday 9am to 7pm, and Saturday 9am to 4pm until 12 July 2013.**

**All objections and other representations to the proposal must be made in writing and all objections must state the grounds on which they are made and be sent to the Strategic Director – Environmental Services, Derbyshire County Council, County Hall, Matlock DE4 3AG (For Attention of Traffic and Safety Team) by 12 July 2013.**

**Dated: 20 June 2013.**

**Mike Ashworth, Acting Strategic Director - Environmental Services Department, Derbyshire County Council, County Hall, Matlock DE4 3AG.**



Schedule 1 – No Waiting at any time. Double Yellow Lines each 50mm wide.



Schedule 2 – No Waiting 8:00am to 6:00pm, Monday to Saturday. Single Yellow Line 50mm wide.



Schedule 3 – Limited Waiting Monday to Friday, 8:00am to 6:00pm, 2 hours. No return within 4 hours. 1.8m wide bays using 50mm wide white lines with a 600mm line length and 1000mm gap.



Schedule 4 – One Way Traffic. Traffic to flow one direction only as indicated by arrows.

