

Agenda Item No. 4(a)

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 November 2015**

Report of the Strategic Director – Economy, Transport and Environment

**BROOKHILL LANE, PINXTON, PROPOSED 7.5 TONNES WEIGHT  
RESTRICTION ORDER – OBJECTION FROM NOTTINGHAMSHIRE  
COUNTY COUNCIL**

(1) **Purpose of Report** To seek approval of the Cabinet Member to implement a 7.5 Tonnes Weight Restriction Order on Brookhill Lane and Pinxton Lane, either side of the County boundary. This proposal affects a section of Pinxton Lane in the County of Nottinghamshire.

(2) **Information and Analysis**

**Background**

The Cabinet Member considered a report at the meeting on 5 May 2015, regarding the proposed 7.5 Tonnes Weight Restriction Order for Brookhill Lane, Pinxton (Minute No. 59/15 refers) and the objection received from a Nottinghamshire Local Member (see Appendix 1). As the proposal included a section of road under the control of Nottinghamshire County Council, the report recommended that:

- “8.1) Derbyshire County Council provides Nottinghamshire County Council with a copy of this report to be considered by its Highways and Transport Committee.*
- 8.2) Derbyshire County Council produces a further report, once a decision has been taken by Nottinghamshire County Council, on the proposal as advertised.”*

The report was sent to Nottinghamshire County Council for its Highways and Transport Committee to consider.

**Objections**

Since the proposed weight limit was advertised, officers have received one objection, dated 11 September 2015. The objection is from a member of the public explaining that should an incident occur on the A38 between Junction

28 on the M1 and Castlewood Business Park, Heavy Goods Vehicles (HGVs) would be required to divert through either South Normanton or Pinxton and Kirkby in Ashfield. The objection also states that only people living on Brookhill Lane would benefit from this proposal.

### **Local Member Comment**

*"I fully and strongly support the introduction of the weight limit as described in the report. This is a highly dangerous road and there have been many near misses thus far. I would hope that this can be implemented without delay".*

### **Officer Comments**

The comments regarding potential incidents on the A38, between Junction 28 M1 and Castlewood Business Park, and HGVs diverting onto other parts of the network, are noted. However, the most likely routes that will be used are the 'B' classified network and are therefore more suited to carrying HGVs than Brookhill Lane/Pinxton Lane. It should be noted that, under normal circumstances, HGVs will use the 'A' and 'B' classified network, including the A38.

Terminating the weight limit, as shown on the plan, keeps signing to a minimum on both Derbyshire and Nottinghamshire's road networks. Initially, the regulatory weight limit signs can be provided at the terminal point on Pinxton Lane and additional signing of the weight limit can be provided in advance of the Castlewood Business Park roundabout (on two arms not affected by the weight limit). Two further advanced signs warning of the weight limit for Pinxton Lane will be provided on the B6019 Town Street, Pinxton (see Appendix 2).

The Derbyshire County Council report, dated 5 May 2015, was sent to Nottinghamshire County Council for its Highways and Transport Committee to consider.

On 8 October 2015, Nottinghamshire County Council's Highways and Transport Committee considered this report and approved the proposed Weight Restriction (see Appendix 3).

(3) **Financial Considerations** The cost of the Weight Restriction Order and its associated signing will be met from the Traffic Management Revenue Budget at an approximate cost of £5,000.

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

However, there is also a general duty in Section 122 of the Act which requires the authorities in exercising their functions under the Act to:

- a) secure the expeditious, convenient and safe movement of traffic (including pedestrians) and b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to the matters listed below.

The matters also to be considered are:

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
- 3) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 4) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers/potential passengers; and
- 5) any other matters appearing to the Council to be relevant.

Having considered any objections made, the Council may determine to introduce the new restrictions. Regulation 19 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 enables the Council to make an Order in part giving effect to some of the proposals to, which the Order relates while deferring a decision on the remainder.

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. Within 14 days of the making of the Order, the Council must give notice in writing to anyone who objected to the Order and whose objection has not been withdrawn. Where the objection has not been wholly acceded to, the notification must include the reasons for the decision.

Having determined the objection, the Council may determine to make an Order. An Order will need to be formally made, advertised and road signs erected.

### **Other Considerations**

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.

- (5) **Key Decision** No.
- (6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.
- (7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Lee Wright, extension 38674.
- (8) **OFFICER'S RECOMMENDATION** That Derbyshire County Council makes the necessary arrangements to implement the 7.5 Tonnes Weight Restriction Order on Brookhill Lane, Pinxton, as advertised.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**

**DERBYSHIRE COUNTY COUNCIL**  
**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND**  
**INFRASTRUCTURE**

**5 May 2015**

Report of the Strategic Director – Economy, Transport and Environment

**BROOKHILL LANE, PINXTON - PROPOSED 7.5 TONNES WEIGHT**  
**RESTRICTION ORDER – OBJECTION FROM NOTTINGHAMSHIRE**  
**COUNTY COUNCIL**

(1) **Purpose of Report** To seek the Cabinet Member's approval of a proposed 7.5 tonne Weight Restriction Order at Brookhill Lane, Pinxton.

(2) **Information and Analysis**

**Background**

Following requests concerning an increase in the amount of Heavy Goods Vehicles (HGVs) using Brookhill Lane, Pinxton, to see if the introduction of a 7.5 tonnes Weight Restriction Order would be appropriate.

Brookhill Lane is particularly narrow, with a twisty section to the south-west of Brookhill Farm, and a steep gradient.

Prior to the construction of the Co-operative Distribution Centre, a survey was undertaken back in August 2010, to assess the volume of HGVs using Brookhill Lane. Following the opening of the Centre and the settling down of the traffic to established patterns of behaviour and route choices, a further survey was undertaken on Brookhill Lane in May 2014. A summary of the data is detailed below:

August 2010 Survey (Survey over a 7 day period)

2,399 Total average daily flow

130 Total average daily flow Class TB2 and above (class TB2 includes medium goods vehicles, small buses and rigid 2 axle HGVs).

Percentage Class TB2 and above using Brookhill Lane = 5.4%

May 2014 Survey (Survey over a 7 day period)

3,320 Total average daily flow

216 Total average daily flow Class TB2 and above

Percentage Class TB2 and above using Brookhill Lane = 6.5%

A number of complaints have been received from residents of Pinxton regarding HGVs using Brookhill Lane and Councillor Coyle has also expressed his concerns and is keen to see a weight limit introduced as soon as possible.

The surveys clearly identified a rise in the volume of HGV's using Brookhill Lane and so it is the intention to pursue the introduction of an Environmental Weight Limit to help address this issue.

The length of Brookhill Lane concerned crosses the County Boundary into Nottinghamshire. Officers initially consulted upon the proposals, as shown on the attached plan, on 29 August 2014. Responses received from both Nottinghamshire Constabulary and Derbyshire Constabulary expressed concern regarding the amount of enforcement they could provide.

The proposals were then advertised on site and in the local press from 11 December 2014 to 9 January 2015 (See Appendix 1).

### **Objections**

Both Derbyshire and Nottinghamshire Constabulary expressed concerns that the weight limit would not have a large degree of self-enforcement. The objection from a local Nottinghamshire County Council Member concerned possible displacement of HGV's along Kirkby Lane/Pinxton Lane and into Kirkby Cross. It was also claimed that Church Hill, Church Street and Sutton Road already suffer from a high volume of HGVs causing damage to carriageways and footways, noise and air pollution and congestion problems through to the A38. The Nottinghamshire County Council Member has requested details of possible safeguards that could be put in place to mitigate their concerns.

### **Local Member Comment**

Councillor Coyle made the following comment *"I fully and strongly support the introduction of the weight limit as described in the report. This is a highly dangerous road and there have been many near misses thus far. I would hope that this can be implemented without delay."*

### **Officer Comments**

It is not possible to terminate a weight limit at the County Boundary, as HGVs on the Nottinghamshire side would be left with no alternative but to turn round or, more likely, carry on through the weight limit. The weight limit, as shown on the plan, keeps signing to a minimum on both Derbyshire and Nottinghamshire's road networks but additional signing of the weight limit can be provided in advance of the Castlewood Business Park roundabout (on two arms not affected by the weight limit) to improve compliance.

Comments are noted regarding the displacement of HGVs along Kirby Lane/Pinxton Lane and into Kirby Cross, and that Church Hill, Church Street and Sutton Road already suffer from a high volume of HGVs causing damage

to carriageways and footways, noise and air pollution and congestion problems through to A38. However, the most likely routes that will be used by HGVs are the A38 and 'B' class roads, which are more suited to carrying HGVs than Brookhill Lane/Pinxton Lane.

The necessary signing in Nottinghamshire can be undertaken and paid for by the County Council as part of the scheme, should it be introduced.

Nottinghamshire County Council will also need to approve the weight limit contained in Nottinghamshire. It is therefore proposed that a copy of this report is made available to assist in that decision making. Should Nottinghamshire County Council reject the proposal, it would be recommended that the Derbyshire proposal be withdrawn as the potential solution is unworkable.

As the proposal affects a section of Pinxton Lane in the County of Nottinghamshire, a further report would be required, once a decision has been taken by Nottinghamshire County Council, on the proposal as advertised.

(3) **Financial Considerations** The approximate cost of introducing the Weight Restriction Order is £1,500 and will come from the Capital Budget for Traffic Regulation Orders 2014-15 Local Transport Plan.

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

However, there is also a general duty in Section 122 of the Act which requires the authorities in exercising their functions under the Act to a) secure the expeditious, convenient and safe movement of traffic (including pedestrians) and b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to the matters listed below.

The matters also to be considered are:

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
- 3) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 4) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers/potential passengers; and
- 5) any other matters appearing to the Council to be relevant.

Having considered any objections made, the Council may determine to introduce the new restrictions. Regulation 19 of the Local Authorities' Traffic

Orders (Procedure) (England and Wales) Regulations 1996 enables the Council to make an Order in part giving effect to some of the proposals to, which the order relates while deferring a decision on the remainder.

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. Within 14 days of the making of the Order, the Council must give notice in writing to anyone who objected to the Order and whose objection has not been withdrawn. Where the objection has not been wholly acceded to, the notification must include the reasons for the decision.

### **Other Considerations**

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.

(5) **Key Decision** No.

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

(7) **Background Papers** Held on file in within the Economy, Transport and Environment Department. Officer contact details – Lee Wright, extension 38674.

(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 Derbyshire County Council provides Nottinghamshire County Council with a copy of this report to be considered by its Highways and Transport Committee.

8.2 Derbyshire County Council produces a further report, once a decision has been taken by Nottinghamshire County Council, on the proposal as advertised.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**



**DERBYSHIRE COUNTY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**

**(BROOKHILL LANE AND PINXTON LANE, PINXTON)**

**(7.5 TONNE MAXIMUM GROSS VEHICLE WEIGHT  
RESTRICTION (EXCEPT FOR ACCESS)) ORDER 2015**

Derbyshire County Council, with the consent of Nottinghamshire County Council, proposes making an Order under the Road Traffic Regulation Act 1984 prohibiting any Heavy Commercial Vehicle from proceeding in the lengths of road described below:

**PROPOSED 7.5 TONNE MAXIMUM GROSS VEHICLE WEIGHT RESTRICTION  
(EXCEPT FOR ACCESS)**

**Brookhill Lane and Pinxton Lane, Pinxton**

From its junction with Town Street (in the County of Derbyshire) to a point (in the County of Nottinghamshire) 180 metres south of its junction with A38.

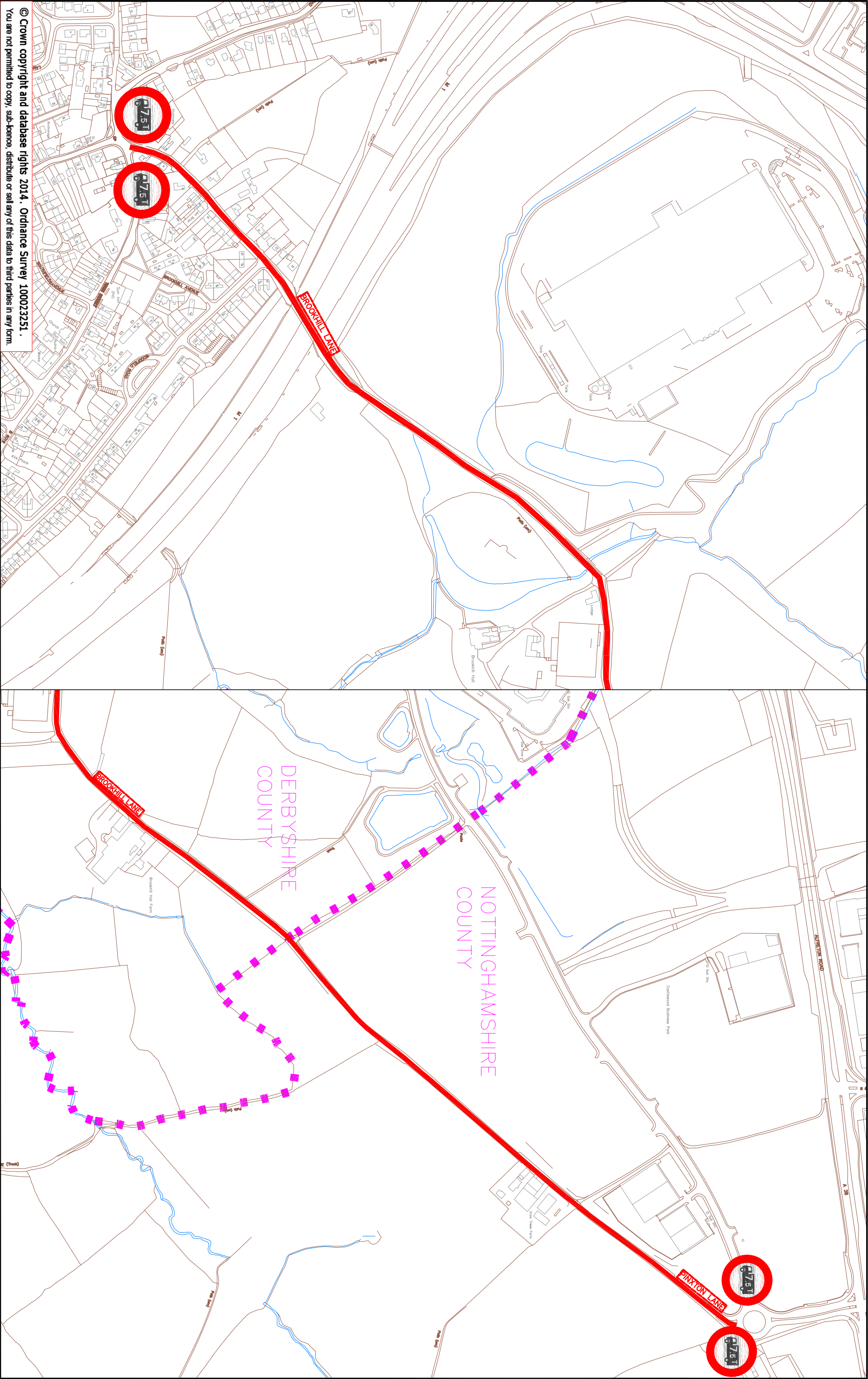
Exemptions will be made for the conveyance of merchandise to or from any premises situated on or adjacent to the roads, agriculture in connection with adjoining land; in connection with any building operation or demolition and the carrying out of work by statutory undertakers; emergency vehicles; the passage of winter maintenance vehicles and public service vehicles.

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 Pinxton Library, Kirkstead Road, Pinxton NG16 6NA, Tuesday 2pm to 5pm, Thursday 9.15am to 1pm and 2pm to 5pm, and Friday 9.15am to 1pm until 09 January 2015.


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 – Economy, Transport and Environment, Derbyshire County Council, County Hall, Matlock DE4 3AG (For Attention of Traffic and Safety Team) or email [netmanadmin@derbyshire.gov.uk](mailto:netmanadmin@derbyshire.gov.uk) by 09 January 2015.

Dated: 11 December 2014.

Mike Ashworth, Strategic Director - Economy, Transport and Environment,  
Derbyshire County Council, County Hall, Matlock DE4 3AG.



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DERBYSHIRE

County Council

Improving life for local people

MIKE ASHWORTH

Strategic Director - Economy, Transport and Environment

Extent of the proposed new 7.5t environmental weight limit

County Council Electoral Boundary (Highway Responsibility)

AMENDMENT DETAILS

BY	CHKD	APVD	DATE	NOL

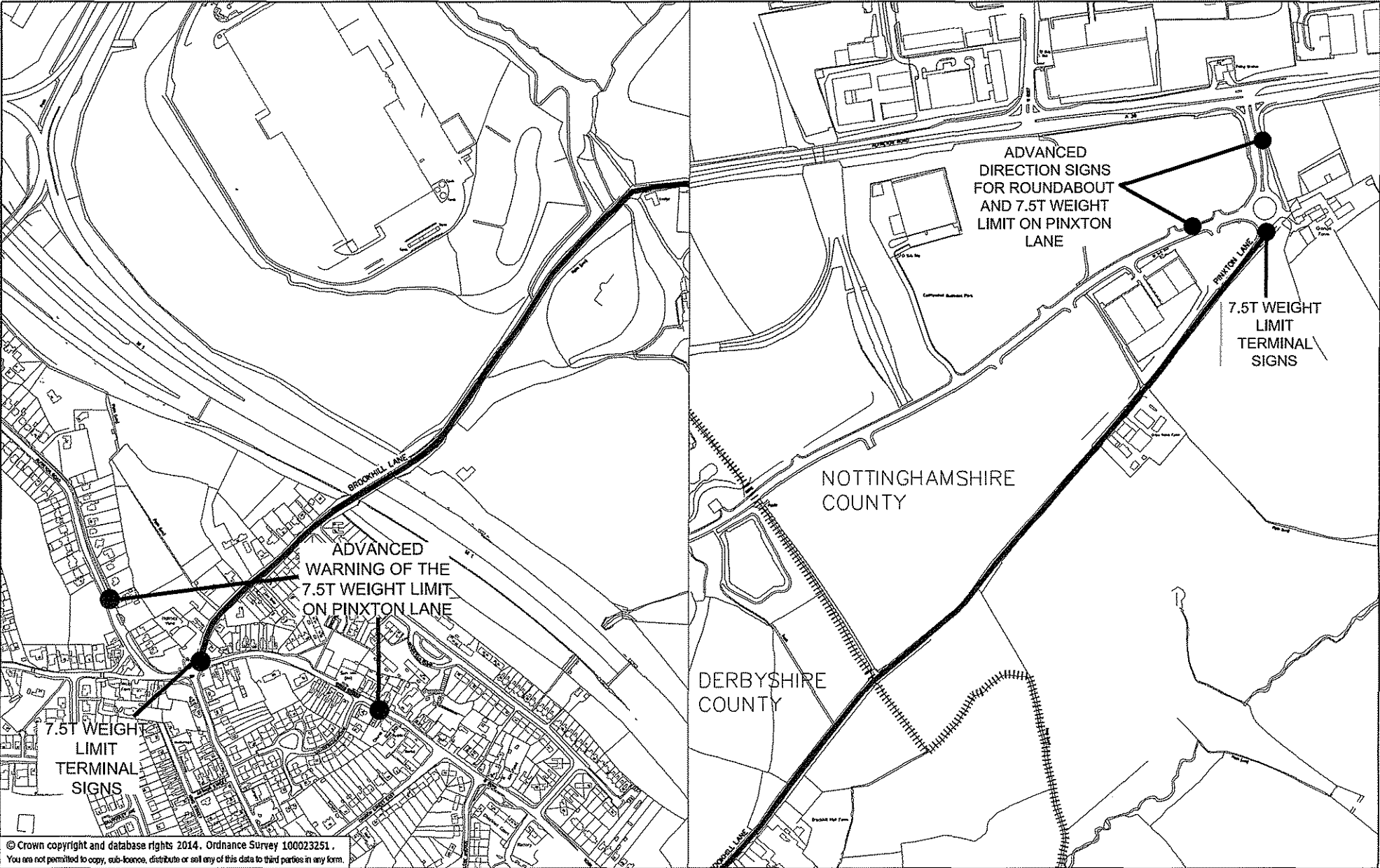
PROJECT TITLE

PROPOSAL FOR 7.5t ENVIRONMENTAL WEIGHT LIMIT


DRAWING TITLE

BROOKHILL & PINXTON LANE & WOODFIELD ROAD  
PINXTON, DERBYSHIRE

DRAWN	RH	CHECKED	RH	APPROVED	LMW
Date	29.08.2014	Date	29.08.2014	Date	29.08.2014
Project / Confirm Reference No.				PC-E-14-0001-02-02-07-01	
Drawing Number				PROPOSAL DRAWING	
ORIGINAL DRAWING SIZE 420 x 297 (A3)				SCALE	
				NTS	



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 <b>DERBYSHIRE</b> County Council Improving life for local people  MIKE ASHWORTH Strategic Director - Economy, Transport and Environment	PROJECT TITLE					DRAWN PHIL BRAISBY		CHECKED PHIL BRAISBY		APPROVED LEE WRIGHT	
	Extent of the proposed new 7.5t environmental weight limit					Date 08/09/15		Date 08/09/15		Date 08/09/15	
	County Council Electoral Boundary (Highway Responsibility)					Project / Confirm Reference No. PC-E-14-0001-02-02-07-01		Drawing Number HMT/PB/447/15		SCALE NTS	
	AMENDMENT DETAILS					ORIGINAL Dwg/DWG SIZE: A3 x 297 (42)					
	BY	CHKD	APVD	DATE	NO.	DRAWING TITLE					
						BROOKHILL & PINXTON LANE & WOODFIELD ROAD PINXTON, DERBYSHIRE					

File Location: J:\Network-Management\Traffic and Safety\TeamArea\_Bakover District\Pinxton Parish Council\Traffic Regulation Orders\2014\2014\_Brookhill Lane Signing Plan.dwg  
File Created: Fri 25-Aug-2015 - 10:39AM  
Last Saved: Tue 08-Sep-2015 - 11:31AM

8 October 2015

Agenda Item: 9

## **REPORT OF THE INTERIM SERVICE DIRECTOR, HIGHWAYS**

### **WEIGHT RESTRICTION ORDER PINXTON LANE, PINXTON, NOTTINGHAMSHIRE**

#### **Purpose of the Report**

1. To consider a proposal from Derbyshire County Council that a 7.5 tonne Environmental Weight Restriction for operational reasons extend into Nottinghamshire County Council Highway.

#### **Background**

2. Derbyshire County Council is proposing to introduce and wholly fund a 7.5 tonnes Environmental Weight Restriction on Pinxton Lane and Brookhill Lane in Pinxton which will span the county boundary into Nottinghamshire. The restriction cannot terminate at the county boundary as HGVs would not be able to turn around at that point. The preferred terminating point in Nottinghamshire is the Castlewood Business Park roundabout (Farmwell Ln/Pinxton Ln junction) where HGVs will easily be able to turn back to the A38.
3. The restriction is being proposed in response to surveys showing a gradual rise in HGV use along the route which includes a section of Brookhill Lane which has sharp bends and a steep gradient. The surveys taken in 2010 and again in 2014 show a rise in general traffic from 2,399 vehicles to 3,320 vehicles, with HGVs rising from 130 to 216 over the 7 day period monitored.
4. During an initial consultation in August 2014, both Derbyshire and Nottinghamshire Police expressed concerns that the weight limit would not have a large degree of self-enforcement.
5. The proposals were advertised on site (in Nottinghamshire and Derbyshire) and in the local press (Chad) from 11 December 2014 to 9 January 2015. Additional details are contained in the report of the Derbyshire County Council Strategic Director to Cabinet Member for Highways, Transport and Infrastructure (attached). An objection was received from Nottinghamshire County Councillor, Rachel Madden, concerned about possible displacement of HGVs along B6018 (Church Hill/Church Street/ Sutton Rd) It was also claimed that the B6018 already suffers from a high volume of HGVs causing damage to carriageways and footways, noise and air pollution and congestion problems through to the A38. Councillor Madden has requested details of possible safeguards that could be put in

place to mitigate these concerns. However the most likely route that will be used by HGVs is the A38, which is more suitable for carrying HGVs than Brookhill Lane or Pinxton Lane.

6. The weight limit, as shown on the plan, keeps signing to a minimum on both Derbyshire and Nottinghamshire's road networks, but additional signing of the weight limit can be provided in advance of the Castlewood Business Park roundabout (on two arms not affected by the weight limit) to improve compliance. All costs, design and construction works will be borne and organised by Derbyshire County Council.

## **RECOMMENDATION/S**

7. To approve the proposed Environmental Weight Restriction.

**Dave Walker**

**District Highways Manager – Broxtowe/Ashfield**

**For any enquiries about this report please contact:**

Dave Walker – 0115 977 4663

## **Constitutional Comments (SLB 01/09/2015)**

8. Transport and Highways Committee is the appropriate body to consider the content of this report.

## **Financial Comments (IC 01/09/2015)**

9. There are no direct financial implications arising from the contents of this report.

## **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.

None.

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

- Nottinghamshire County Councillor Madden supports this scheme

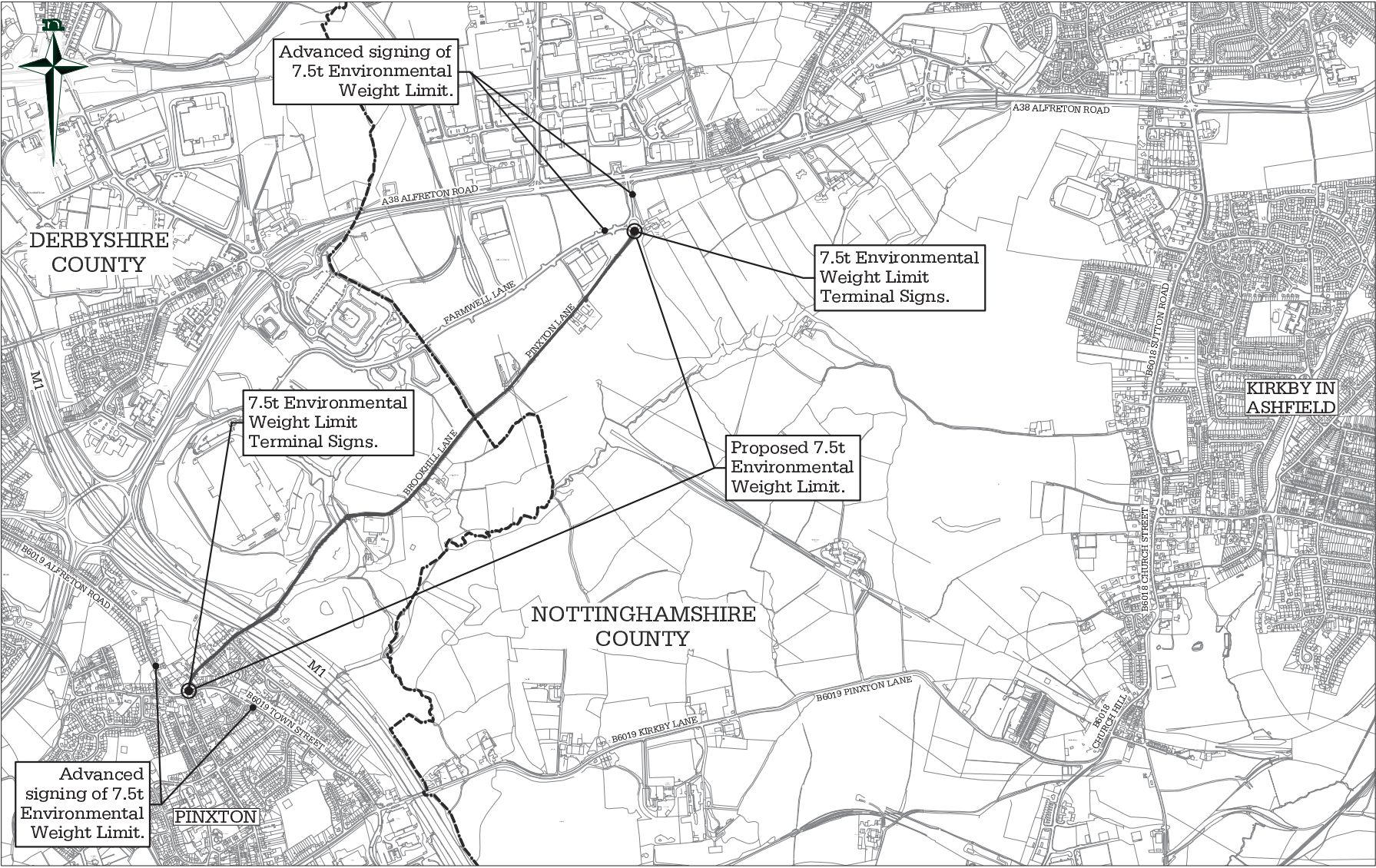


KEY

- Proposed 7.5t environmental weight limit
- County Council Electoral Boundary

NOTES

- 1. Do not scale from this drawing.
- 2. Drawing not to be used for construction purposes.
- 3. Sign Locations are indicative only, and subject to change following detailed design.



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Trent Bridge House, Fox Road,  
West Bridgford, Nottingham, NG2 6BJ  
Tel: 0300 500 80 80

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Project	PROPOSED SIGNS FOR 7.5t ENVIRONMENTAL WEIGHT LIMIT		Drawn	JWB	Date	09/15
Property No.	Project No.	PC-E-14-0001-02-02-07-01	Ch'kd		Date	
Title	Brookhill Lane, Pinxton Lane & Woodfield Road, Pinxton, Derbyshire		Auth	KB	Traced	
Drawing No.	HMT/JB/447/15		Rev		Scale	1:20000 @A4