

**DERBYSHIRE COUNTY COUNCIL**

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

**11 February 2014**

Report of the Strategic Director – Economy, Transport and Environment

**BOLSOVER TOWN CENTRE PROHIBITION AND RESTRICTION  
OF WAITING ORDER 2013 - OBJECTIONS**

(1) **Purpose of the Report** To bring before the Cabinet Member objections received to the Bolsover Town Centre Prohibition and Restriction of Waiting Order 2013 Order for their consideration.

(2) **Information and Analysis**

**Background**

Requests have been received to introduce small sections of double yellow lines and two disabled persons' parking spaces within the town centre area. Officers investigated the requests and considered that the introduction of waiting restrictions were justifiable to maintain traffic flows and provide specialist parking bays. The appropriateness of a number of other restrictions were also assessed at the same time and found to be in need of updating. These were grouped together as one set of proposals and advertised.

Preliminary consultation, including with Derbyshire Constabulary, was carried out 5 September 2012.

The proposed Order was advertised in the local press and on site from 27 June to 19 July 2013. During the advertisement, three objections were received, with comments also being received after the advertisement from two more individuals asking for additional restrictions and concerns about the effects of increased parking in the town centre due to new development.

**Objections**

The first objection relates to the proposals on Oxcroft Lane. The objector states that allowing vehicles to park from number 39 Oxcroft Lane northwards to Longlands will not affect through traffic as the street is one way and widens there. Furthermore, blue badge holders already park on that length on occasions at present and traffic flow has not been adversely affected. The

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objector is concerned that developments in the area may cause an increase in the amount of traffic using that part of Bolsover and that this may be detrimental to traffic movements at peak times due to queuing and also damage to existing road surfaces and substructures which were not built to take loads in excess of 40 tonnes, specifically Oxcroft Lane.

The second objection relates to the proposed extension of the double yellow lines on the eastern side of Castle Lane, at the junction with High Street. The objector considers the length proposed to be too long as it would impede occasional loading and unloading activities for properties in the area. Generally, if loading and unloading vehicles are parked, they are further south than the proposed restrictions and it is only for a period of a few days once or twice a year that a vehicle is parked outside the rear entrance to the property. As a compromise, the objector has no issue with the double yellow lines being extended to the northern side of the rear entrance/garage to the property.

The third objection is a request for additional restrictions to be introduced alongside those that were advertised. The objector asked for additional lengths of double yellow lines on the western side of Castle Lane and on Hornscroft Road, northwards from its junction with High Street for about 14 metres, in order to improve visibility for traffic turning onto that road from High Street.

The additional comments received related to the extents of the highway with further comments related to potential parking issues caused by the recent development in the town centre causing increased competition for on street parking places a particular concern.

### **Officer Comments**

The proposals on Oxcroft Lane have been put forward to ensure traffic flows are maintained. It is recognised that parking is at a premium due to the nature of the development, in that it is mostly terraced housing with little off-street parking. In the general area, which also comprises Longlands and Welbeck Road, there is a limit to the amount of available on-street parking. An increase in the amount of on street parking would be welcomed by a number of road users, however, there would be a significant number of users competing for such spaces. The first objector mentioned the lack of available on-street parking for residents, particularly blue badge holders, who can park on the existing single yellow line for up to 3 hours. Bearing this in mind, a length of the single yellow lines is to be removed from the proposals. The necessary changes to the final Order are shown in Appendix A. An advisory disabled parking bay can then be installed outside No.45 Oxcroft Lane.

The proposals on the eastern side of Castle Lane can be shortened by about 4 metres, as this would still give sufficient clearance for vehicles turning into Castle Lane from High Street.

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The existing double yellow lines on the western side of Castle Lane are shorter than shown in the records of waiting restrictions. Bearing this in mind, they can be extended for a few metres, without the need for a further legal Order to be made. This work can take place alongside those associated with the new restrictions. The suggested double yellow lines on Hornscroft Road have been investigated. The junction itself is on a slight crest, together with the existing give way markings giving an appreciable sight line towards traffic approaching from the Town End signal junction. It is appreciated that sometimes traffic approaching from Town End may be obscured by vehicles waiting to turn right into High Street, however, the imposition of double yellow lines would not alter this. There have been no recorded injury related traffic collisions at this junction in the past five years. Bearing the above in mind, the introduction of restrictions at this location would not be promoted at this time.

The restrictions proposed in the area around the Market Place will not be represented by the presence of double yellow lines on the grounds that they are within a pedestrianised area. The restrictions will only relate to highway.

The effects on parking in the town of new developments and alterations to Bolsover District Council car parks will continue to be observed. It should be borne in mind that there are few areas remaining where changes to on-street parking could be made that would have beneficial effects for residents, businesses and visitors to the town.

### Local Member Comment

Councillor Dixon has been consulted and, after two site visits, is broadly in agreement with the report.

(3) **Financial Considerations** The cost of introducing the Order would be met from the Traffic and Safety Revenue budget and will be in the region of £1,200.

(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:

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

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** Correspondence held on file 44XT in Room N9, County Hall, Matlock. Officer contact details – Dan O'Neill, extension 38166.

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

- 8.1 The proposal on the eastern side of Castle Lane, Bolsover be reduced by 4 metres.
- 8.2 The proposed Order be amended for the lengths of Oxcroft Lane, Bolsover listed in Appendix A.
- 8.3 The Order, as amended, be confirmed and introduced.
- 8.4 The local Member and objectors be informed of the decision.

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

## Appendix A

As advertised

### **SCHEDULE 2**

**NO WAITING 8AM TO 6PM MONDAY TO FRIDAY**

**Oxcroft Lane, Bolsover**

North east side

From a point 18 metres north west of its junction with Welbeck Road in a north westerly direction to its junction with Longlands.

**Be amended to**

### **SCHEDULE 2**

**NO WAITING 8AM TO 6PM MONDAY TO FRIDAY**

**Oxcroft Lane, Bolsover**

North east side

From a point 18 metres north west of its junction with Welbeck Road in a north westerly direction to a point 43 metres south of its junction with Longlands.

From its junction with Longlands southwards for a distance of 17 metres.