

Agenda Item No.4(a)

**DERBYSHIRE COUNTY COUNCIL**

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

**11 January 2018**

Report of the Strategic Director – Economy, Transport and Environment

**PETITION - ROWSLEY, ROWSLEY BAR/CHESTERFIELD ROAD -  
CONCERNS REGARDING THE CONDITION OF THE ROAD, SPEED LIMIT  
AND SAFETY**

(1) **Purpose of Report** To inform the Cabinet Member of investigations undertaken following receipt of a petition requesting actions relating to the condition and safety of Chesterfield Road, and specifically Rowsley Bar, Rowsley.

(2) **Information and Analysis**

**Background**

At the meeting on 20 July 2017, the Cabinet Member acknowledged receipt of a petition listing concerns regarding the condition of the road, speed limit and safety on Chesterfield Road/Rowsley Bar, Rowsley (Minute No. 75/17 refers). The petition contained 25 signatures.

**Officer Comment**

This non-classified road runs from Rowsley towards Chesterfield and links the B6012 Chatsworth Road in Rowsley to the B5057 Darley Road. It is predominantly rural in nature with very few fronting properties. This road is subject to an environmental 7.5 tonne weight limit with exemptions for access reasons due to a series of very sharp switchback bends on the steepest section (approximately 20%) referred to as Rowsley Bar.

There have been two reported injury collisions on the length of highway between Rowsley and Screetham Lane crossroads in the latest three year period which has been recorded (up to 31 May 2017). One of these was near to Mistle Hall Farm and the other was on the approach to Gladwin's Mark. There are no trends or linking causation factors that would suggest any intervention measures would be justifiable.

With regard to speed limits, the Department for Transport Circular 01/2013 - Setting Local Speed Limits provides a national policy on the appropriate

setting of speed limits. The criteria dictate that on single carriageway rural roads, where development is sparse, the National Speed Limit is appropriate. As with all speed limits, they are the absolute maximum and do not mean it is safe to drive at that speed irrespective of conditions. Drivers should reduce their speed when the road layout or conditions present hazards, such as bends, adverse weather, pedestrians, etc. There is onus and responsibility on drivers to acknowledge the environment they are passing through and drive appropriately. The speed limit reduces to 30mph to cover the built up section of the road as it enters Rowsley.

In terms of the condition of the road, it is inspected on a quarterly basis with any actionable defects being addressed. The Annual Engineer's Inspection recommends surface dressing this road within the next five years. However, the section from Woodside Farm to Rowsley is being considered for resurfacing in the 2018-19 Local Transport Plan Capital Programme. It has also been noted that some of the signing is in need of replacement, and officers are carrying out a general review of all the signs and road markings with a view to improving the messages to the motorist. The suggestions made by the lead petitioner (e.g. passing place signs) will be taken on board during this review. However, concealed entrance signs are not something that are contained within the Traffic Signs Regulations and are not provided by this Authority.

As stated previously, a weight limit is in force on this road which prevents the use of it as a through route by vehicles exceeding 7.5 tonnes unless they are gaining access to premises within the area. The road signage for this has been improved at Gladwin's Mark to further highlight the weight limit, but also includes the additional information that access cannot be gained to the A6 and Rowsley. The signage at the Rowsley end will be reviewed as part of the signing review. Contravention of this restriction is a moving traffic offence enforceable by the Police.

### **Local Member Comment**

Councillor Atkin has been consulted but has not made any comment.

(3) **Financial Considerations** The cost of any changes to the signing will be met from 2017-18 Local Transport Plan capital allocation for small-scale signing and lining schemes.

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984, 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 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 preserve or improve the amenities of the area 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.

Section 2 of the 1984 Act states what a Traffic Regulation Order (TRO) may provide for and this includes Prohibition of Waiting. 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.

Regulation 14 of the 1996 Regulations enables an order making authority to modify an Order in consequence of any objections or otherwise, before it is made. Where substantial changes are to be made, the order making authority must notify those likely to be affected by the modifications giving them an opportunity to make a representation which the Authority shall consider. In this matter, it is not considered that modifications are required.

Having determined all objections, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected. 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 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.

### **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, social value 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 – Isobel Mulligan, extension 38677.
- (8) **OFFICER'S RECOMMENDATION** That a review of the existing traffic signing at Rowsley Bar/Chesterfield Road, Rowsley be carried out in accordance with current regulations.

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