

Agenda Item No.4(d)

DERBYSHIRE COUNTY COUNCIL

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

11 January 2018

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO THE DERBYSHIRE COUNTY COUNCIL (MILL GREEN
WAY, NORTH ROAD, BARTON STREET, CLOWNE) (WAITING
RESTRICTIONS) ORDER 2017**

- (1) **Purpose of Report** To consider objections following the public advertisement and consultation on two Traffic Regulations Orders (TROs) at two different locations in Clowne, and to recommend that the Order be made as advertised.
- (2) **Information and Analysis** Officers have received requests from members of the public and a County Councillor for amendments to the existing waiting restrictions in the Clowne area. The Mill Green Way location of the TRO is an administrative exercise to add the existing restrictions on site to the TRO database which was initially consulted upon in June 2016. The Barton Street double yellow line restrictions are to provide visibility to motorists exiting the access road leading from an area of off-street parking. This location was initially consulted upon in May 2017 then both of the locations were legally advertised on street and in the local paper on 12 October 2017 to 3 November 2017. Following these statutory processes, one objection was received.

The cost of advertising these TROs has risen considerably over the last few years, mainly due to the printing costs in the newspapers. Officers have therefore been mindful not to advertise individual TROs but have looked at grouping requests in an area and then advertise them altogether.

Officer Comment

During the initial consultation process, one objection was received. No further objections were received during the period of the formal legal advertisement.

1. Barton Street/Access Road to Off-street Parking – Proposed Double Yellow Lines

Dwg. No. HMT/SMD/188/17

The proposed restrictions are to extend the existing double yellow lines around the junction to stop parking and improve visibility when exiting the access road to off- street parking to the rear of Mitchell Street.

(a) Objection

The Objector has asked if a study of vehicle movements was carried out prior to making the proposal to install parking restrictions on Barton Street.

The Objector feels that the installation of parking restrictions on Barton Street and the subsequent removal of parked vehicles will lead to an increase in vehicle speed when travelling around the corner that joins Barton Street to Mitchell Street.

The Objector has requested that Derbyshire County Council investigates the provision of warning signage, informing motorists that there is a junction on the inside of the bend on Barton Street.

Officer Comment: It is not normal practise to carry out a traffic study when installing parking restrictions of such a limited nature. Officers feel that there will be little effect on vehicle speed following the installation of parking restrictions but there will be a visibility improvement for vehicles both travelling around the bend on Barton Street / Mitchell Street and when exiting the access road to off-street parking onto Barton Street. On-street parking within the Brookhill Estate is at a premium and the availability of off-street parking is extremely low which makes the off-street parking offered adjacent to the access road in question highly desirable and, as such, every effort should be made by the Authority to allow safe entry onto the Highway from the access road. Officers agree that warning signage should be installed denoting a junction on the inside of a bend.

Local Member Comment

Councillor Western is fully supportive of the proposal.

(3) Financial Considerations This work forms part of the approved 2017-18 Local Transport Plan and the cost of the lining and associated signing work will be approximately £200.

(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 and 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. An Order shall not be made until after the last date for objections. 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.

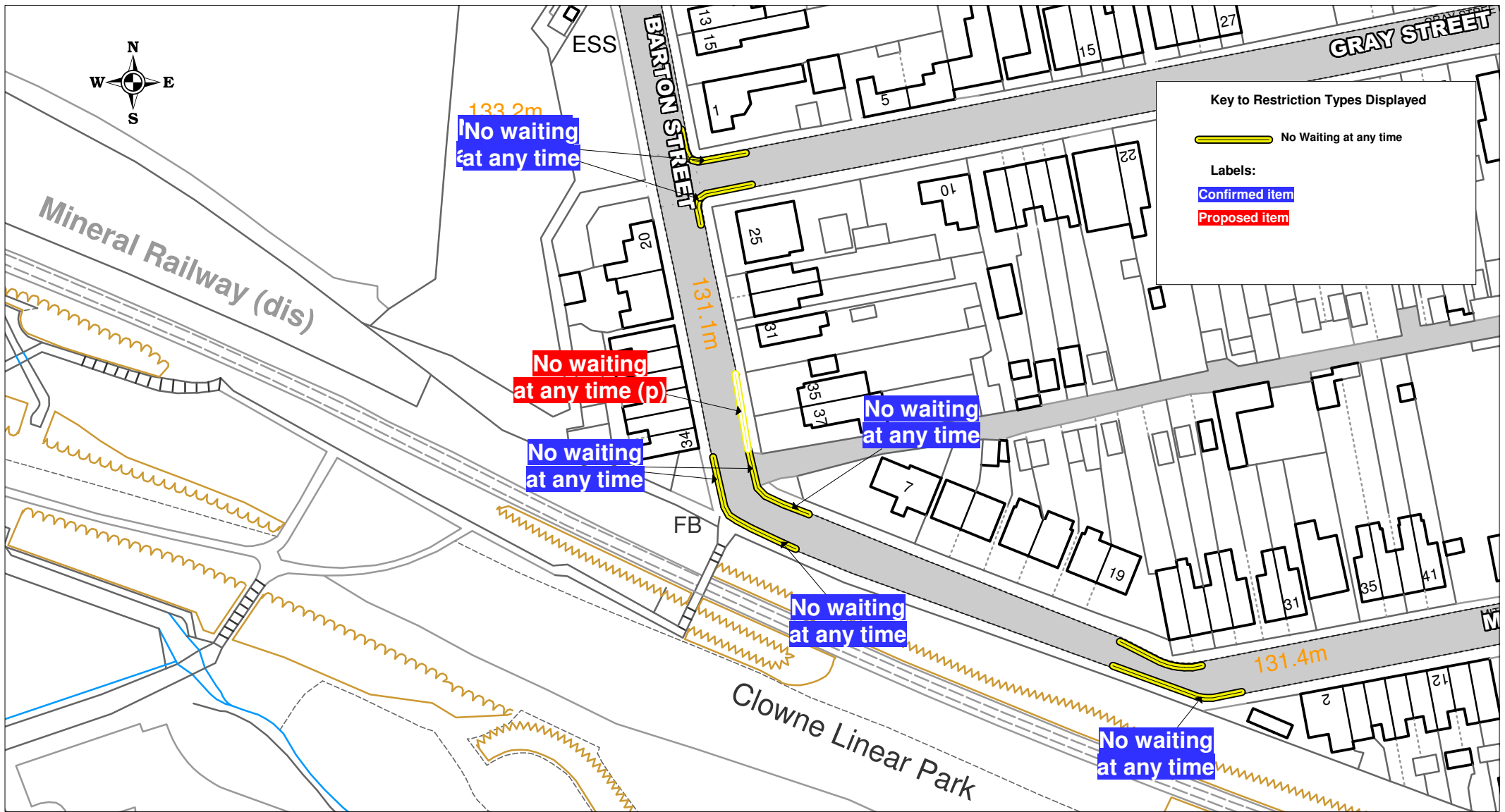
Other Considerations

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 – Steve Dungworth, extension 38619.
- (8) **OFFICER'S RECOMMENDATION** That the proposed Traffic Regulation Order Derbyshire County Council (Mill Green Way, North Road, Barton Street, Clowne) (Waiting Restrictions) Order 2017 be introduced as advertised and implemented in due course.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



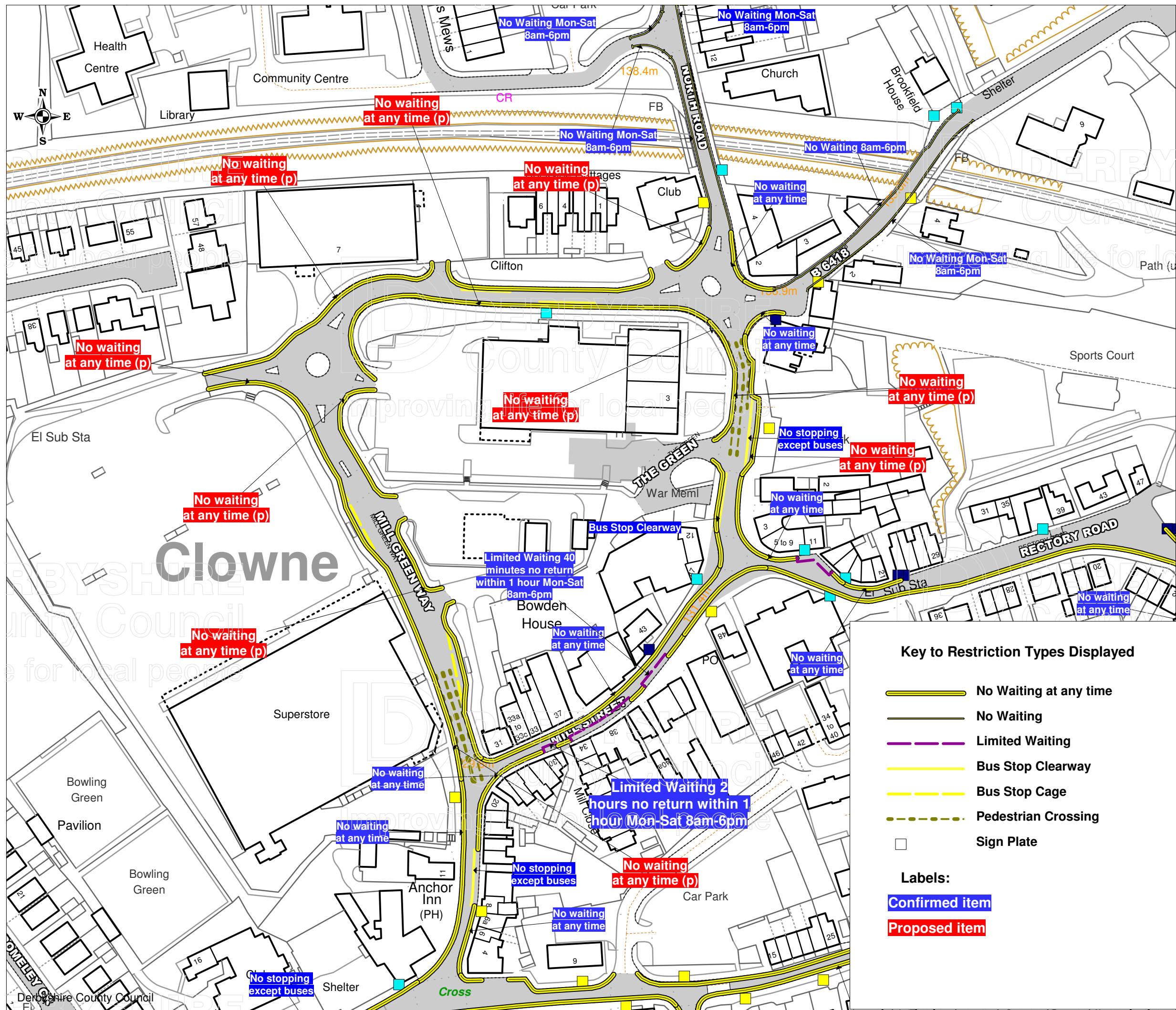
DERBYSHIRE
County Council
Improving life for local people

MIKE W. ASHWORTH
Strategic Director
Economy, Transport & Environment

Barton Street, Clowne
Proposed Double Yellow Line Extension

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SCALE	1 : 1000
DATE	09/05/2017
DRAWING No.	HMT/SMD/188/17
DRAWN BY	MS



Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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NWAAT Restrictions

Various Streets

Clowne

Derbyshire



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DRAWING TITLE

Proposed Prohibition of
Waiting Order 2016

SCALE 1 : 1250

DATE 15/06/2016

DRAWING No. Proposal DWG

DRAWN BY RJH