

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND ENVIRONMENT

12 April 2016

Report of the Strategic Director – Economy, Transport and Communities

DERBY CITY COUNCIL: PROPOSED JOINT TRAFFIC REGULATION ORDERS WITH DERBYSHIRE COUNTY COUNCIL IN ASSOCIATION WITH THE T12 NEW LINK ROAD, CHELLASTON

(1) **Purpose of Report** To inform the Cabinet Member of a request from Derby City Council to make a number of cross-boundary Traffic Regulation Orders (TRO), and to request approval, under delegated powers, for Derby City Council to commence the TRO process for the making of the Orders on behalf of Derbyshire County Council.

(2) **Information and Analysis**

Background

As part of the Chellaston Infinity Park development in the Derby City area, a new link road is being built which will support large scale housing and employment growth in the area.

Derby City Council proposes a number of TROs relating to the construction and use of the new link road, two of which are partly in the Derbyshire County Council highway authority area. The two proposals are:

- An amendment to the South Derby/Derbyshire environmental weight limit, making the new link road an exempted road from the weight limit.
- The introduction of 'No Waiting at Any Time' (double yellow line) waiting restrictions along Holmleigh Way in its entirety.

Officer Comments

In principle, there is no objection to the provision of these TROs which would appear to be in the interests of the local economy for both Derby and Derbyshire, providing efficient access to and from the A50 trunk road. The two proposed orders, as described above, would affect only a short length of road within Derbyshire County Council's administrative area. This is a section of Holmleigh Way of approximately 100m in length, from the A50 junction 3 roundabout, in a northerly direction, to the Derbyshire/Derby City

administrative boundary at the roundabout junction with Holmleigh Way and Royal Approach.

Derby City Council would make the Order on behalf of Derbyshire County Council, and the consultation process would involve stakeholders in both local authority areas.

Appended to this report are the Statement of Reasons and a plan showing the proposals, along with background information relating to the development.

(3) **Financial Considerations** The costs of making the Orders and undertaking the consultation would be borne by Derby City Council.

(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 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.

Section 2 of the 1984 Act states what a TRO may provide for and this includes prohibition of waiting and weight limits. Notice of proposals must be given in accordance with Regulation 7 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 enable 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 representations which the authority shall consider.

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.

Section 101(1)(b) of the Local Government Act 1972 permits a local authority to arrange for the discharge of any of their functions by any other local authority.

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 – Paul Jameson, extension 38610.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves Derby City Council, under delegated powers to undertake the Traffic Regulation Order making process and to make the Orders on behalf of Derbyshire County Council.

Mike Ashworth
Strategic Director – Economy, Transport and Communities

STATEMENT OF REASONS

**DERBY CITY COUNCIL
(T12 NEW LINK ROAD CHELLASTON)
(SPEED)
(AMENDMENT TO MAP BASED SCHEDULE)(NO.3)
ORDER 2015**

**DERBY CITY COUNCIL AND DERBYSHIRE COUNTY COUNCIL
(T12 NEW LINK ROAD CHELLASTON)
(PROHIBITION AND WAITING)
(AMENDMENT TO MAP BASED SCHEDULE) (NO. 75)
ORDER 2015**

**DERBY CITY COUNCIL AND DERBYSHIRE COUNTY COUNCIL
(T12 NEW LINK ROAD CHELLASTON)
(MOVING VEHICLE RESTRICTION)
(AMENDMENT TO MAP BASED SCHEDULE)(NO.11)
ORDER 2015**

DERBY CITY COUNCIL and Derbyshire County Council in exercise of its powers under Sections 84 (1) and (2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Orders.

Derby City Council and Derbyshire County Council are duty bound pursuant to Section 122 of the Road Traffic Regulation Act 1984 (as amended) and pursuant to s101 of the Local Government Act 1972 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 proposed Orders are in accordance with Section 1(1), of the Act as it appears to the Authority that it is expedient to make it for the purposes prescribed:

1. for avoiding danger to persons or other traffic using the road or any other road or preventing the likelihood of any such danger arising,
2. for facilitating the passage on the road for any class of traffic (including pedestrians),
3. for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,
4. for preserving or improving the amenities of the area through which the road runs or
5. for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

EFFECTS

The proposed Traffic Regulation Order's (TRO) for this road are as follows, namely:

1. To introduce a 40mph Speed Limit restriction on the T12 Link Road, that is in keeping with the existing speed limit at either end that this road connects onto, namely, Wilmore Road and Holmleigh Way. At the same time there's a small section of the existing 40 mph speed limit to revoke on Wilmore Road where there is a new signalised junction.
2. To introduce a no waiting at any time restriction along both sides of the T12 link road, and also along the whole length of Holmleigh Way (partly in Derbyshire County Council highway authority area) to its junction with the A50 roundabout.
3. To amend the current 7.5 tonne environmental weight restriction TRO for South Derbyshire / Derbyshire by including an exempt road in the order to allow Goods vehicles to use the T12 Link Road and Holmleigh Way (partly in Derbyshire County Council highway authority area).
4. To introduce on Sinfin Moor Lane where it crosses the T12 Link Road a Prohibition of Driving for motor vehicles except key holders.

BACKGROUND

The T12 Link road is located to the southern side of the city and the road links Holmleigh Way in Chellaston to Wilmore Road in Sinfin. The area surrounding the T12 Link road will be the home to a global technology park, providing commercial premises for a number of businesses.

The proposed T12 development site covers an area of approximately 80.47ha. The site is surrounded to the west by the municipal golf course and playing fields, beyond which lies the residential area of Sinfin. To the north is located the Rolls Royce factory and existing employment provision. To the east is land designated within the green wedge beyond which lies the residential area of Chellaston.

The site benefits from a longstanding Local Plan designation for commercial development. The site continues to be allocated for employment uses through Policy EP1 of the adopted Derby City Local Plan (2006), the policies of which were saved by the Secretary of State in 2009.

The need for the road is identified to support the large scale housing and employment development in the area, and remove general and employment traffic in particular, from Chellaston. In addition to this there is a need to accommodate cycles, pedestrians and to minimise the impact of traffic on the environment, whilst also safeguarding the option to restore the Derby and Sandiacre Canal.

REASONS FOR PROPOSALS

40mph Speed Limit

It is proposed to introduce 40mph Speed Limit restriction on the T12 Link Road. The speed limit will be consistent with surrounding roads; Holmleigh Way and Wilmore Road which have a speed limit of 40mph. The speed limit will also be consistent with the function and nature of the road and help ensure the safety of all road users.

Revocation of 40mph Speed Limit

It is proposed to revoke the 40mph speed limit on the small section of road on Wilmore Road which will become redundant as part of the new junction design of the T12 Link Road with Wilmore Road.

Prohibition and Restriction of Waiting – No waiting at any time

The T12 Link Road will be a major route for goods vehicles and other vehicles accessing the commercial premises to the south of the City. The Prohibition and Restriction of Waiting along this link road and Holmleigh Way is necessary due to the nature and function of this link to facilitate access and egress along this route for heavy goods vehicles and other vehicles.

Environmental Weight Limit – Exempt Road

There is a 7.5 tonne Environmental Weight Limit in this area and it is proposed to make the T12 Link Road and Holmleigh Way an exempt road in the Environment Weight Limit for South Derbyshire / Derbyshire. This will allow goods vehicles to use this route instead of the A514 Swarkestone Road / Derby Road / Chellaston Road and Osmaston Road, thereby enabling the vehicles to use a more appropriate route to access / egress the area.

Prohibition of Driving

Where Sinfin Moor Lane crosses the T12 link road, it is proposed to introduce a Prohibition of Driving of motor vehicles on Sinfin Moor Lane for a distance of six metres either side of the T12 Link Road. Gates will be installed on Sinfin Moor Lane with an exemption for key holders for local land owners wishing to access their property. The reason for introducing the prohibition of driving is to stop unauthorised users accessing the area, but allowing local land owners legitimate access to their property.

Christine Durrant
Acting Strategic Director - Neighbourhoods
Derby City Council
Council House
Corporation Street
Derby
DE1 2FS

21 July 2015



C



NEIGHBOURHOODS DIRECTORATE
Strategic Director for Neighbourhoods
Paul Robinson
The Council House
Corporation Street
Derby DE1 2FS
Tel (01332) 293111

T12 Link Road
TRO

Location of Proposed Restrictions



AMENDMENT DETAILS			By	Chd	Date	No.
DRWN BY	AA	CHECKED BY	MC	APPROVED BY	MC	SCALE
Date	July 15	Date	July 15	Date	July 15	NTS
ORIGINAL DRAWING SIZE 430 x 297 (A3)						
Project Reference Number						
Drawing Number C005057						

DERBY CITY COUNCIL

**(T12 NEW LINK ROAD CHELLASTON)
(SPEED)
(AMENDMENT TO MAP BASED SCHEDULE)(NO.3)
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(T12 NEW LINK ROAD CHELLASTON)
(PROHIBITION AND WAITING)
(AMENDMENT TO MAP BASED SCHEDULE) (NO. 75)
ORDER 2015**

**DERBY CITY COUNCIL AND DERBYSHIRE COUNTY COUNCIL
(T12 NEW LINK ROAD CHELLASTON)
(MOVING VEHICLE RESTRICTION)
(AMENDMENT TO MAP BASED SCHEDULE)(NO.11)
ORDER 2015**

NOTICE IS HEREBY GIVEN that Derby City Council and Derbyshire County Council proposes to make the following Orders under Sections 84 (1) and (2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, and pursuant to s101 of the Local Government Act 1972, hereby make the following Orders

The purpose of the Order will be to bring into effect the following:-

40mph Speed Limit – T12 Link Road

- From its junction with Holmleigh Way to its junction with Wilmore Road.
- Revoke the small section of 40mph speed limit where Wilmore Road is to become redundant.

No Waiting at Any Time – Holmleigh Way and T12 Link Road

- From its junction with the A50 roundabout to its junction with Wilmore Road.

7.5 Tonne Environmental Weight restriction

- To amend the current 7.5 tonne environmental weight restriction for South Derbyshire / Derbyshire by including an exempt road in the order to allow Goods vehicles to use the T12 Link Road and Holmleigh Way.

Prohibition of Driving

- To introduce on Sinfin Moor Lane where it crosses the T12 Link Road a Prohibition of Driving for motor vehicles except key holders.

A copy of the proposed Order together with maps which show the definitive extents of the proposals, a copy of the Authority's Statement of Reasons for proposing the Order and the Order being amended, may be inspected during office hours at the Reception of Derby City Council, The Council House, Corporation Street, Derby, DE1 2FS.

Objections to the proposals stating your grounds of objection should be sent, in writing, to Derby City Council, Traffic Management, Neighbourhoods, The Council House, Corporation Street, Derby, DE1 2FS to be received no later than xxxxxxxx 2016.

Christine Durrant
Strategic Director for Neighbourhoods
Dated this xxxxxx 2016



All information provided will be treated in confidence and in accordance with the Data Protection Act 1998. We will only use this information to gain feedback on the proposed traffic regulation order, if you provide your name and address these will only be used to identify where replies have been received from.