

Agenda Item No. 4(h)

DERBYSHIRE COUNTY COUNCIL

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

12 July 2016

Report of the Strategic Director – Economy, Transport and Communities

**STONEY MIDDLETON BYWAY OPEN TO ALL TRAFFIC 15 - JACOBS
LADDER**

(1) **Purpose of Report** To seek approval to commence an initial public consultation seeking opinions on a request to implement a Traffic Regulation Order on Stoney Middleton Byway Open to All Traffic 15 (Jacobs Ladder).

(2) **Information and Analysis** The County Council has been requested by several organisations, including the Parish Council, Friends of the Peak District, Peak District Green Lanes Alliance and Peak Horse Power to implement a Traffic Regulation Order (TRO) on this route.

Jacobs Ladder is a Byway Open to All Traffic and therefore carries public motorised vehicular rights. The attached plan indicates the location of the route.

In 2012, the Council published its policy for the Management of Green Lanes. The Policy aims to ensure that a balance is struck between all types of users on the County's network. The Policy states:

The County Council will not unreasonably impose a TRO. Where a problem cannot be resolved by other reasonable means, the County Council may be expected to impose one expeditiously. In other situations consultation will be carried out and the responses analysed to ensure that a TRO is appropriate. This may result in:

- A TRO restricting all motorised Mechanically Propelled Vehicle (MPV) traffic.
- A TRO restricting use to certain class or classes of MPV traffic.
- A seasonal TRO to protect the environment and character of the route, for example.
- A TRO restricting access at certain times of the day and/or year
- Identification of another method to resolve the problem.

Policy Statement 5

Traffic Regulation Orders shall be considered where:

- 5a) No other reasonable solution exists to resolve conflict between types of use.
- 5b) There is a clear danger to vehicle users.
- 5c) The safety of other users is compromised through continued use by vehicles.
- 5d) Any other relevant legal criterion is satisfied.

The main reasons for the request include, but are not restricted to, the following.

- It is a narrow track with limited opportunity for larger motorised vehicles to pass other users, including pedestrians.
- Occasionally, motorised vehicles, mainly motor cycles, travelling at speed without regard for other users giving rise to conflict.

This initial consultation falls in line with the Council's current Policy and is intended to examine all opportunities to provide a sustainable solution to the management of all traffic on this route. The consultation will aim at identifying the following:

- Who uses the route and for what purpose.
- When they use the route.
- What types of conflict, if any, have been encountered on the route.
- Are there any innovative measures that could be put in place to ensure that all users can continue to use the route.
- The extent of a TRO if implemented.

The consultation, which will run for 12 weeks, will take place on the Council's website. An analysis of the consultation will be returned to this meeting with a recommendation later this year.

(3) **Financial Considerations** Staff time in arranging the consultation.

(4) **Legal Considerations** The County Council has powers under the Road Traffic Regulation Act 1984 to make such Orders as it deems necessary for the purpose of controlling traffic on any highway for which it is the highway authority.

This public consultation is intended to inform the Council prior to any formal recommendations being made.

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 Communities Department. Officer contact details – Peter White, extension 39673.

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

- 8.1 The Cabinet Member approves a 12 week public consultation to scope public opinion for a Traffic Regulation Order on Jacobs Ladder, Byway Open to All Traffic 15, Stoney Middleton.
- 8.2 A report be submitted to the Cabinet Member at a future date to recommend a way forward.

Mike Ashworth
Strategic Director – Economy, Transport and Communities

