

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

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

14 June 2018

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO THE DERBYSHIRE COUNTY COUNCIL (TIBSHELF,
BLACKWELL AND STONEBROOM VARIOUS STREETS) (WAITING
RESTRICTIONS) ORDER 2018**

(1) **Purpose of Report** To consider objections following the public advertisement and consultation on various Traffic Regulations Orders (TROs) at four locations, two in Tibshelf, one in Blackwell and one in Stonebroom, and to recommend that the Order be made as advertised.

(2) **Information and Analysis** Officers have received requests from County Councillors and members of the public for new waiting restrictions or amendments to existing waiting restrictions in the Tibshelf, Blackwell and Stonebroom areas. These are set out below. In Tibshelf, double yellow line waiting restrictions were requested on West View at its junctions with Raven Avenue and Doe Hill Lane, to prevent parking and improve visibility for both vehicles when carrying out turning manoeuvres and for pedestrians, including school children when crossing the road. Officers also took this opportunity to apply a TRO to the existing School Keep Clear markings on West View which allows them to be legally enforced.

A petition was received from members of the public requesting that the existing 20 minute time period applied to the parking bays on High Street, Tibshelf be increased to 1 hour.

The necessary signage required for the limited time parking restrictions (Mon Sat 9am-6pm) on Brooke Street and Hardwick Street in Tibshelf to be enforceable, had been subject to repeat episodes of vandalism. This has meant that Civil Parking Enforcement officers were unable to carry out enforcement at these locations. Officers consider that the existing limited time parking restrictions should be converted into double yellow line restrictions which do not require co-located signage in order for them to be enforceable.

Double yellow line restrictions were requested on Primrose Hill and Glove's Lane, Blackwell at their respective junction with Alfreton Road, to allow vehicles to safely manoeuvre and improve visibility.

Double yellow line restrictions were requested at the junction of Quarry Lane with High Street, Stonebroom to improve safety outside the nearby school. Officers also took this opportunity to apply a TRO to the existing School Keep Clear markings on Quarry Lane and High Street which allows them to be legally enforced.

The TRO, covering all the various proposals above, was initially consulted upon in November 2017 and was then legally advertised on street and in the local paper on 15 March 2018 to 6 April 2018. Following these statutory processes, a number of objections were 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 advertising them altogether.

Officer Comment

A number of objections were received during the both the preliminary consultation and the formal advert period. These have been detailed below.

1. High Street, Hardwick Street and Brooke Street, Tibshelf – Proposed Double Yellow Lines and Limited Waiting Parking Restrictions Dwg. No. HMT/PB/553/17

The existing 20 minute time period applied to the parking bays on High Street, Tibshelf is to be increased to 1 hour. The existing limited time parking restrictions on Brooke Street and Hardwick Street to be converted into double yellow line restrictions due to repeated vandalism of the associated signage.

(a) Objection: Proposed Waiting Restrictions – B6014 High Street/Brooke Street and Hardwick Street.

The Objector suggests that the double yellow lining on Brooke Street should only extend along the same length as the existing single yellow line. It was further suggested that the double yellow lining on Hardwick Street should extend further down the street on both sides to the level of the track which runs along the back of the properties on High Street.

Officer Comment: The length of proposed double yellow lines will replace the same length of existing single yellow line restrictions. Officers feel that, given the demand for on street parking on Hardwick Street, the current length of parking restrictions is sufficient.

2. Doe Hill Lane/West View/Raven Avenue, Tibshelf – Proposed Double Yellow Lines and School Keep Clear Parking Restrictions
Dwg. No. HMT/PB/552/17_REV_A

The proposed restrictions are to provide double yellow lines around the junctions to stop parking and improve visibility for both motorists and pedestrians. The existing School Keep Clear markings to be made enforceable by way of a TRO being applied to them.

(a) Objection: Proposed waiting Restrictions – Doe Hill Lane, West View and Raven Avenue, Tibshelf.

The Objector requests that the double yellow line restrictions be lengthened to cover their private driveway.

Officer Comment: The installation of further parking restrictions at this location would lead to the possible contravention of the proposed restrictions and parking might take place further along West View in an area where there is a higher density of housing.

(b) Objection: Proposed Waiting Restrictions – Doe Hill Lane, West View and Raven Avenue, Tibshelf.

The Objector requests that the double yellow line restrictions are extended further along Raven Avenue.

Officer Comment: As Raven Avenue is a residential road, the current length of parking restrictions at the junction of West View with Raven Avenue have been purposely kept to a minimum to allow frontage parking whilst maintaining visibility at the junction.

(c) Objection: Proposed Waiting Restrictions – Doe Hill Lane, West View and Raven Avenue, Tibshelf.

The Objector believes that the proposed waiting restrictions will lead to a displacement of vehicles onto Raven Avenue which will cause the obstruction of private driveways.

Officer Comment: Whilst the introduction of waiting restriction may lead to some displacement of vehicles onto Raven Avenue at school times, whilst parents wait for school children, it is an offence to obstruct a private driveway by way of parking a vehicle across dropped kerbs. This offence is dealt with by Civil Parking Enforcement officers.

(d) Objection: Proposed Waiting Restrictions – Doe Hill Lane, West View and Raven Avenue, Tibshelf.

The Objector requested that further consultation be carried out with the residents of Raven Avenue and that the proposed waiting restrictions on the north-west side of West View be extended past Raven Avenue.

Officer Comment: The consultation exercise carried out for the implementation of the parking restrictions was in accordance with Statutory Instrument 2489:1996 The Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996. No further consultation is deemed necessary.

As stated previously, the installation of further parking restrictions at this location may lead to the contravention of the proposed restrictions and parking could possibly take place further along West View.

3. Quarry Lane and High Street, Stonebroom – Proposed Double Yellow Lines and School Keep Clear Parking Restrictions Dwg. No. HMT/PB/300/17A

The proposed restrictions are to provide double yellow lines around the junction to stop parking and improve visibility for both motorists and pedestrians. The existing School Keep Clear markings to be made enforceable by way of a TRO being applied to them.

The Objector felt that parking would be merely displaced to another location.

Officer Comment: Whilst it is inevitable that there will be a degree of parking displacement following the installation of parking restrictions, this displaced parking will take place away from the junction of High Street and Quarry Lane and away from the School Keep Clear markings which will provide a safer environment for school children and pedestrians attending the nearby school.

4. Alfرتون Road, Primrose Hill and Gloves Lane, Blackwell – Proposed Double Yellow Line Parking Restrictions Dwg. No. HMT/PB/306/17_REV_A

The proposed restrictions are to provide double yellow lines around the junction to prevent parking in front of the new properties on Primrose Hill and improve visibility and, therefore, safety for both motorists and pedestrians.

The Objector requested that the proposed parking restrictions be extended on Primrose Hill.

Officer Comment: The Highway Code recommends that vehicles should not park within a distance of 10m of a junction. The proposed double yellow lines extend 27m along Primrose Hill from its junction with Alfرتون Road which

officers feel is an adequate distance to provide safety for vehicles turning onto Primrose Hill from Alfreton Road.

Local Member Comment

Councillor Moesby (Tibshelf and Blackwell) and Councillor Lewis (Stonebroom) were consulted regarding the proposal and are supportive of the proposals.

(3) **Financial Considerations** This work forms part of the approved 2018-19 Highways Maintenance Revenue budget.

(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 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.

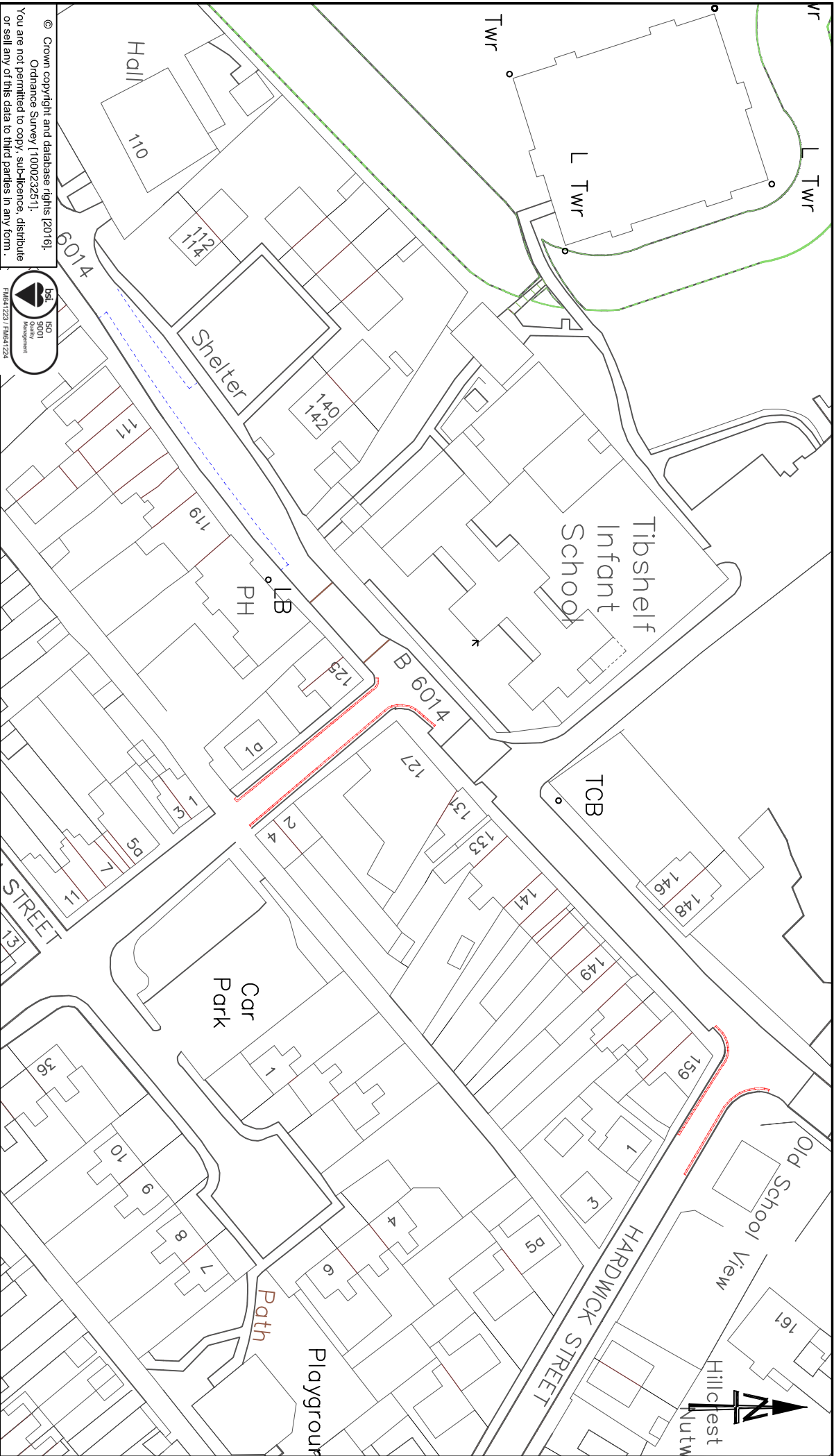
(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Steve Dungworth, extension 38619.

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

8.1 The proposed Traffic Regulation Order (Derbyshire County Council) (Tibshelf, Blackwell and Stonebroom Various Streets) (Waiting Restrictions) Order 2018 be introduced as advertised and implemented in due course.

8.2 The Local Members and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment




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KEY:

 PROPOSED NO WAITING AT ANY TIME
(DOUBLE YELLOW LINES)

 PROPOSED LIMITED WAITING 1 HOUR, NO
RETURN WITHIN 1 HOUR MON-SAT 9AM-6PM
(CURRENTLY 20 MINS LIMITED WAITING, NO
RETURN WITHIN 1 HOUR MON-SAT 9AM-6PM)

PROJECT TITLE
PROPOSED NO WAITING AT ANY TIME MARKINGS/
REVISED TIMES FOR LIMITED WAITING
BAYS, HIGH STREET, TIBSHELF

DRAWING TITLE

CONSULTATION
DRAWING

DRAWN	CHECKED	APPROVED
PHIL BRAISBY	BRIDGET GOULD	STEVE DUNGWORTH
Date 14/11/17	Date 14/11/17	Date 14/11/17

Project / Confirm
Reference No.

SCALE

Drawing
Number

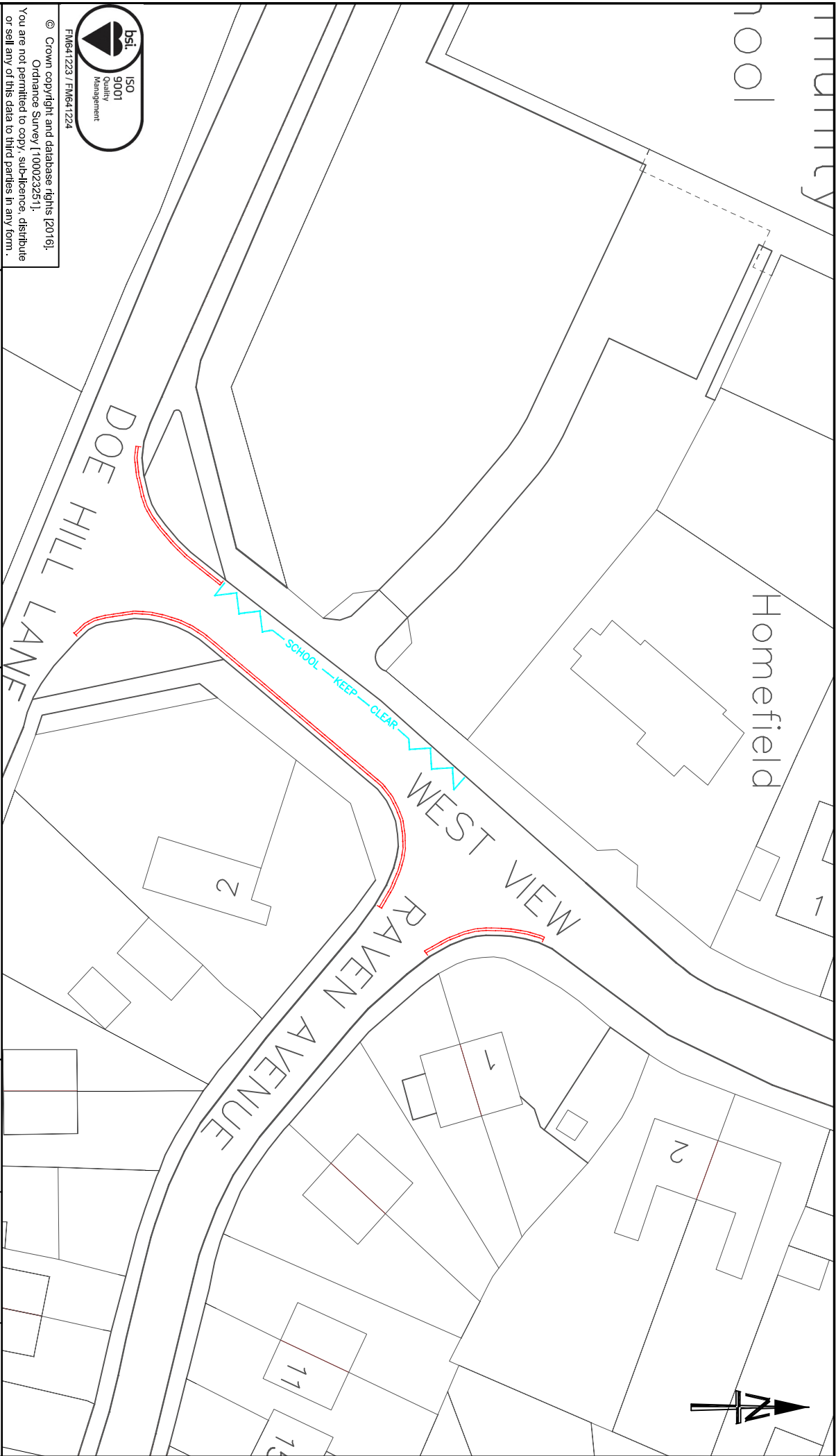
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Improving life for local people

MIKE ASHWORTH

Strategic Director
Economy, Transport and Environment



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Improving life for local people

MIKE ASHWORTH

Strategic Director

Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY TIME (DOUBLE YELLOW LINES)



EXISTING SCHOOL KEEP CLEAR MARKINGS

PROJECT TITLE

PROPOSED NO WAITING AT ANY TIME MARKINGS

WEST VIEW, TIBSHELF

DRAWING TITLE

CONSULTATION
DRAWING

DRAWN

PHIL BRAISBY

CHECKED

BRIDGET GOULD

APPROVED

STEVE DUNGWORTH

Date

14/11/17

Date

14/11/17

Date

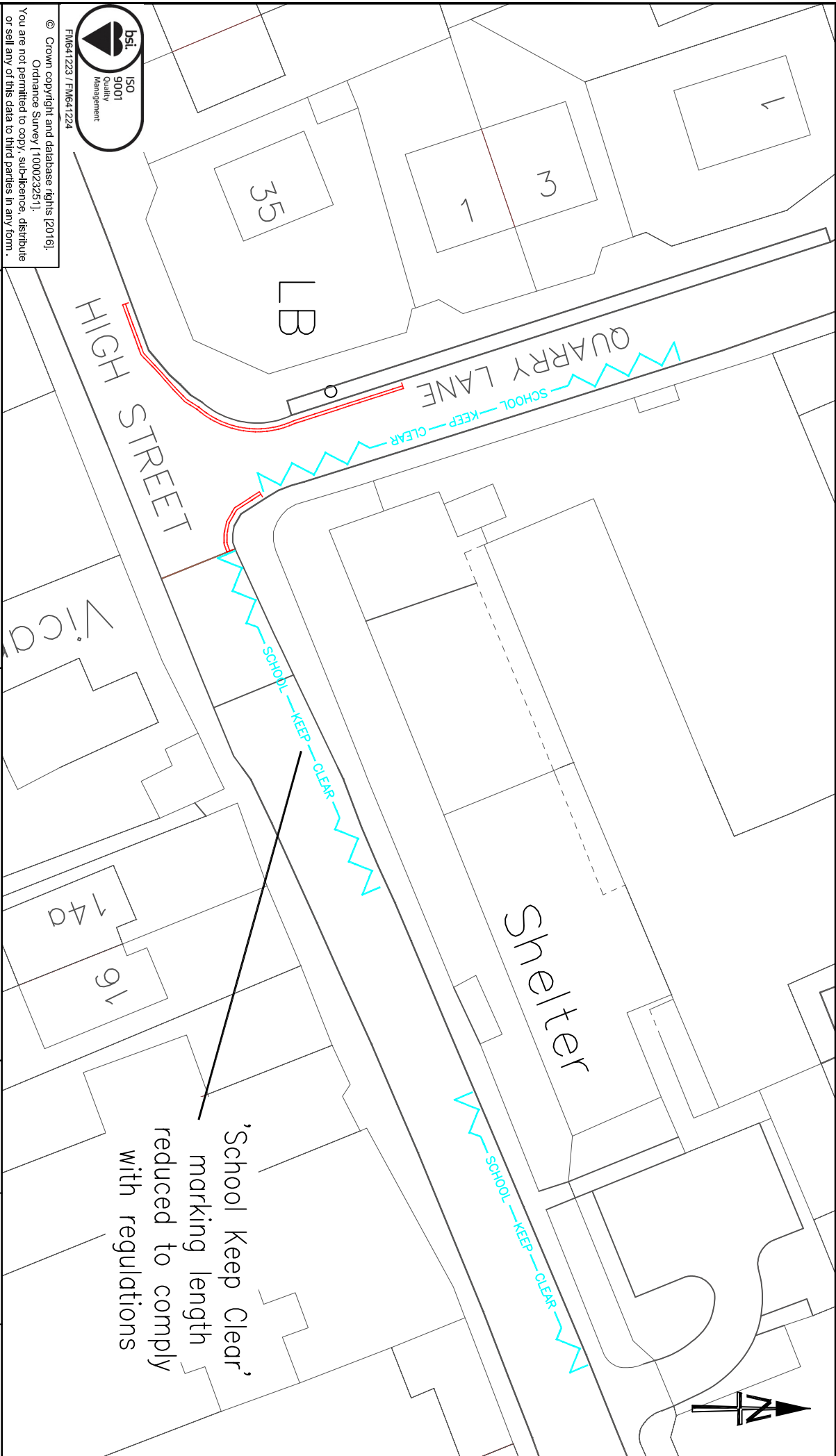
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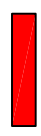
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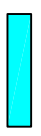
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MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)



EXISTING SCHOOL KEEP CLEAR
MARKINGS

PROJECT TITLE

PROPOSED NO WAITING AT ANY TIME MARKINGS
QUARRY LANE, STONEBROOM

DRAWING TITLE

CONSULTATION
DRAWING - REVISION A

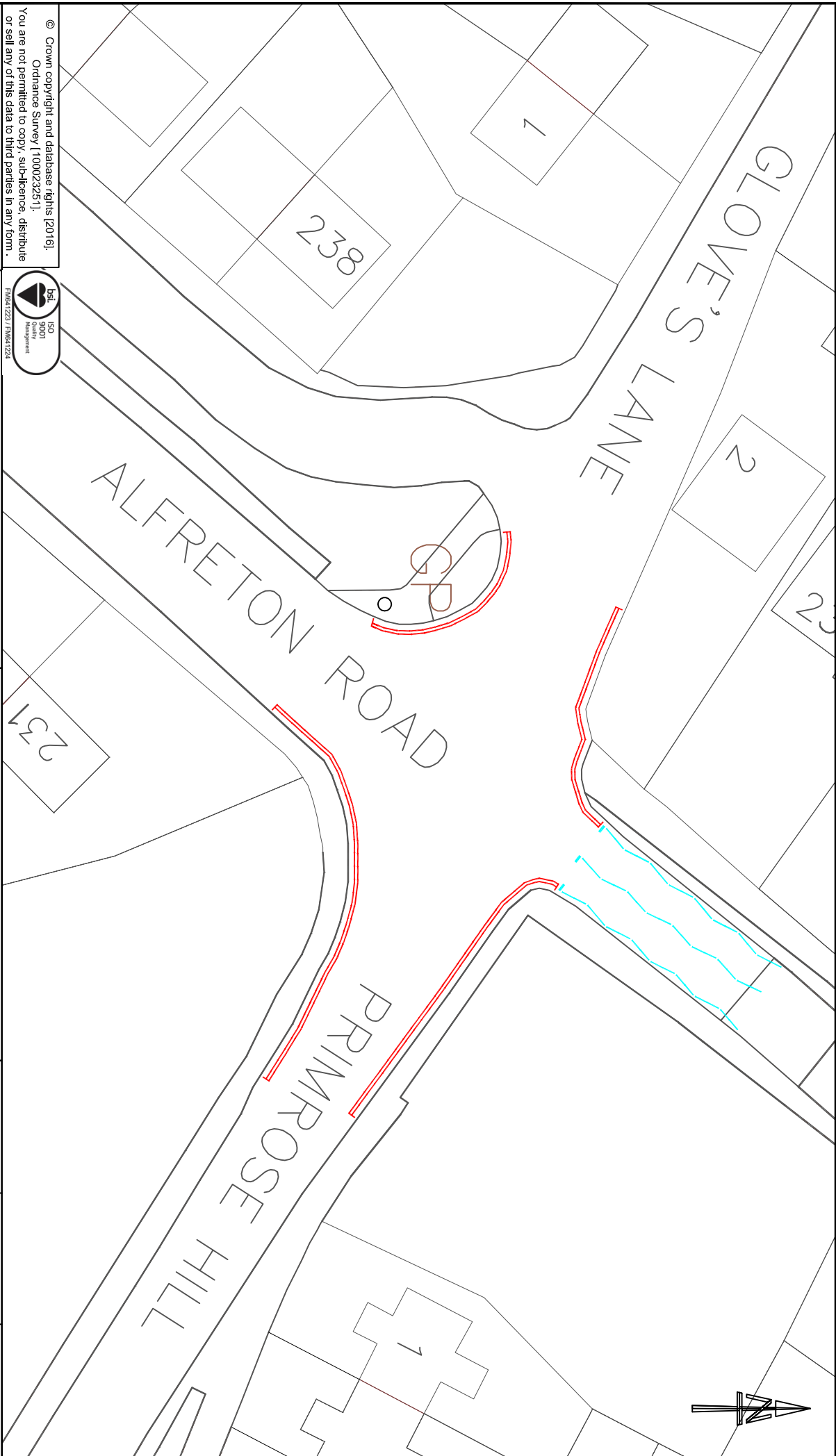
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Date 20/02/18	Date 20/02/18	Date 20/02/18

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	20/02/18

Drawing Number	HMT/PB/300/17A	NTS

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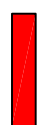
'School Keep Clear'
marking length
reduced to comply
with regulations



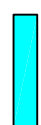
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KEY:



PROPOSED NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)



EXISTING ZIG ZAG MARKINGS
FOR PEDESTRIAN CROSSING

PROJECT TITLE
PROPOSED NO WAITING AT ANY TIME MARKINGS
PRIMROSE HILL, BLACKWELL

DRAWING TITLE

CONSULTATION
DRAWING

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PHIL BRAISBY	BRIDGET GOULD	BRIDGET GOULD
Date 29/06/17	Date 29/06/17	Date 29/06/17

Project / Confirm
Reference No.

SCALE

Drawing
Number

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NTS



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County Council

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Strategic Director
Economy, Transport and Environment