

Agenda Item No. 4(c)

**DERBYSHIRE COUNTY COUNCIL**

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

**19 January 2016**

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTION TO A PROPOSAL FOR DOUBLE YELLOW LINES –  
MANCHESTER ROAD AND CROSSINGS AVENUE, CHAPEL-EN-LE-  
FRITH**

(1) **Purpose of Report** To advise the Cabinet Member of an objection to a Traffic Regulation Order (TRO), to provide double yellow lines on Manchester Road and Crossings Avenue, Chapel-en-le-Frith, as shown on the attached plan (HMT/IM/278/15A) and to seek approval to the scheme's implementation.

(2) **Information and Analysis** Crossings Avenue is a residential street which exits onto the B5470 Manchester Road at Chapel-en-le-Frith. There are currently single yellow lines with relevant sign plates to prevent parking close to the junction between 8am and 7pm every day. However, the sign plates are continually being removed, rendering the restriction unenforceable. This results in parking behaviour that compromises the safety of all road users at this junction. To ensure that an enforceable restriction is always in place at this junction, it is proposed to change the single yellow line to double yellow lines which will remove the need for additional signs.

Following the statutory period of consultation, one objection has been received. This was based on the grounds that the resident would not be able to park outside their property in the evenings.

**Officer Comment**

Where parking restrictions are considered in a residential area such as this, they need to strike a balance between making the road safe and accessible but without them being overly restrictive for the residents. The single yellow line originally used here enables residents to park near to their properties during the evenings, when traffic flows are at their lowest, and it is safe to do so. However, in this instance, due to the constant removal of the sign plates and the flagrant disregard of the existing restriction, amending the restriction is the only way the safety at the junction can legally be maintained during the daytime.

### Local Member Comment

Councillor Street fully supports the changes and made the following comment:

*"I wholeheartedly support the proposals for the changes to the lining on Crossings Avenue/Manchester Road. The situation is dangerous with people parking right up to the junction and I am surprised a serious accident has not already happened. If the situation continues, it will surely happen soon. All attempts to address the situation by lesser means have been met with at best, grossly irresponsible behaviour and at worst, criminal actions with signs being repeatedly stolen. These proposals seem to be the only way forward."*

(3) **Financial Considerations** The costs for processing the TRO and for implementing the required lining and signing would be met from the Traffic Management Revenue budget for 2015-16, at an approximate cost of £2,000.

(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. 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 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 representation 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.

### **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 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 in the Economy, Transport and Environment Department. Officer contact details – Isobel Mulligan, extension 38677.

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

8.1 The Cabinet Member approves the proposal to provide double yellow lines on Manchester Road and Crossings Avenue, Chapel-en-le-Frith, as shown on the attached plan.

8.2 The local Member and objector be informed accordingly.

**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

|  |  |                                 |  |                     |  |          |  |
|--|--|---------------------------------|--|---------------------|--|----------|--|
| PROJECT TITLE                          |  | DRAWN                           |  | CHECKED             |  | APPROVED |  |
| Proposed TRO                           |  | IM                              |  | SA                  |  | ST       |  |
| DRAWING TITLE                          |  | Date                            |  | Date                |  | Date     |  |
| No Waiting at any Time                 |  | 28-05-15                        |  | 28-05-15            |  | 28-05-15 |  |
| AMENDMENT DETAILS                      |  | Project / Confirm Reference No. |  | PROJECT/CONFIRM_REF |  | SCALE    |  |
| Changes following initial consultation |  | Drawing Number                  |  | HMT/IM/278/15A      |  | NTS      |  |
| BY IM                                  |  | CHGD APVD                       |  | DATE                |  | NO.      |  |
| 22-07-15 A                             |  |                                 |  |                     |  |          |  |