

MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held on 29 September 2015 at County Hall, Matlock.

PRESENT

Cabinet Member – Councillor D Collins

Also in attendance – Councillor P Dunn.

An apology was received from Councillor S A Spencer.

124/15 MINUTES RESOLVED that the Minutes of the meeting of the Cabinet Member for 8 September 2015 be confirmed as a correct record and signed by the Cabinet Member.

125/15 PETITION – STOP MOTORISTS PART PARKING ON PAVEMENTS IN CHESTERFIELD Investigations have been undertaken following receipt of a petition regarding part parking on pavements in Chesterfield.

It was an offence for a vehicle to be driven elsewhere than on a roadway, however in order for prosecution to proceed the Police were required to demonstrate that an actual, as opposed to a potential, obstruction occurred and that a driver's action in parking on the pavement was unreasonable having regard to the duration, position and purpose of the parking. The Authority's Civil Parking Enforcement Team could, with a Police Officer in attendance, issue fixed penalty notices if motorist were obstructing dropped kerbs, which included pedestrian dropped crossings as well as vehicle accesses.

The Police and Crime Commissioner has recently revised the parking leaflet and advised motorists not to park selfishly and to park legally, safely and with due care for other road users. Police Officers often leaflet drop parked vehicles on footways. The County Council would continue to work closely with the Police and educate motorists on poor parking practice.

RESOLVED to (1) note the report; and

(2) inform the lead petitioner and Chief Constable of the decision.

126/15 PETITION – DRONFIELD, HALLOWES ESTATE – REQUEST TO REVIEW GRITTING SYSTEM Following the receipt of a petition requesting that Hallows Rise be upgraded to a Primary Status gritting zone, the request has been reviewed.

Following an amendment to the bus service serving the estate, it has moved Hallowes Estate from a secondary precautionary route to a primary precautionary route within the Winter Service Plan.

RESOLVED (1) to approve the moving of Hallowes Estate (Hallowes Rise, Highgate Drive, Shakespeare Crescent and Hallowes Drive), Dronfield from the secondary precautionary gritting network to the primary precautionary gritting network; and

(2) that the Local Member and the lead petitioner be informed of the decision.

127/15 PROPOSALS BY HULLAND WARD PARISH COUNCIL TO ERECT VEHICLE ACTIVATED SIGNS ON THE HIGHWAY

At a meeting of the Derbyshire Dales Local Area Committee on 15 December 2014, Hulland Ward Parish Council requested that the County Council allowed it to replace and relocate the existing vehicle activated signs situated within the village with its own signs at its own expense.

The Parish Council was in favour of Speed Indicator Display (SID) and was proposing to obtain its own battery powered mobile vehicle activated signs and was seeking permission from the County Council to erect them onto existing street lamps in the highway.

The County Council was currently looking to develop a "Speed Management Plan". This would propose a protocol for how enquiries and complaints associated with speed were dealt with by the County Council, Derby City Council and Derbyshire Constabulary under the existing umbrella of the Derby and Derbyshire Road Safety Partnership agreement. Although not currently used by the County Council SID signs would be considered as part of this process and as the Parish Council has agreed to fund changing the signs, it was felt that this site could be utilised to see how SID signs compared with the existing vehicle activated signs at Hulland Ward.

The Parish Council would be required to pay for and take on all future liability for the signs, pay for the removal of the existing signs and enter into associated legal agreements with the County Council.

RESOLVED (1) to approve Hulland Ward Parish Council erecting its own Speed Indicator Display (SID) signs in the Highway, subject to them entering into a Section 72 Agreement of the Road Traffic Regulation Act 1984 with the County Council and funding all the necessary work;

(2) that the cost of the associated speed survey be met from the 2015-16 Traffic Management Revenue Budget at approximately £1,000;

(3) that the Parish Council be informed of the decision; and

(4) that all future requests be in accordance with the existing criteria, until any future review of the criteria is undertaken.

128/15 DEVELOPMENT AT THE MEADOWS, HALLSTEADS, DOVE HOLES – ADOPTION OF RESIDENTIAL ESTATE STREET

A residential development constructed by Kalro Building and Construction Ltd more than 10 years ago, has been subject to numerous complaints over the years, regarding the lack of street adoption.

The developer has now offered to complete the outstanding street works provided the County Council then adopts the streets as publicly maintainable highway. However, the developer was not prepared to pay the Council's usual technical inspection fees in connection with the estate streets. Although only a limited number of inspections actually took place the streets were constructed by the County Council's ALLRoads contractors. The developer was also not prepared to pay the normal commuted maintenance sum associated with the off-site soak-away (originally calculated as £7,500), but was prepared to meet the Council's reasonable legal costs in completing the adoption process up to a maximum of £1,000.

The dispute with the developer, regarding lack of completion and adoption of the estate streets at The Meadows, has been ongoing for many years and the Council could chose to take no further action and leave the streets private unadopted rather than reach a negotiated settlement. However it was considered that perpetrating the stalemate with this developer was not in wider public interest or in the specific interest of affected residents. Provided the remaining works were carried out to an adequate standard, an appropriate drainage Easement Agreement could be obtained (where drainage passes outside predicted highway limits); and provided the Council's current legal fees were met, it was felt on balance, that the matter be brought to a conclusion on behalf of the residents.

RESOLVED to (1) note the developer's offer to complete the Street Works, including surfacing, drainage and street lighting;

(2) approve the adoption of the streets in The Meadows, Hallsteads, Dove Holes, subject to satisfactory completion of the works and resolution (3) below;

(3) approve the County Council entering into an Easement Agreement or similar arrangement with the landowner of No 3 The Meadows, to ensure adequate future access to the highway drainage system in the future; and

(4) approve the waiving of the normal technical inspection fees and commuted sums associated with the street adoption.

129/15 SIMULATOR CAR

Tackling driver casualties, in particular those involving young drivers, was a clear priority for the Derby and Derbyshire Road Safety Partnership (DDRSP). Derbyshire Fire and Rescue Service (DFRS)

was leading on the development of a simulator car, the Vehicle Restraint Simulator (VRS).

A simulator car would be set up with scenarios that addressed the nature of collisions involving young drivers. Young car driver collisions are disproportionately higher on high speed roads, wet road surfaces, in the hours of darkness, in evenings and late at night, in winter months, and on Fridays and Saturdays. This activity would improve the individuals' (drivers and passengers) attitudes towards road safety and reduce the severity of injuries by making them think about their vulnerability on the roads.

The DFRS has a unique working relationship with Toyota cars which would provide the car for free and DFRS would build a vehicle which took the concept of their current SES and Transformer training vehicles, but also highlighted the dangers and consequences of the FATAL 4: not wearing seat-belts, using a mobile phone whilst driving, drinking and driving, and speeding.

The vehicle would be available for all partners to utilise for their road safety initiatives and campaigns. DFRS would provide a full quarterly report to DDRSP Managing Group.

RESOLVED to approve (1) the award of a grant of £25,000 to Derbyshire Fire and Rescue Service for the development of a car simulator; and

2) the addition of the Vehicle Restraint Simulator to the Capital Programme 2015-16.

130/15 CAPITAL CONTINGENCY FUNDING FOR REPLACEMENT OF THE TOP LOCK GATE AT TAPTON LOCK, ON THE CHESTERFIELD CANAL

The Chesterfield Canal needed the Top Lock Gate at Tapton Lock to function effectively to hold water in the stretch ('pound') above it. The inoperability of the lock would also impact on income generation for the navigable waterway from boating, should this not be able to be repaired. The Chesterfield Canal Trust would lose income from operating its trip boat and the County Council's Tapton Lock Visitor Centre would also lose income from a principal source of visitors.

The Countryside Service did not have sufficient revenue funds to support the necessary replacement of this lock gate, which has an estimated cost of £21,000. It therefore intended to make a request for this amount from the Capital Contingency Fund, to meet the cost of completing this project.

RESOLVED that a request be made to the capital board for an allocation of funding of a maximum of £21,000, from the Capital Contingency Fund.

131/15 CAPITAL CONTINGENCY FUNDING FOR THE CONSTRUCTION OF A SPILLWAY ON CROMFORD CANAL, WHATSTANDWELL

The Water Level Management Study commissioned from Scott Wilson Ltd recommended, as one of a number of measures, the construction of a 4m wide

overspill weir in the Whatstandwell area. The majority of the other works have now been completed and Derbyshire County Council's structural engineers have designed an overspill weir at Simms Paddle. There have been delays in implementing the project because the outflow from the spillway needs to cross Network Rail land prior to joining a stream culvert. Network Rail has recently entered into a licence to enable the work to proceed.

The estimated cost of the scheme is £75,000. £20,000 was available in the Conservation Enhancement Scheme (CES) and grant funding from Natural England if the scheme was completed in the 2015-16 financial year. An additional £55,000 was required from the Capital Contingency Fund to allow the project to proceed. The Countryside Service was seeking permission to reallocate £30,849 from the Manners Balancing Pond project at West Hallam, near Ilkeston, which could not be achieved in the 2014 -15, to support the Simms Paddle Weir scheme and requests an additional £24,151 of Capital Contingency to make up the £55,000 required.

RESOLVED that (1) The Simms Paddle Weir project be added to the Capital Programme for 2015-16 at a total cost of £75,000; and

(2) the £55,000 shortfall in funding be met through the reallocation of £30,849 from the Manners Balancing Pond scheme and an additional £24,151 be allocated to the project from the Capital Contingency Fund.

132/15 CONSULTATION : REVISIONS TO THE FURTHER PROPOSED CHANGES TO THE AMBER VALLEY LOCAL PLAN PART 1 CORE STRATEGY

The Planning Inspector suspended the Amber Valley Borough Council (AVBC) Local Plan Examination in Public (EIP) in May 2014, due to a number of 'soundness' concerns, particularly relating to the Borough's objectively assessed housing needs (OAHN) and the delivery of key strategic housing sites to meet those needs.

AVBC has carried out extensive further work and commissioned a range of new evidence to address the Inspector's concerns. Provisional Member and Officer technical comments were submitted on 4 September 2015 to meet AVBC's statutory consultation deadline, subject to agreement at this Cabinet Member meeting. A copy of these comments was attached to the report as Appendix 1, together with a Derbyshire County Council's Highways Statement on the proposed strategic housing allocation at Chesterfield Road, Alfreton detailing justification for the Highway Authority's objection to its proposed allocation. Local Member and Officer technical comments were summarised in the report.

RESOLVED to authorise officers to respond formally to Amber Valley Borough Council on its consultation on the Revisions to the Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy, as described in the report with additional Technical Officer comments as appropriate.

133/15 EXCLUSION OF THE PUBLIC RESOLVED that the public, including the press, be excluded from the meeting during consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

1. To consider the exempt Reports of the Strategic Director – Economy, Transport and Infrastructure on:-
 - (a) Review of Opening Hours at Hayfield Countryside Centre. (contains information relating to any individual)
 - (b) Thermal Mapping in Derbyshire. (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (c) Plant Hire to Support the Construction of a New Off Road Pedestrian and Cycle Trail for the White Peak Loop. (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

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