

**DERBYSHIRE COUNTY COUNCIL**

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

**14 September 2017**

Report of the Strategic Director – Economy, Transport and Communities

**PETITION - QUEEN STREET AND BIRCHWOOD LANE, SOMERCOTES  
- REQUEST FOR PARKING RESTRICTIONS**

(1) **Purpose of Report** To inform the Cabinet Member of investigations undertaken following receipt of a petition requesting double yellow lines at the junction of Queen Street with Birchwood Lane, Somercotes and to seek approval for proposals to be advertised.

(2) **Information and Analysis**

**Background**

At the meeting on 29 June 2017, the Cabinet Member acknowledged receipt of a petition requesting double yellow lines at the junction of Queen Street with Birchwood Lane, Somercotes (Minute No.66/17 refers). The petition contains 26 signatures and reads as follows.

*“This petition is signed by all residents of Queen Street Somercotes regarding the emptying of our waste and recycling bins, this is a long and ongoing problem. The problem is vehicles parking at the head of Queen Street and also vehicles parking opposite Queen Street on Birchwood Lane, mostly non-residents of Queen Street, while we accept parking on Birchwood Lane is legal it is still creating an obstruction to the bin lorries. Most people who live on Queen Street on bin day park with one wheel on the kerb, although illegal it does allow the bin lorry down. After speaking to a Council representative and a man from Viola we were told that Queen Street is not narrow enough to warrant sending a small lorry, if that is the case then we think the only solution is to put double yellow lines at the head of the street and opposite Queen Street on Birchwood Lane with a no parking sign denoting no parking on Thursdays and Fridays between 7am to 5pm on those days.*

*We the residents of Queen Street hope that you view this petition with an open mind, this problem if not resolved satisfactory will only get worse as time goes by.”*

### **Officer Comment**

Queen Street is a very narrow street where residential parking can take place down one side only. The road is adopted highway to a point level with the boundary of No.17 Queen Street. There is a large parking/turning area at the bottom of Queen Street with access to garages.

Queen Street joins Birchwood Lane which is also a narrow street with terraced properties both sides. Parking usually occurs on one side during the day but this is still proving difficult for waste and recycling collection. Officers at Amber Valley Borough Council state that currently the waste collection is not only having difficulty with parking on either side of the Queen Street junction but with vehicles parking opposite it as well. Providing double yellow lines around the top of the junction has previously been requested by the Local Member Councillor.

It is considered that it would be more appropriate to provide a single yellow line restriction on Birchwood Lane opposite the junction of Queen Street running from Monday – Friday 9am through to 4pm. This means that during the day the junction can be kept clear of parked vehicles but in the evening when residents return home from work they are still able to park outside their properties. The proposals are currently waiting to be advertised on street and in the local paper in line with the Authority's statutory processes.

The proposals are shown on attached drawing No. HMT/MSN/223/17/7.

### **Local Member Comment**

Councillor Paul Smith supports the proposals.

(3) **Financial Considerations** This TRO work and signing and lining are estimated to cost £4,000 and will be met through the approved 2017-18 Local Transport Plan.

(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 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.

### 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.

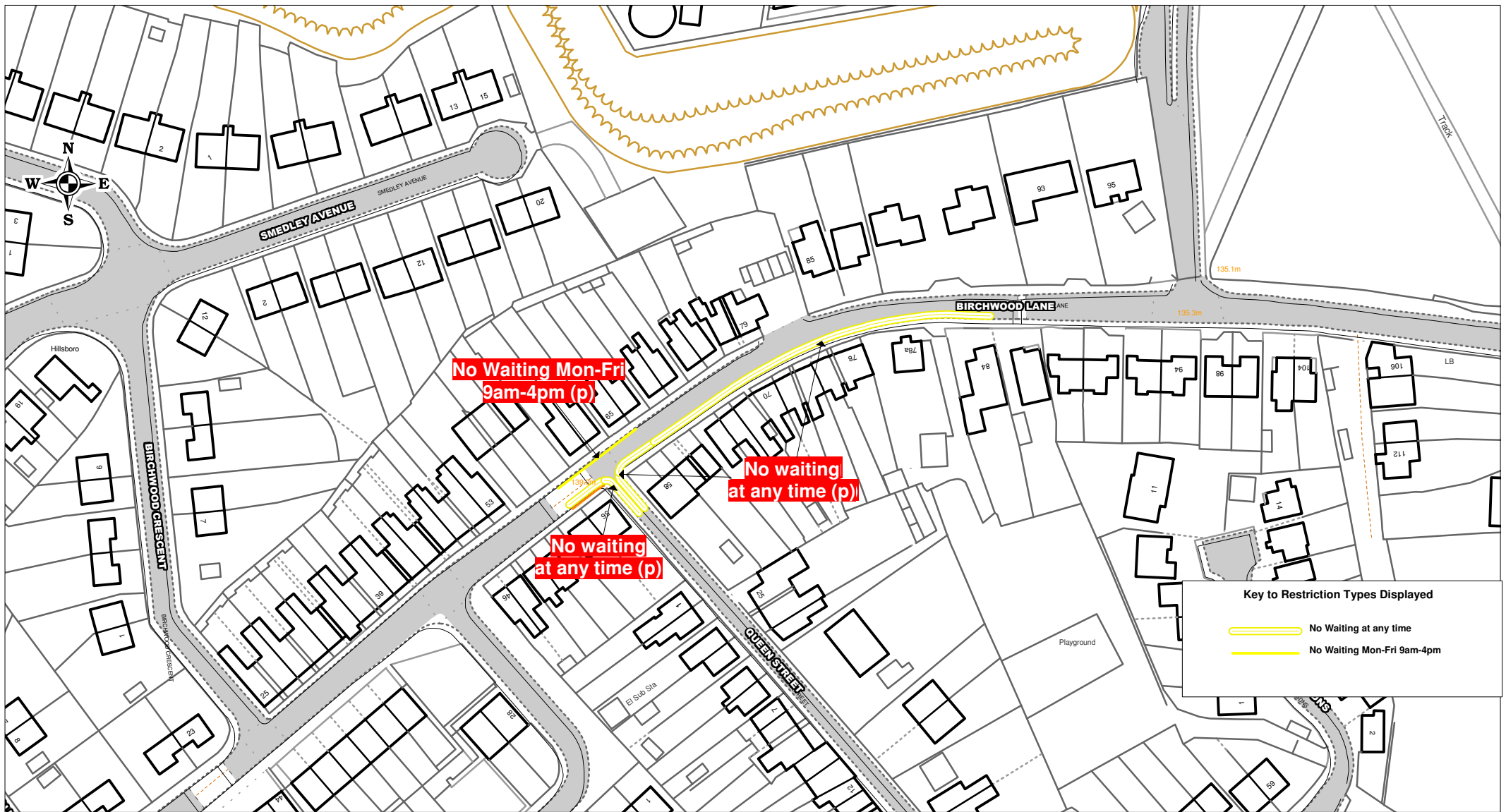
(6) **Call-In** Is it required that call in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Bridget Gould, extension 38579.

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

- 8.1 The request for single and double yellow lines at the junction of Queen Street and Birchwood Lane, Somercotes be advertised as shown on attached drawing No. HMT/MSN/223/17/7.
- 8.2 The Local Member and head petitioner be notified accordingly.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Communities**



MIKE W. ASHWORTH  
Strategic Director  
Economy, Transport & Communities

Various Streets- Somercotes, Leabrooks, Riddings & Swanwick -  
Proposed Waiting Restrictions

Consultation Drawing

Birchwood Lane, Somercotes

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SCALE	1 : 1250
DATE	06/07/2017
DRAWING No.	HMT/MSN/223/17/7
DRAWN BY	MSN