

Agenda Item No. 4(d)

**DERBYSHIRE COUNTY COUNCIL**

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

**14 September 2017**

Report of the Strategic Director – Economy, Transport and Communities

**OBJECTIONS TO THE DERBYSHIRE COUNTY COUNCIL (DRONFIELD  
VARIOUS STREETS) (WAITING RESTRICTIONS) ORDER 2017**

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

(2) **Information and Analysis** Officers, over the last few years, have received requests from members of the public, District/Borough and County Councillors, bus operators, as well as other Derbyshire County Council staff, for new waiting restrictions or amendments to existing waiting restrictions in the Dronfield area. The above TRO, which includes eight different locations in the Dronfield area, was initially consulted upon in November 2016 and was then legally advertised on street and in the local paper on 29 June 2017 to 21 July 2017. Following these statutory processes a number of objections were received.

The cost of advertising 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 advertise them altogether.

**Officer Comment**

During the initial consultation process the few objections received were answered prior to the formal legal advertisement. However, additional objections were received during the formal advert period. These have been detailed below.

**1. Pentland Road / Gorsey Brigg Junction – Proposed Double Yellow Lines**

**Dwg. No. HMT/SMD/327/16A**

*The proposed restrictions are to provide double yellow lines around the junction to stop parking and improve visibility.*

**(a) Objection:** Objector considers that the double yellow lines will cause parking to be displaced to the opposite side of Pentland Road which in turn will lead to pedestrians having to cross over Pentland Road to access the nearby shopping centre.

**Officer Comment:** The original length of double yellow lines did not extend along Pentland Road to include the pedestrian refuge (Shown on Dwg. No. HMT/SMD/327/16). During the preliminary consultation exercise, however, comments were received from Dronfield Civic Society highlighting problems caused to buses leaving the nearby bus stop due to parked vehicles. Officers feel that the pedestrian refuge offers a safe means of crossing Pentland Road should parking be displaced as a result of the proposals. The shopping centre has a reasonably sized off road car park to cater for its customers, and therefore officers have agreed to extend the double yellow lines to cover the length of the pedestrian refuge as far as the bus layby.

**(b) Objection:** Objector considers that the double yellow lines will cause parking to be displaced to the opposite side of Pentland Road which in turn will lead to schoolchildren having to cross over Pentland Road to access St Andrew's C of E Methodist Primary School. The removal of parked vehicles will lead to increased vehicle speed.

**Officer Comment:** Because of the curvature of Pentland Road any cars parked on the East side of Pentland Road between the bus layby and Gorsey Brigg cause a visibility issue for vehicles exiting Gorsey Brigg, looking to the right. An issue also exists for vehicles travelling south on Pentland Road and having their visibility compromised when looking out for both vehicles exiting Gorsey Brigg and also pedestrians when crossing Gorsey Brigg. As before, officers feel that the pedestrian refuge offers a safe means of crossing Pentland Road should parking be displaced as a result of the proposals.

Officers will monitor any displacement of parked vehicles and make further recommendations should they be required.

## **2. Barnard Avenue – Limited Waiting Restrictions**

### **Dwg. No. HMT/SMD/333/16**

*The proposed restrictions are to provide limited waiting in the layby on Barnard Avenue close to a small shopping centre. Reports had been received that cars were using the layby to park over a full day period with the owners commuting elsewhere. This was having a detrimental effect on trade for the shopping centre.*

**(a) Objection:** Objector who resides in a flat above one of the shops uses the layby to park in at weekends and when they are on holiday.

**Officer Comment:** There is plenty of non-restricted parking available on the opposite side of Barnard Avenue.

**(b) Objection:** That no consultation was carried out regarding the proposals with local residents and that the proposal will generate additional street furniture. The objector is seeking an exemption for local residents and their visitors so they can continue to park in the layby. The objector raises the issue that the times of the proposed restrictions do not match the current opening times of the shops.

**Officer Comment:** Following representations from the local shops over vehicles being parked in the layby for extended periods of time a preliminary consultation exercise showing details of a proposal to introduce limited waiting restrictions in the layby was carried out with Nos 45, 47, 49, 51, 50, 52, 54, 56, 60, 62, 45A, 47A, 49A, 51A, Barnard Avenue, Coal Aston between 28 November to 16 December 2016. Unfortunately, due to an administrative error, one property was missed off the mailing list. However, the proposal was advertised on street and in the local paper.

The proposal will generate two additional road signs. One will be mounted on the existing lighting column and one will be low mounted at the rear of the footway in front of the existing planting. Officers appreciate the current shop opening times differ slightly from the restriction times, these could easily be subject to change in the future, so it would not be appropriate to align restriction times with opening times outside the Authority's control.

Derbyshire County Council only install residents' parking schemes (RPS) in town centre locations that suffer from commuter type parking and RPS are only considered on an area basis rather than for an individual street or location. This is to ensure that any scheme which is introduced can generate sufficient fees to cover the costs of regular visits by Civil Parking Enforcement officers. Single streets or locations do not provide sufficient income to cover these costs.

### **3. Church Street – Limited Waiting Restrictions**

#### **Dwg. No. HMT/SMD/328/16**

*The proposal is to remove 10m of existing double yellow line restrictions and introduce a short length of limited waiting to service the nearby church and thus create a traffic calming chicane on Church Street which currently has double yellow lines on both sides of the highway.*

**(a) Objection:** Objector feels that parked vehicles in the proposed parking bays will hinder vehicles when exiting the car park on the opposite side of Church Street.

**Officer Comment:** The proposed parking bays are located approximately 10m to the east of the car park access and will not cause a major hindrance to vehicles when exiting the car park.

### **Local Member Comment**

The eight locations where there are proposed waiting restrictions planned are covered by three Local Members. At the time before Council elections, all members were consulted at the preliminary stage and were supportive of the proposals. Subsequently, two of the Local Members changed following the Council elections and the new Members, Councillor Foster and Councillor Dale were consulted at the formal legal advertisement stage of the procedure. No comments have been received.

(3) **Financial Considerations** This work forms part of the approved 2017-18 Local Transport Plan Capital Programme and the cost of the lining and associated signing work will be approximately £1,000.

(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 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 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. 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.

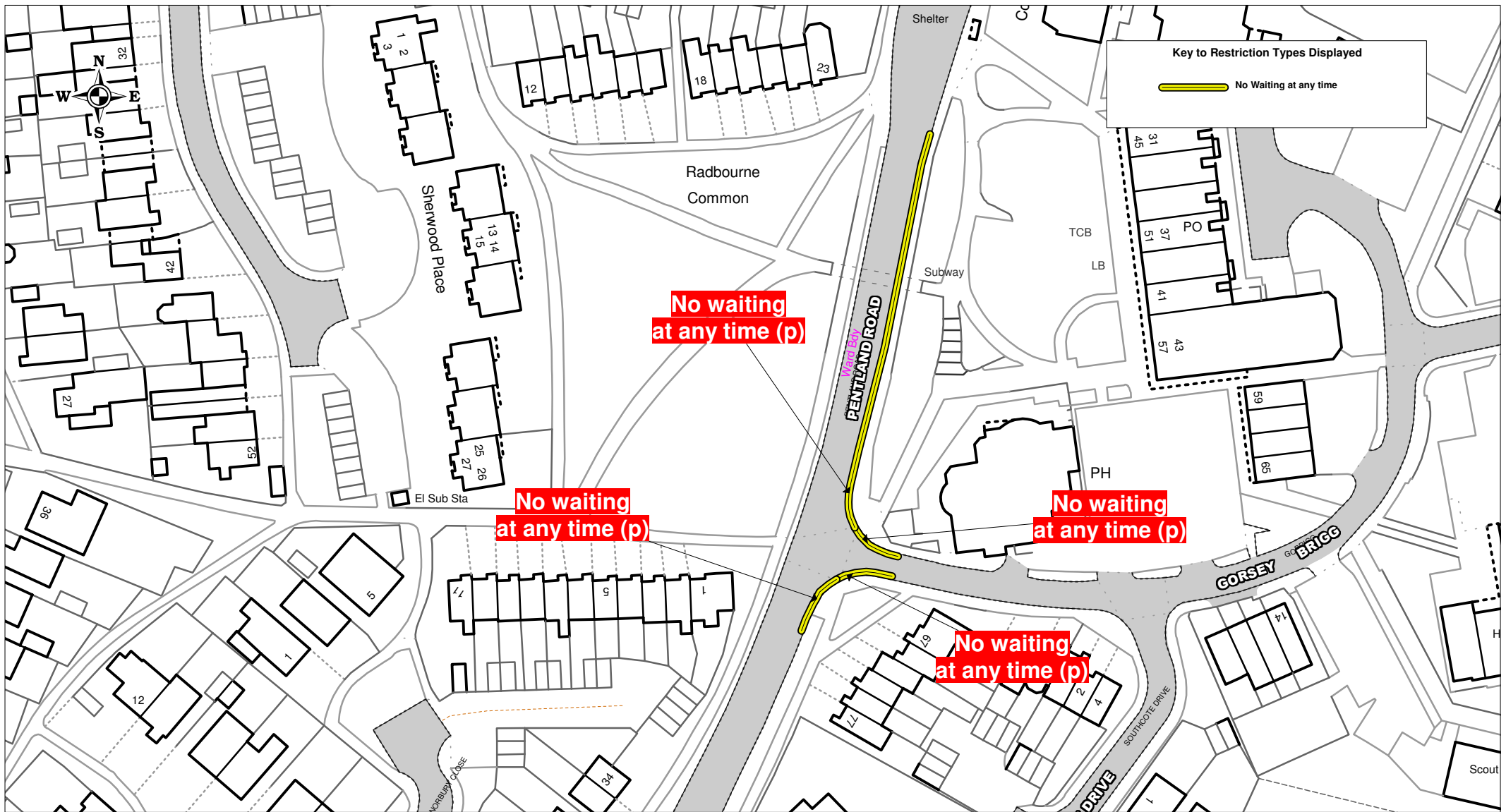
(7) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Dungworth, extension 38619.

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

8.1 The proposed Traffic Regulation Order (Derbyshire County Council, Dronfield Various Streets) (Waiting Restrictions) Order 2017 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 Communities**

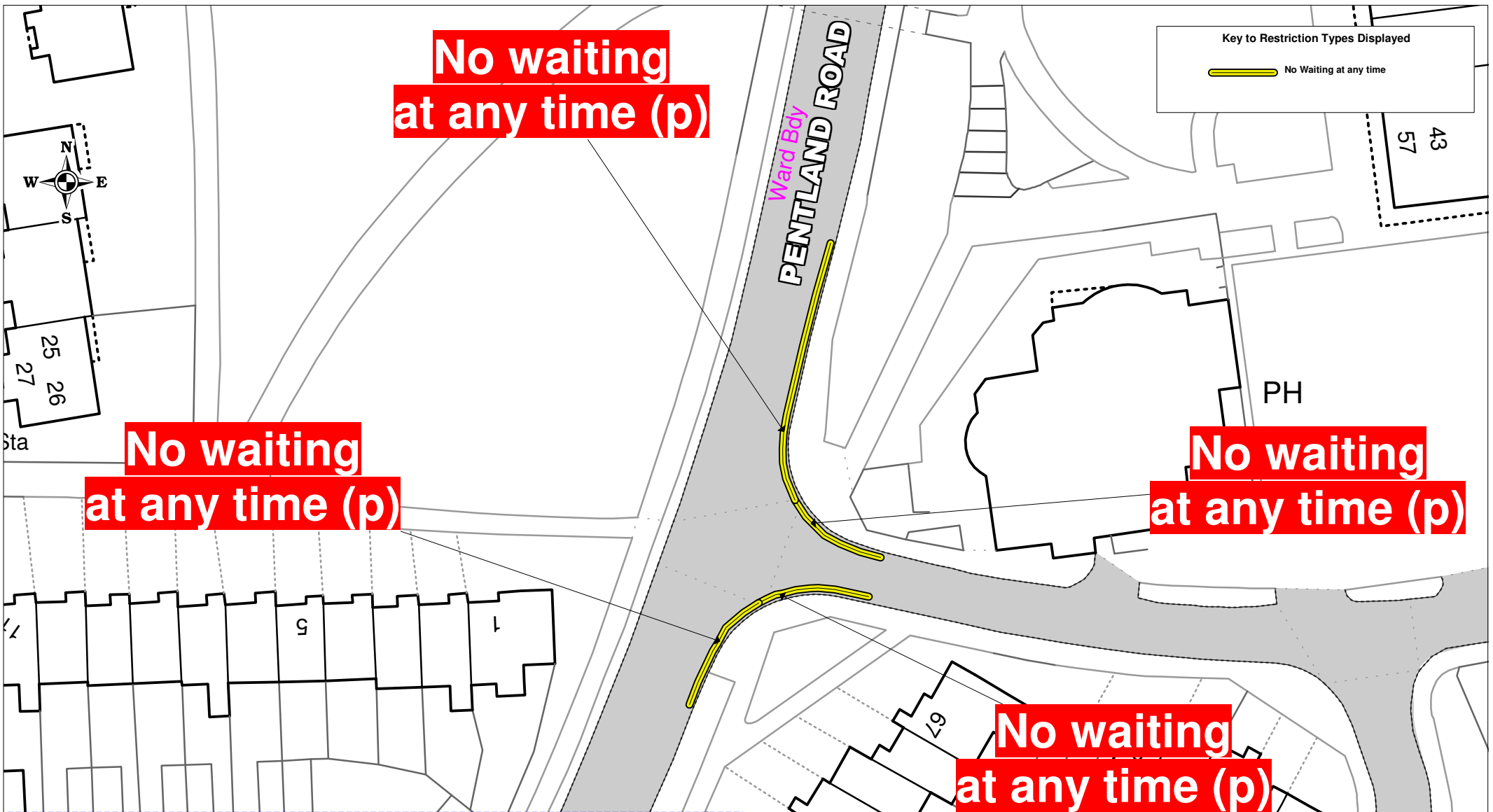


MIKE W. ASHWORTH  
Strategic Director  
Economy, Transport & Communities

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Pentland Road, Donfield (Prohibition of Waiting)  
Proposed Double Yellow Lines  
Rev A Restrictions Extended On Pentland Road

SCALE	1 : 1000
DATE	09/05/2017
DRAWING No.	HMT/SMD/327/16A
DRAWN BY	MS



**DERBYSHIRE**  
County Council  
Improving life for local people

MIKE W. ASHWORTH  
Strategic Director  
Economy, Transport & Communities

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Pentland Road, Dronfield (Prohibition of Waiting)

Proposed  
Yellow

Double  
Lines

SCALE	1 : 500
DATE	03/10/2016
DRAWING No.	HMT/SMD/327/16
DRAWN BY	RH



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**MIKE W. ASHWORTH**  
Strategic Director  
Economy, Transport & Communities

Barnard Avenue, Coal Aston (Limited Waiting)

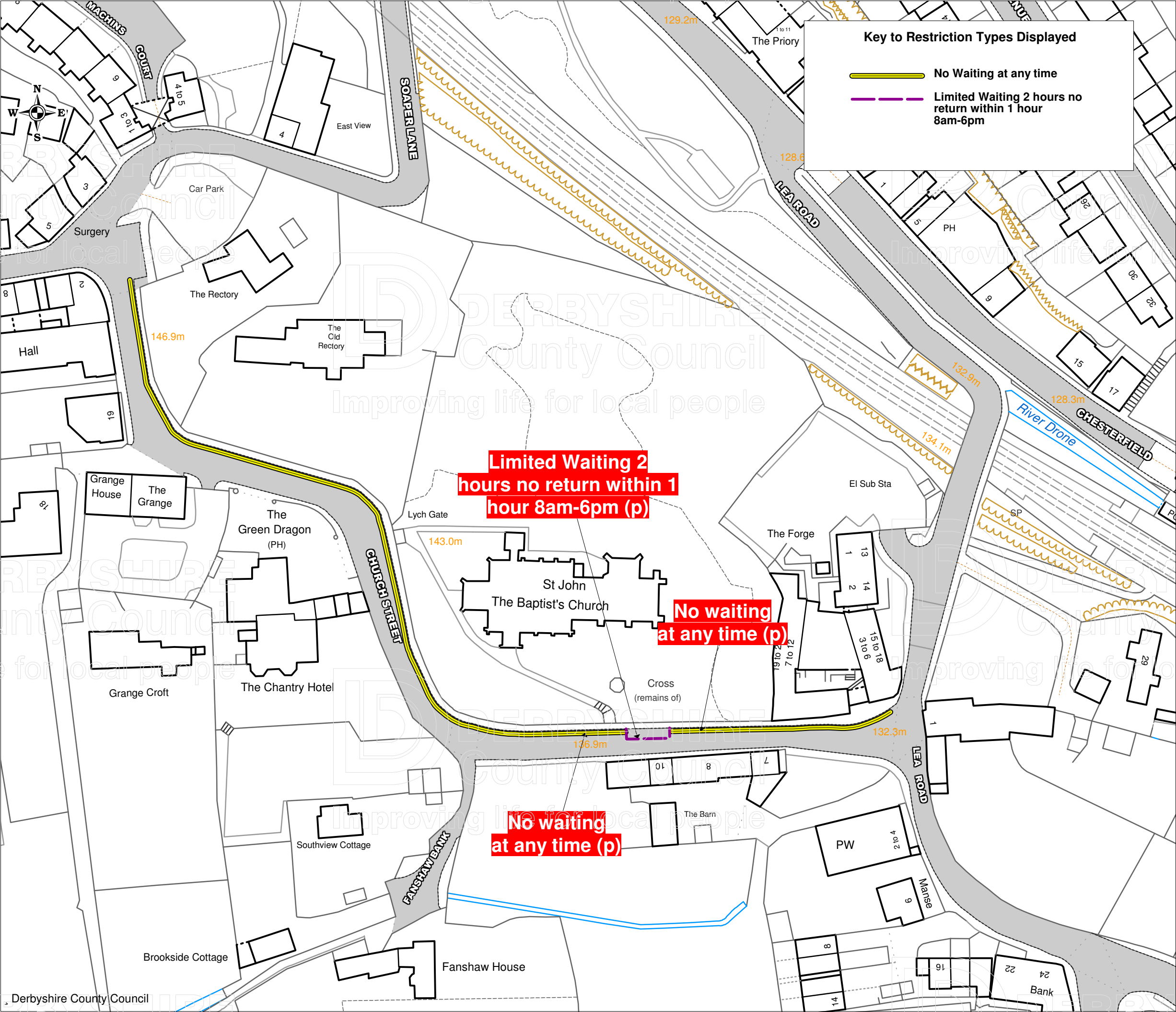
Proposed  
Waiting

Limited  
Bay

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SCALE	1 : 1000
DATE	03/10/2016
DRAWING No.	HMT/SMD/333/16
DRAWN BY	RH





**Prohibition and Restriction of Waiting, On Street Parking and Clearways.**

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Proposed

Alterations

to existing

Restrictions



MIKE W. ASHWORTH  
Strategic Director  
Economy, Transport & Communities

DRAWING TITLE

Church Street, Dronfield  
(Limited Waiting)

SCALE 1 : 841

DATE 03/10/2016

DRAWING No. HMT/SMD/328/16

DRAWN BY SMD