

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

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

17 May 2018

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTION TO THE (SALCOMBE ROAD, DUNSFORD ROAD,
LYDFORD ROAD, MANSFIELD ROAD, MEADOW LANE, DERBY ROAD
AND LONG MEADOW ROAD, ALFRETON) (LOADING BAY AND WAITING
RESTRCTIONS) ORDER 2017**

(1) **Purpose of Report** To consider objections following the public advertisement and consultation on the (Salcombe Road, Dunsford Road, Lydford Road, Mansfield Road, Meadow Lane, Derby Road, and Long Meadow Road, Alfreton) (Loading Bay and Waiting Restrictions) Order 2017 and to recommend that the Order be made as advertised.

(2) **Information and Analysis**

Background

Officers have been made aware of parking problems in and around the Meadow Lane/Salcombe Road Industrial Estate in Alfreton. Outdated Roads designed to old standards, servicing large industrial units and inconsiderate parking by some business owners are causing severe congestion and access problems for other businesses. Representations by the two local Members and numerous businesses in the area, have resulted in plans being prepared to address the problem. These plans shows double yellow lines around junctions and stretches of double yellow lines along lengths of the industrial roads where double parking currently occurs.

Salcombe Road and Mansfield Road also suffer from commuter parking as Alfreton railway station is located just off Salcombe Road and some of the railway users choose to park on nearby roads instead of paying in the station car park. This has caused concerns for a local café business located on Salcombe Road as there is nowhere for its customers to park. It is proposed, therefore, to provide a section of Limited Waiting to create a turnover of parking. The Traffic Regulation Order (TRO) was advertised on site and in the local newspapers from 23 November 2017 to 15 December 2017. Proposals at seven locations were identified and consulted upon. These were Salcombe Road, Dunsford Road, Lydford Road, Mansfield Road, Meadow Lane, Derby

Road and Long Meadow Lane. One location received an objection and a further seven comments/observations requesting additional restrictions were received and these are discussed below. These represent the area covered by the Industrial Estate, namely Salcombe Road, Meadow Lane, Dunsford Road and Lydford Road.

Officer Comment

Officers have looked at the parking which occurs in and around the Industrial Estate and consider that extensive double yellow lines would only result in displaced parking by the train station users and businesses that use the Industrial Estate roads to park. Many businesses have off-street parking available which could be used by their employers or customers but they choose to use the space for storage instead. Localised restrictions along Salcombe Road, Meadow Lane, Lydford Road and Dunsford Lane were considered sufficient.

However, following the legal advert stage, it became apparent that many of the businesses actually want additional parking restrictions on some of the roads already proposed for double yellow lines and ones further into the Estate that have not currently be considered, such as Dunsford Road. Officers received seven written and verbal requests supporting the proposals but wanting additional restrictions.

The proposals are shown on attached drawings HMT/BG/101/18 and HMT/BG/102/18.

Some of the comments received also highlighted concerns over access for the Ambulance station located within the Industrial Estate and one resident of Tavistock Square also wanted Residents' Only Parking, however, they agreed that the residents would not actually pay for the permits.

The one written objection was received from a company that stated that it needed the on-street parking on Lydford Road for its customers as they could not access the rear of its premises located off Dunsford Road due to indiscriminate parking by business with Heavy Goods Vehicles.

An Officer also met with Local Member, Steve Marshall-Clarke, and walked around the Estate looking at locations where additional requests had been received and these have been noted. It is proposed, therefore, to make the Order as advertised to monitor the situation with these possible additions in mind. Any further improvements would have to be considered alongside other demands elsewhere on the highway network.

Local Member Comment

Councillor Paul Smith (Alfreton) and Councillor Steve Marshall-Clarke (Somercoates) both support the proposed restrictions and the consideration of further restrictions into the Industrial Estate.

(3) **Financial Considerations** This work forms part of the approved Local Transport Plan 2017 Capital Programme of works at a 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, giving them an opportunity to make a representation which the Authority shall consider. In this matter, it is considered that the modifications constitute a reduction and are therefore not a substantial change.

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 cannot be made until after the last date of publication of the notice of proposals. No part of a TRO can come into force before the date when it is intended to publish a notice of making it.

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 – Bridget Gould, extension 38579.

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

- 8.1 The Cabinet Member approves the introduction of the (Salcombe Road, Dunsford Road, Lydford Road, Mansfield Road, Meadow Lane, Derby Road, and Long Meadow Road, Alfreton) (Loading Bay and Waiting Restrictions) Order 2017.
- 8.2 The Cabinet Member recommends that the Order be made as advertised and that officers monitor the situation as a result.
- 8.3 The Local Members, Objector and the Chief Constable be notified accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

