

Agenda Item No. 4(c)

DERBYSHIRE COUNTY COUNCIL

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

18 April 2019

Report of the Strategic Director – Economy, Transport and Environment

**PETITION - RIPLEY, CHURCH FARM ROAD – BAN PARKING
OUTSIDE/ON THE ROAD IN FRONT OF BOOTS CHEMIST**

(1) **Purpose of Report** To consider a petition requesting measures to stop vehicles parking on Church Farm Road, which is currently taking place between the junction of Peasehill Road and Steeple Drive, Ripley and provide a recommendation to the Cabinet Member.

(2) **Information and Analysis** At the meeting on 19 September 2018, the Cabinet Member acknowledged receipt of a 128-signature petition, requesting measures to Ban parking outside/on the road in front of Boots Chemist (Minute No. 81/18 refers).

The petition reads as follows:

“Ban parking outside/on the road in front of Boots Chemist. No parking lines/Notice. Church Farm Road, Ripley.”

Background

Residents have complained to the County Council regarding the amount of dangerous parking on Church Farm Road. They feel this parking makes it impossible to see approaching traffic when entering the estate. Vehicles have also caused damage to the grass verge opposite the Medical Surgery making deep ruts in the verge. Attempts to stop the overrun have been made by the Highway Authority with the introduction of marker posts and bollards.

Officer Comment

Church Farm Road is located on the edge of Ripley Town Centre, off the B6179 Derby Road, Peasehill Road Roundabout. This section of Church Farm Road is the main access point into the new housing estate with residential side roads leading off. The Chemist and Medical Practice are located centrally between Peasehill Road and Steeple Drive with no other fronting properties at this point.

It is accepted that parking on Church Farm Road, at this location, is predominately by visitors associated with the Medical Practice and the Chemist.

In an attempt to stop on-street parking, non-standard signs (not provided by the County Council), asking motorists to use the Medical Practice car park, have been erected on the Medical Practice's boundary wall which abuts the highway. These signs have been in place for a number of years but it is accepted that they have had little effect in deterring on-street parking.

Concerns have been raised by residents regarding the volume of parking here. Officers have investigated this issue in the past, but felt that interventions, such as the introduction of double yellow lines to remove all parked vehicles were not appropriate and therefore no action has been undertaken. To regulate parking by the installation of yellow lines, a Traffic Regulation Order (TRO) is required. This is a statutory process involving a lengthy consultation process, with interested parties, and public advertisement in order to invite objections/comments. In light of this, such measures are only undertaken when there are regular obstructions, congestion or road safety issues.

A review of the collision history database, which records all collisions resulting in personal injury, reveals that there have been no collisions on Church Farm Road in the last three years (ending 31 August 2018) (this being the standard test period for assessment).

Whilst it is acknowledged that parking takes place here, it is not considered that serious congestion is caused or that large vehicle access is prevented.

It is also considered that the introduction of waiting restrictions may make it easier for disabled Blue Badge holders to park on the road closer to the doctors. Blue Badge holders have an exemption and can park for up to three hours on yellow lines.

Likewise, there will also be an exemption for delivery vehicles which are also able to load or unload on yellow lines, attending the Medical Practice and the Chemist.

Officers believe that there is the potential for displacement of parking into the residential area, which may be to the annoyance of those property owners. This is likely to occur in the event that the Medical Practice car park has become full, or it is deemed easier by visitors to park on-street, rather than searching for a space in the Medical Practice car park.

Due to the location of Church Farm Road in relation to the town centre, Civil Parking Enforcement (CPE) would be carried out on a prearranged site visit

basis. This being where the CPE Officer will effectively carry out spot checks, unlike in town centre locations, where regular patrols are more evident. CPE Officer spot checks are less effective in deterring short term parking on yellow lines than regular patrols.

In light of Officer concerns that the introduction of double yellow lines will not address the Petitioners' concerns and prevent on-street parking at this location, it is proposed to introduce a compromise between residents' wishes and on-street parking needs for visitors to the Medical Practice.

Taking into account the above information, it is proposed to put forward a scheme that will rationalise on-street parking, this being double yellow lines combined with 20 minutes short stay parking bays. Drawing number HMT/MSN/407/18 details the extent of the proposal. It is felt that this will provide a facility for shorter visits, to reduce the possibility of displacing some parking into the residential area, and to keep selected areas free of parked vehicles. It is acknowledged that there may be some disabled parking on the yellow lines, but it is hoped this will be fairly limited.

Member Comment

The Local Member, Councillor Ron Ashton, is fully supportive of all works that have a positive effect on road safety and welcomes the proposed signing and lining works as detailed on drawing number HMT/MSN/407/18. (Appendix 1)

(3) **Financial Considerations** The costs to introduce the TRO will be in the region of £3,500 which includes all lining works at this location and will be met from the Maintenance Revenue Budget.

(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 Traffic Regulation Order (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 and 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. 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

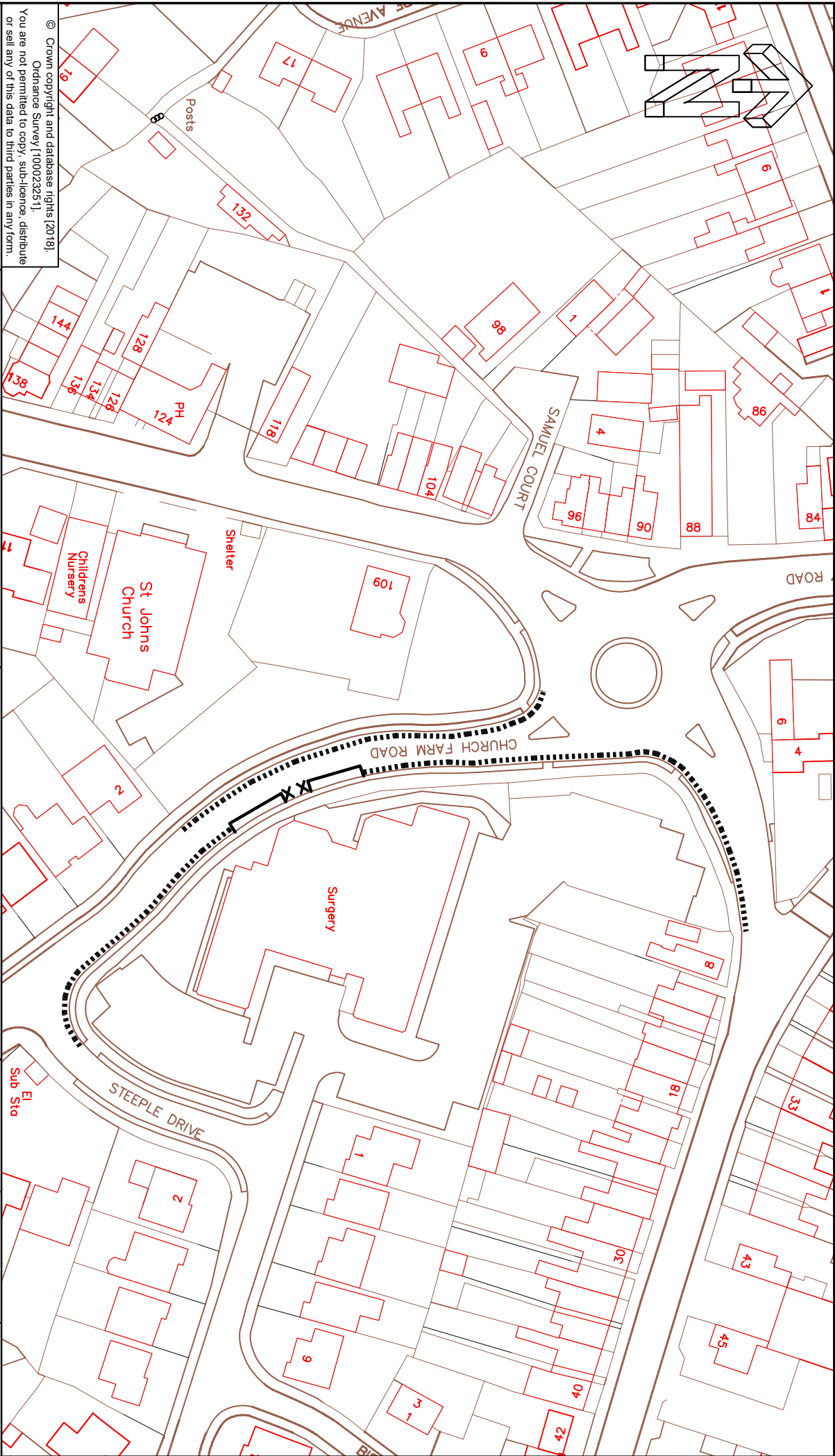
In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

- (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 – Mark Sloan, extension 38687.

(8) OFFICER'S RECOMMENDATIONS That:

- 8.1 The proposals as detailed on the attached drawing number HMT/MSN/407/18 be ranked and added to the Traffic and Safety Teams future Traffic Regulation Order Works list.
- 8.2 Public Consultation will be carried out in accordance with the Traffic Regulation Process.
- 8.3 The marker posts and bollards be removed after the introduction of waiting restrictions.
- 8.4 The lead petitioner and Local Member be advised accordingly.

Mike Ashworth
Strategic Director - Economy, Transport and Environment



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MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment

KEY:

— PROPOSED LIMITED WAITING BAY

XX PROPOSED PROTECTIVE ENTRANCE
MARKING

— PROPOSED NO WAITING AT ANY TIME
(DOUBLE YELLOW LINES)

PROJECT TITLE

CHURCH FARM ROAD
RIPLEY

DRAWING TITLE

PROPOSED
TRAFFIC REGULATION ORDER

DRAWN

LINDSAY WRIGHT

CHECKED

RICHARD HANDBURY

APPROVED

MARK SLOAN

Date

28/09/18

Date

28/09/18

Date

28/09/18

Project / Confirm
Reference No.

8221788

SCALE

1:1000

Drawing
Number

HMT/MSN/407/18

ORIGINAL DRAWING SIZE 297 x 210 (A4)