

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT**

21 January 2014

Report of the Strategic Director – Economy, Transport and Environment

**CHESTERFIELD RESIDENTS' PARKING SCHEME ZONES A, B
AND C - AMENDMENTS ORDER 2013**

(1) **Purpose of the Report** To bring before the Cabinet Member objections received to Chesterfield Residents' Parking Scheme Zones A, B and C - Amendments Order 2013.

(2) **Information and Analysis**

Background

There have been a number of requests received to make minor alterations to a number of parking restrictions within the Chesterfield Residents' Parking Scheme. Three of the changes involved converting double yellow lines into additional permit holders' only parking spaces. These requests had been received from affected frontages. Objections have been received to two of the Traffic Regulation Orders.

One proposal is to introduce '2 hours limited waiting, no return within 1 hour Monday to Saturday 8am to 6pm, except permit holders' on St Helen's Street, Chesterfield. The proposed Order was advertised in the local press and on site from 15 November to 7 December 2012. Objections to the Hawksley Avenue part of that Order were reported to the Cabinet Member on 30 July 2013. One objection has been received relating to this order.

The second proposal dealt with in this report is to change a small length of double yellow lines on New Queen Street to a residents' parking bay. The proposed Order was advertised in the local press and on site from 11 July to 12 August 2013. During the advertisement one objection was received.

Objections

The objector to the New Queen Street Order states that they share an access with another property which originally requested the change to the double yellow lines, and that they would like the existing restriction to remain in place.

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The objector to the restriction on St. Helen's Street has asked for the proposal to be a permit holder's only bay as it is outside a block of 12 residential apartments.

Officer Comments

The existing restriction on New Queen Street has been in place since Zone C was extended and was introduced in line with the general principle that off-street vehicular accesses should be protected with double yellow lines, in order to reduce parking outside bays and to be more readily enforceable by Civil Enforcement officers. Bearing this in mind, it is recommended that the objection be upheld and that the proposed residents' parking bay on New Queen Street be removed from the Order to be introduced.

The existing 2 hours limited waiting, no return within 1 hour Monday to Saturday 8am to 6pm, except permit holder's bay outside the residential property on St Helen's Street is often under-utilised and the change to a permit holder's only, Monday to Saturday 8am to 8pm permit holders C bay can be justified. This would be a minor change to the proposal as advertised.

Local Member Comment

Councillor Blank has been notified but no comments have been received.

(3) **Financial Considerations** The cost of introducing the Order would be met from the Traffic and Safety Revenue budget and will be in the region of £2,500.

(4) **Legal Considerations** Section 1 of the Road Traffic Regulation Act 1984 enables a traffic authority to make a Traffic Regulation Order (TRO) if it considers it to be expedient for a number of purposes.

However, there is also a general duty under Section 122 of the Act which requires the authorities in exercising their functions under the Act to a) secure the expeditious, convenient and safe movement of traffic (including pedestrians) and b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to the matters listed below.

The matters also to be considered are:

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
- 3) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 4) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers/potential passengers; and

Public

- 5) any other matters appearing to the Council to be relevant.

Having considered any objections made, the Council may determine to introduce the new restrictions. Regulation 19 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 enables the Council to make an Order in part giving effect to some of the proposals to which the order relates while deferring a decision on the remainder.

The Order will need to be formally made, advertised and the requisite signs erected and road markings placed on site in accordance with the new Order. 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 the 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. Within 14 days of the making of the Order, the Council must give notice in writing to anyone who objected to the Order and whose objection has not been withdrawn. Where the objection has not been wholly acceded to, the notification must include the reasons for the decision.

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 and transport considerations.

- (5) **Key Decision** No.

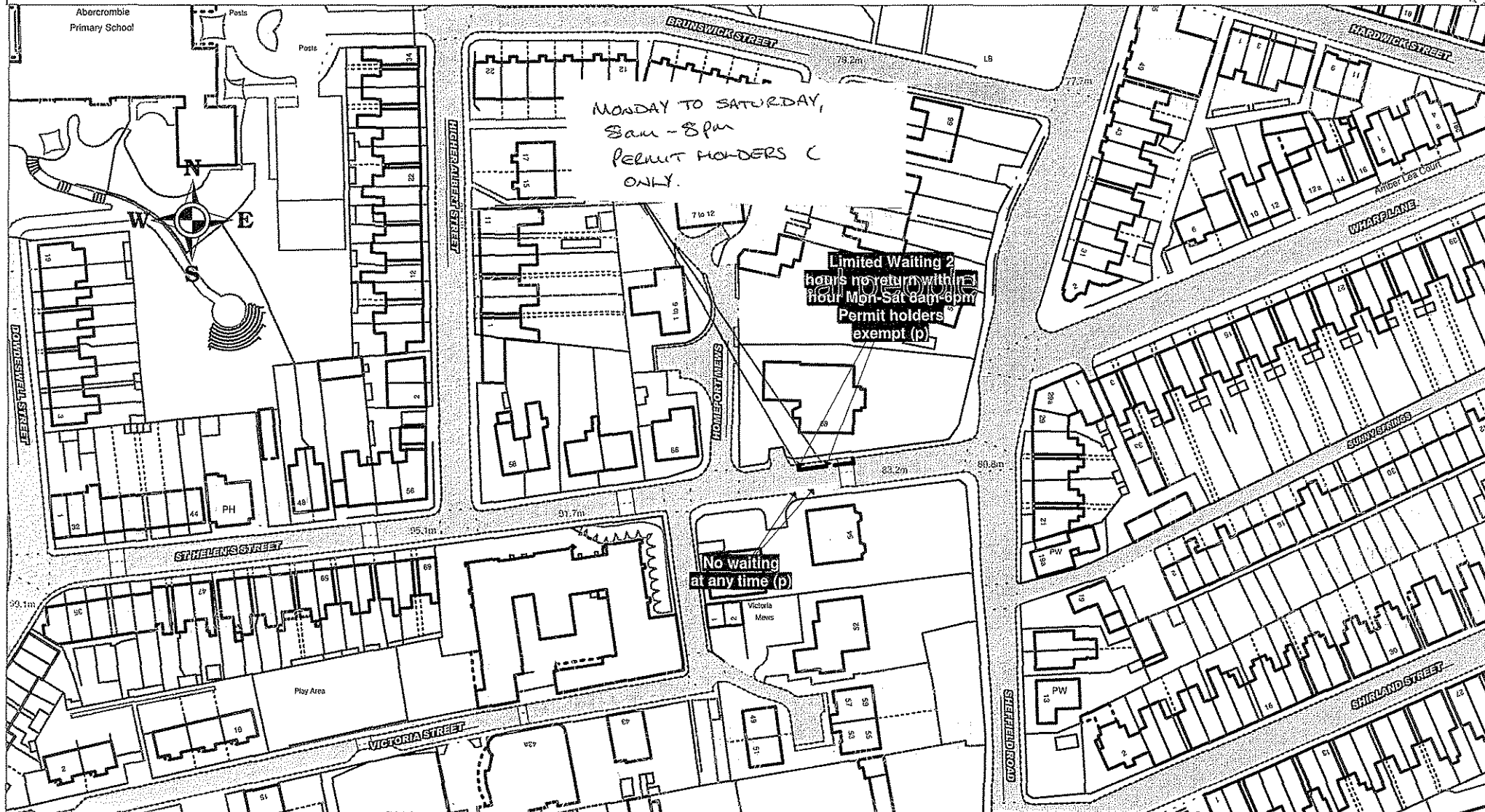
- (6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

- (7) **Background Papers** Correspondence held on file 44XT in Room N9, County Hall, Matlock. Officer contact details – Dan O'Neill, extension 38166.

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

- 8.1 The proposal to introduce a residents' parking bay on New Queen Street, Chesterfield, be removed from the final Chesterfield Residents' Parking Scheme Zones A, B and C - Amendments Order 2013 and the remainder of the proposals, as advertised, be confirmed and introduced.
- 8.2 The objection to the alteration of the proposed bay on St Helen's Street, Chesterfield, be upheld and that the bay be changed to a Permit Holders Only, Monday to Saturday, 8am to 8pm, bay and that the Order be amended and made accordingly.
- 8.3 The local Member and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



DERBYSHIRE
County Council
Improving life for local people

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Chesterfield
St. Helen's Street
Proposed Waiting Restrictions

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SCALE	1 : 1250
DATE	13/01/2012
DRAWING No.	NTA/DON/263/11
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