

**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held on 9 December 2014 at County Hall, Matlock.

**PRESENT**

Cabinet Member – Councillor D Collins

Also in attendance – Councillors J Owen, T Southerd and S A Spencer.

**172/14                      PETITIONS                      RESOLVED** (1) to receive the under-mentioned petitions:-

<b>Location/Subject</b>	<b>Signatures</b>	<b>Local Member</b>
Turnditch CE (Aided) Primary School – Save out School Crossing Patrol	48	Councillor D H Taylor
Scarcliffe Park Woods – Request for Bridleway Resurfacing	35	Councillor J Dixon
Bolsover, Vale Close – Request for Extra Car Parking Spaces	10	Councillor J Dixon

(2) that Turnditch CE Primary School be advised that a future meeting of Cabinet was to consider whether or not to consult on changes to the School Crossing Patrol service; and

(3) the Strategic Director – Economy, Transport and Environment be asked to consider the matters raised in the Scarcliffe and Bolsover petitions.

**173/14                      MINUTES                      RESOLVED** that the Minutes of the meeting of the Cabinet Member for Jobs, Economy and Transport (now Highways, Transport and Infrastructure) held on 11 November 2014 be confirmed as a correct record and signed by the Cabinet Member.

**174/14                      PETITION – POSITIVE TREE MANAGEMENT POLICY FOR MATLOCK BATH** Following the receipt of a petition requesting a positive tree management policy for Matlock Bath investigations have been undertaken.

The issue of tree management, in relation to Matlock Bath, was complex because of the range of statutory designations and protections placed on

different woodlands, groups and individual trees. The main issues were summarised in the report.

Taking all factors into account it is difficult to see how the creation of a new policy would effect a material change in the management of trees in the Parish. The majority of the trees were in private ownership and Derbyshire County Council has some powers, in respect of trees overhanging or likely to cause a danger to users of the highway. The Authority could not compel private landowners to undertake tree management works. There was no similar power under Tree Preservation Order legislation which was more regulatory and punitive to control management and prevent felling. There were also insufficient resources available to target a prolonged management effort in a single parish.

The recent establishment of the five year Heritage Lottery Fund (HLF) landscape partnership DerwentWise, might provide opportunities for projects to look at implementing some tree clearance to reveal iconic views and tackle woodland management in less sensitive areas within the Parish. The project was hosted by Derbyshire Wildlife Trust.

**RESOLVED** that (1) the request for a policy for the positive management of trees in Matlock Bath Parish be noted and that a response is drafted outlining the existing work undertaken by the County Council in managing trees in the Parish, the limitations in terms of legislation, staff and resources that prevent further proactive work being implemented and finally advise an approach to the DerwentWise project to explore the development of possible practical projects; and

(2) the local Member and petitioners be informed accordingly.

**175/14 PROPOSED 'NO WAITING AT ANY TIME' RESTRICTIONS, BOYTHORPE ROAD, CHESTERFIELD – CONSIDERATION OF COMMENTS**

The access for the new leisure centre on the Queens Park Annexe site was located off Boythorpe Road, Chesterfield. In the interests of highway safety Chesterfield Borough Council has asked the County Council to protect the visibility splays of the new access where it meets Boythorpe Road with double yellow lines. There was already a section of double yellow lines along Boythorpe Road leading from its junction with Boythorpe Avenue and it was therefore proposed to extend the existing double yellow lines by 43 metres.

Following the preliminary consultation exercise on the Traffic Regulation two written comments were received from residents of Boythorpe Road. It was considered the comments did not contain grounds for objection and the proposal was advertised. Following consultation and public notice procedure, no further objections were received.

**RESOLVED** that (1) the extension of the 'No Waiting at Any Time' Restrictions (double yellow lines) on Boythorpe Road, Chesterfield, as detailed in the schedule, shown on the attached drawing number HMT/SMD/232/14, be approved; and

(2) the local Members, Chief Constable and the residents who made the initial comments be informed accordingly.

**176/14      OBJECTION TO A TRAFFIC REGULATION ORDER TO PROVIDE DOUBLE YELLOW LINES - MERCIAN CLOSE AND MANNERS AVENUE, ILKESTON**

Following receipt of a letter from a local business regarding parking issues on Mercian Close and Manners Avenue, Ilkeston, a site inspection was undertaken. It was observed that unhitched heavy goods vehicle trailers and crash-damaged vehicles were stored on the road, along with several vehicles obstructing the footway. The police and Erewash Borough Council neighbourhood wardens were contacted and appropriate action was taken. VOSA were also contacted regarding the parking of unhitched trailers.

Following further complaints and observations which confirmed that numerous vehicles were parked on the road, including at the junction with Manners Ave; and following a meeting with the Local Member, the complainant and officers, it was agreed that double yellow lines be promoted to limit the amount of parking on Mercian Close.

The proposal has been advertised and an objection received. Mercian Close provided an appropriate location for on-street parking due to the low numbers of vehicles and pedestrians and its non-through nature. The proposed level of junction protection was considered adequate to provide exiting vehicles and crossing pedestrians with adequate forward visibility, without removing too many parking spaces. There was currently no justification for the inclusion of waiting restrictions on Manners Avenue opposite Mercian Close, although this would be monitored.

**RESOLVED** that (1) the lining be extended to include the west side of Mercian Close, up to and including the complainants business access (as shown on drawing no. HMT/DB/489/14);

(2) the remaining requests be refused and the remaining proposals be implemented as advertised; and

(3) the local Member and objector be informed accordingly.

**177/14      CHAPEL-EN-LE-FRITH      PARISH      NEIGHBOURHOOD DEVELOPMENT PLAN 2013-2028 EXAMINATION VERSION**

The County Council has been consulted by High Peak Borough Council on the Chapel-en-le-Frith Neighbourhood Development Plan Examination Version (CNP DV). Following this consultation, the CNP EV would be submitted to High Peak Borough Council for examination; would be subject to examination by a Planning Inspector and, if approved, it would proceed to a public referendum regarding its adoption.

The CNP EV was broadly consistent with the emerging High Peak Local Plan. Policy CNP1, which required development to contribute towards the

provision of infrastructure and services, Policy TR1, which required planning applications to be accompanied by a travel plan, Policies TR2 and TR3 to deliver transport improvements and Policies C1, C2, C3, C4 and C5 on environmental protection and enhancement were all supported. It should be noted that school playing fields were not necessarily public spaces; they were under the direction of the School Governors and were subject to their lettings policies.

**RESOLVED** to approve the comments set out in the report as the County Council's response to the Chapel-en-le-Frith Neighbourhood Plan Examination Version.

**178/14      THE PLANNING INSPECTORATE CONSULTATION : PROPOSED STRATEGIC RAIL FREIGHT INTERCHANGE ON LAND NORTH OF EAST MIDLANDS AIRPORT, NORTH WEST LEICESTERSHIRE**

The County Council has been consulted by the Planning Inspectorate (PINS) on a Development Consent Order (DCO) application for the proposed development of a strategic rail freight interchange (SRFI), known as the East Midlands Gateway (EMG). Due to its largest scale the DCO application would be determined by the Secretary of State (SoS), following a public inquiry scheduled to take place in the summer of 2015.

County Councillors with electoral divisions (EDs) in Erewash Borough and South Derbyshire District were consulted on the pre-DCO and the DCO applications for the proposed EMG. At the South Derbyshire Local Area Committee on 11 June 2014, representatives from Roxhill Developments Limited gave a presentation on the proposed EMG. Members raised concerns about the potential individual and cumulative impacts of both the EMG and East Midlands Intermodal Park (EMIP) schemes on the national and local road networks, the likely number and types of jobs to be created, the need for additional housing to accommodate the new workforces, and questioned the need for two rail freight terminals in such close proximity.

The informal Officer comments made on the DCO application broadly supported the proposed EMG SRFI, in principle, subject to the resolution of matters relating to highways impacts, travel plan implications, job creation potential and housing impacts on Derbyshire. The proposal was also considered to be compatible with the economic development priorities of the Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2 LEP) and with the Vision and Strategic Objectives of the Derbyshire Economic Strategy Statement (DESS).

Prior to the submission of the DCO application, the County Council signed a Transport Statement of Common Ground (SoCG) with Roxhill Developments Limited. There has been liaison between the County Council's Public Transport officers and the applicant's Transport and Infrastructure Consultants and County Council officers were satisfied with the key public transport enhancements affecting Derbyshire. Concerns remained about the robustness and reliability of the applicant's assessment which concluded that up to 7,000 jobs would be

created and the SoS was requested to consider this issue carefully in his assessment. The SoS was asked to examine the job creation potential of the proposed development, as the conclusions on the job creation potential would have important implications for the local authorities in the surrounding area and the preparation of their Local Plans. The SoS was respectfully requested to ensure that due attention was given to the need for such cumulative impacts as might relate to both proposals to be included in the assessment for and consideration of this DCO application.

**RESOLVED** that officers be authorised to respond formally to the Planning Inspectorate on the proposed strategic rail freight interchange on land to the north of East Midlands Airport and south of Junction 24, M1 in North West Leicestershire District, known as the East Midlands Gateway, by re-iterating the Member and Officer comments provided with the informal response which is referred to in the report.

**179/14      DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT**  
**CONSULTATION : PLANNING AND TRAVELLERS**      The Department for Communities and Local Government's has forwarded a consultation called 'Planning and travellers: proposed changes to planning policy and guidance.

There was a significant concern that the proposals could have a harmful effect on the cultural identity of Gypsies and Travellers. If the definition was tightened, there was a danger that it would encourage more settled Gypsies and Travellers to travel in order to come within revised definition of travellers, resulting in more unauthorised encampments.

It was considered appropriate that the existing 'Planning policy for traveller sites' (March 2012) should be amended to reflect the provisions of the National Planning Policy Framework (NPPF), which seeks to accord significant protection to sensitive sites. The settled community would be very unlikely to gain planning permission for new dwellings within these sensitive areas and it was considered to be appropriate, therefore, that planning policy for Travellers should be set on the same footing. It was also considered appropriate that fairness should apply to policy for Traveller sites within the open countryside. In the context of fairness, applications from the Traveller communities should be treated in the same way as the settled community or any other developer.

**RESOLVED** that officers be authorised to respond to the Department for Communities and Local Government's consultation on 'Planning and travellers: proposed changes to planning policy and guidance', as set out in the report.

**180/14      EXCLUSION OF THE PUBLIC      **RESOLVED**** that the public, including the press, be excluded from the meeting during consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC,  
INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING**

1. To confirm the exempt Minutes of the meeting held on 11 November 2014.

**181/14**                      **EXEMPT MINUTES**                      **RESOLVED** that the exempt Minutes of the meeting of the Cabinet Member for Jobs, Economy and Transport (now Highways, Transport and Infrastructure) held on 11 November 2014 be confirmed as a correct record and signed by the Cabinet Member.

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