

Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

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

24 March 2015

Report of the Strategic Director - Economy, Transport and Environment

**“NO WAITING AT ANY TIME” RESTRICTIONS – STATION ROAD,
CHINLEY**

(1) **Purpose of Report** To bring before the Cabinet Member objections received following the public consultation for a proposed “No Waiting at Any Time” restriction on Station Road, Chinley.

(2) **Information and Analysis** Station Road in Chinley is the only road access to the railway station. As such, extensive on-street parking takes place on a daily basis throughout the week. Network Rail has a free car park which is also accessed off Station Road but this does not have sufficient capacity to cater for the demand. The road is frequently double parked which has led to complaints to the Authority as both the school and regular service bus have difficulty getting through.

Following extensive consultation with the Parish Council, Police and local residents, the attached plan, NTA/IM/100/12-1F, has been developed. Following the first advertisement and report to the Cabinet Member Meeting – Jobs, Economy and Transport on 4 March 2014 (Minute No. 40/14 refers), these plans have now been revised and re-advertised.

Following the consultation period, two objections have been received.

One of the objection letters is from a local resident requesting residents' permits and suggesting further variations to the length of restriction. The other is from a train user asking the Council to provide more off-street parking for commuters.

Officer Comment

When parking restrictions are being considered in a residential area, such as Station Road, there is a balance to strike between making a road safe and accessible without making it overly-restrictive for the residents. Extensive discussions have therefore been held with the Parish Council, Police and bus

operators about the minimum required to achieve a successful scheme on Station Road.

A prohibition of "Waiting at Any Time" was originally proposed as it is considered that the restricted areas identified were the minimum required to keep the road accessible at all times and that parking in these areas could compromise the safe passage of vehicles at any time. The use of double yellow lines does not require the erection of any signs which helps to minimise street clutter, particularly where signs and posts would need to be erected outside peoples' properties. Nevertheless, it is acknowledged that the bulk of the parking problem occurs during the working week and a single yellow line, prohibiting waiting from Monday to Friday between 8am and 6pm, as suggested by the original objectors, has now been incorporated in the plans.

The primary function of the public highway is for the passing of vehicles and it is the County Council's remit, as the Highway Authority, to maintain this function. Therefore, it is considered essential that these restrictions are implemented to ensure the safe passage of all road users. Off-street parking provision (e.g. for rail commuters or residents) is not part of the County Council's remit but could be achieved by Network Rail or the local Borough Council. The County Council has prepared a plan for Network Rail that would increase the capacity of its existing car park but this has yet to be implemented. Network Rail also owns land in the area that could be used as additional car parking, should it wish to do so.

Local Member Comments

Councillor David Lomax is in agreement with the scheme.

(3) **Financial Considerations** The costs for processing the Traffic Regulation Order (TRO) and for implementing the required lining and signing would be met from the TRO budget contained within the Local Transport Plan of capital funded schemes for 2015-16, at an approximate 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 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 for 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 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 in the Economy, Transport and Environment Department. Officer contact details – Isobel Mulligan, extension 38677.

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

- 8.1 The revised proposal relating to Station Road, Chinley, shown on drawing number NTA/IM/100/12-1F, be approved.
- 8.2 The local Member and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

- Existing double yellow lines
- Proposed double yellow lines
- Existing single yellow lines
- Proposed single yellow lines Mon - Fri 8am to 6pm

Final changes for consultation			
Final changes for consultation	IM	17-11-14	F
Changes following public consultation	IM	10-10-14	E
Changes following consultation with Parish Council	IM	03-02-14	D
Changes following further consultation	IM	10-07-13	C
Changes following consultation	IM	31-05-13	B
Changes following consultation	IM	20-03-13	A
AMENDMENT DETAILS			
DRAWN BY	IM	SCALE	
DATE	06/07/12		NTS
ORIGINAL DRAWING SIZE 210 x 298 (A4)			

DERBYSHIRE
COUNTY COUNCIL
IAN W STEPHENSON
Bsc CEng M.I.C.E M.I.H.T
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE
STATION ROAD
CHINLEY

DRAWING TITLE
PROPOSED
CHANGES TO
RESTRICTIONS

DRAWING No.
NTA/IM/100/12-1F

