

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

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

24 March 2015

Report of the Strategic Director – Economy, Transport and Environment

**GARDEN AVENUE JUNCTION WITH LONGFIELD LANE, ILKESTON –
PROPOSED ‘NO WAITING AT ANY TIME’ RESTRICTION - OBJECTIONS**

(1) **Purpose of Report** To advise the Cabinet Member of the outcome of the consultation process and subsequent receipt of objections to the proposed ‘No Waiting at Any Time’ (double yellow line) restriction around the junction of Garden Avenue and Longfield Lane, Ilkeston, and to recommend that the Order be made (as advertised) with a minor amendment.

(2) **Information and Analysis** Longfield Lane is a busy, residential road, running from its junction with Corporation Road at its easterly point in a generally westerly direction, where it terminates at its junction with Quarry Hill Road. It has a number of adjoining roads, one of which is Garden Avenue, which joins Longfield Lane at its northern edge.

Concerns have been raised by a local resident that vehicles park around the junction and cause visibility problems for traffic emerging from Garden Avenue onto Longfield Lane. Traffic travelling westbound along Longfield Lane crest, the brow of a hill immediately prior to the junction, giving vehicles waiting to exit Garden Avenue little forward visibility of approach traffic. The situation is exacerbated by vehicles parked around the junction, particularly along the northern edge of Longfield Lane, which further reduces visibility.

In response to the concerns raised a short length of double yellow line is proposed around the junction to keep it clear of vehicles and improve visibility for emerging vehicles.

The proposals, as shown in the original drawing number ST/RS/402/12 (attached), have followed the statutory consultation and public notice procedure. Two objections were received from residents (of the same address) during the public notice stage.

The principal objection is due to one of the residents being disabled and requiring access to a mobility car, which they park on-road directly outside of

their property. The objectors report that they have no space within the property to park off-road and question the extent of the proposals which extend to the rear edge of their boundary, and will prevent them from parking as close to the property as they do at present.

The objectors also question whether there have been any complaints and why, if this is in response to school-related parking, are double yellow lines being proposed rather than limiting a restriction to school start/finish times only. They also question whether such 'schemes' are being introduced elsewhere.

The objectors suggest that the proposed extent of the restriction should be kept to an absolute minimum and that consideration should also be given to introducing restrictions on Longfield Lane, directly opposite the Garden Avenue junction. The objectors state that school-related vehicles park here, causing westbound traffic to pass on the opposite side, which they believe poses a safety issue to both eastbound traffic and traffic exiting Garden Avenue.

Officer Comment

The proposals have been put forward due to local concerns regarding problems caused by vehicles parked around the junction, as outlined above. A check of the collision database also reveals that a fatal collision occurred here in recent years, involving a motorcyclist travelling along Longfield Lane, on approach to the junction with Garden Avenue.

It is acknowledged that the measures proposed will result in the objector having to park further away from their existing point of access to the property. On-site observations have determined that the property appears to have off-road capacity. However, although there is a dropped kerb in place, the access is gated and the condition of the off-road provision is unknown. Furthermore, the nature of the objector's disability is not known and it is acknowledged that access to the property via this route may not be an option and, essentially, rendering the off-street place unusable.

It is considered that the proposed length of lining into Garden Avenue could be reduced by 5 metres (to 10 metres) without undermining the purpose of the restriction. This would allow the objector to park closer to their property whilst still providing protection at the junction itself. It is therefore suggested that the proposals are amended to this effect, as shown in the attached drawing number ST/RS/402/12b.

The objector questions whether the purpose of the restriction is school-related and, if this is the case, it should be reduced to prohibit parking at the relevant times only (i.e. at the start and end of the school day). However, the problems are not restricted to school-related parking; visibility is reduced by parked

vehicles regardless of the time of day and a double yellow line is considered appropriate to prevent this.

Finally, the objectors suggest that waiting restrictions should be introduced on Longfield Lane, directly opposite the junction with Garden Avenue. The purpose of the proposed restriction is to keep the junction clear of parked vehicles to improve visibility of traffic travelling along Longfield Lane. This will ensure that vehicles waiting at the junction can see and be seen by both east and westbound traffic on Longfield Lane. The removal of parking from the northern edge of Longfield Lane (as per the proposal), will achieve the desired improvement in forward visibility. Vehicles parked opposite the junction do not obstruct visibility for exiting vehicles and therefore, it is not proposed to introduce restrictions here. It is acknowledged that westbound traffic will have to manoeuvre into the opposite lane to negotiate parked vehicles but this is a situation replicated on many roads and should not cause a problem, given due care.

Local Member Comment

Councillor Frudd has been made aware of the content of this report and is in support of the recommendations.

(3) **Financial Considerations** This work forms part of the approved 2014-15 Local Transport Plan scheme for Traffic Regulation Order (TRO) works.

The cost of the lining will be approximately £60 and will be met from the 2014-15 Traffic Regulation Order Capital Budget.

(4) **Legal Considerations** Section 122, 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 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 and giving them an opportunity to make a representations 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 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 of opportunity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

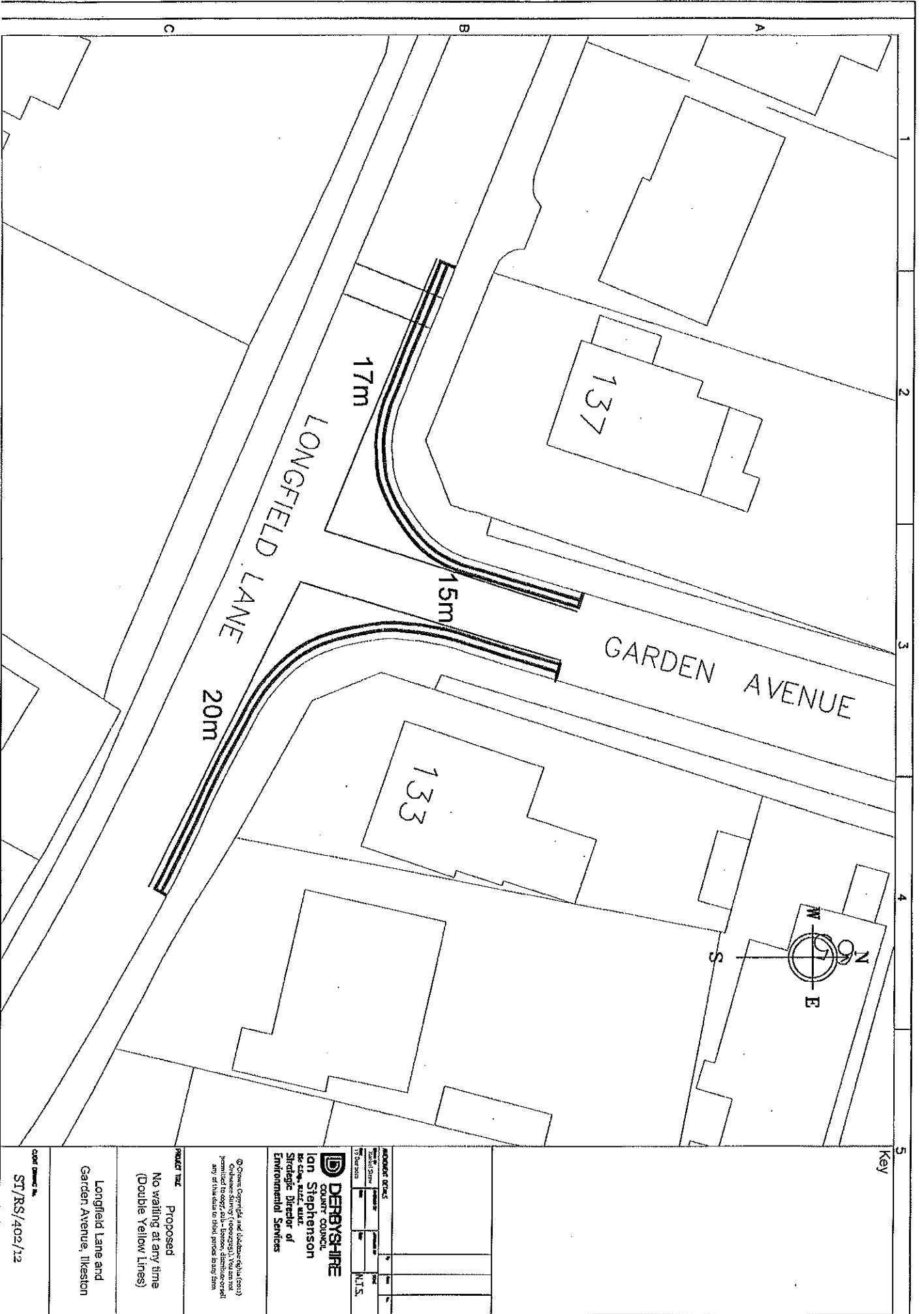
(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file in the Economy, Transport and Environment Department. Officer contact details – Paul Jameson, extension 38610.

(8) OFFICER'S RECOMMENDATIONS That:

- 8.1 The 'No Waiting at Any Time' double yellow line restriction for Garden Avenue and Longfield Lane, Ilkeston be amended, as shown on the attached drawing number ST/RS/402/12b, and implemented in due course.
- 8.2 The Local Member and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



Key

ADDITIONAL DETAILS	DATE	BY	FOR
Initial Design			
Final Design			
Construction			

DERBYSHIRE
COUNTY COUNCIL
Ian Stephenson
As City, Exec. Mgr.
Strategic Director of
Environmental Services

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PROJECT TEXT
Proposed
No waiting at any time
(Double Yellow Lines)

Longfield Lane and
Garden Avenue, Ilkeston

CDR: Revised 14
ST/RS/402/12

