

Agenda Item No. 4 (b)

DERBYSHIRE COUNTY COUNCIL

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

26 May 2015

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO THE PROPOSED PROHIBITION OF WAITING –
NETHERTHORPE AND CORNER PIN CLOSE, STAVELEY,
CHESTERFIELD**

(1) **Purpose of Report** To inform the Cabinet Member of objections to the proposal to introduce double yellow lines on Netherthorpe and Corner Pin Close, Staveley, Chesterfield, and to recommend a change following consideration of the feedback received.

(2) **Information and Analysis**

Background

Prior to formal consultation of the proposed Traffic Regulation Order (TRO) for the proposed double yellow lines on Netherthorpe and Corner Pin Close, Staveley, Chesterfield, Officers met with local residents to discuss their concerns around access difficulties along the road for the emergency services, deliveries and the refuse collection services operated by Chesterfield Borough Council.

Following a preliminary consultation undertaken in June 2014, officers received support for the proposals from Derbyshire Constabulary and the Local Member.

Site Details

Netherthorpe is an urban residential road, which serves residential properties, Netherthorpe Community School, and Deaton's Metal and Recycling Centre. The proposed scheme takes in the section of Netherthorpe near to its junction with Corner Pin Close, as shown in the consultation drawing (see Appendix 1).

Officer Comment

The proposed double yellow lines were formally advertised from 11 September to 3 October 2014. During this advertisement period, the Authority received two objections relating to the length of a particular section of the proposed double yellow lines being proposed.

This section which led to the objection relates to the length of the restriction as shown in Appendix 2. One objection related to the length of the line being excessive and the impact it would have with the on-street parking, whilst the second objection related to a request for the length of the restriction to be extended to cover the vehicular crossing for No. 22b Netherthorpe.

On-street observations have shown the presence of vehicles parked on the carriageway outside No.26 Netherthorpe and further along the road outside No.22a and beyond towards its junction with Ralph Road, during both the school day and outside of these times. Therefore, it would appear there is a demand for on-street parking along Netherthorpe on a consistent daily basis. Along its entire length, Netherthorpe has, at points, restricted carriageway width, in places below 5m; this can, at times, require vehicles to drive with caution, particularly when the very large Heavy Goods Vehicles are making deliveries to and from Deaton's Metal and Recycling Centre, which is accessed off Netherthorpe.

The first objection received related to whether there was a need for the length of restriction that was being promoted on Netherthorpe along the north side, see Appendix 2, across the frontage of No.26 and No.24. Parking in this location has limited impact on the turning movements of vehicles at the corner of No.26 and Corner Pin Close. Observations have shown that this location is regularly parked up with motor vehicles at all times of the day. It appears that visitors associated with the new build properties, 25A and 25B, occasionally park here along with the residents and visitors of No.26 as their off-road parking provision is only sufficient for one or two vehicles.

A reduction of 13m in the length of the double yellow lines on the north side of the road (see Appendix 3) would maintain road space for approximately two vehicles. This can be achieved without compromising the carriageway width, which varies from 7m down to 3.8m when a vehicle is parked at the kerb side outside No.26. This is a safe and suitable width to maintain traffic flows on this residential urban road, whilst the restrictions that are to be introduced will help maintain residential access, emergency services access and the refuse collection services.

For the second objection, a resident expressed concerns about maintaining visibility when exiting their driveway, and requested an extension of the restrictions to achieve this. However, it is not the responsibility of a Highway Authority to provide new or extend existing waiting restrictions merely to enhance or protect a private vehicular access. Such a proposal could lead to displacement parking onto other nearby roads, such as Milton Place and Lowfields.

It is therefore proposed that double yellow lines be reduced by a length of 13m outside No.26 and 24 Netherthorpe. This amendment is shown in Appendix 3.

Local Member Comment

Councillor Dean Collins, the Member for Staveley North and Whittington, gave his support to the proposals but did raise a concern with regard to the impact the proposed restrictions may have with on-street residential parking demand in this area.

(3) **Financial Considerations** The cost of the provision of the TRO in respect of its installation on the ground will be approximately £100. This work forms part of the approved Local Transport Plan scheme for TRO works in the 2015-16 Capital Programme of Works.

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

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 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 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 within the Economy, Transport and Environment Department. Officer contact details – Richard Handbury, extension 38569.

(8) **OFFICER RECOMMENDATIONS** That the Cabinet Member approves:

8.1 The minor amendment to the Traffic Regulation Order for Netherthorpe and Corner Pin Close, Staveley, Chesterfield, be approved as shown in Appendix 3.

8.2 The Local Member and objectors be informed of the decision.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Lay double yellow lines from top of tapered kerb outside No. 11 to the change of road surface to black paving - length to be 13 metres

Lay double yellow lines from top of tapered kerb outside No. 24, in front of L/C 96234, to top of tapered kerb to the drive for Sharolyn property - length to be 43 metres

Lay double yellow lines from top of tapered kerb outside No. 1 to change of road surface to black paving - length to be 22 metres

CORNER PIN CLOSE

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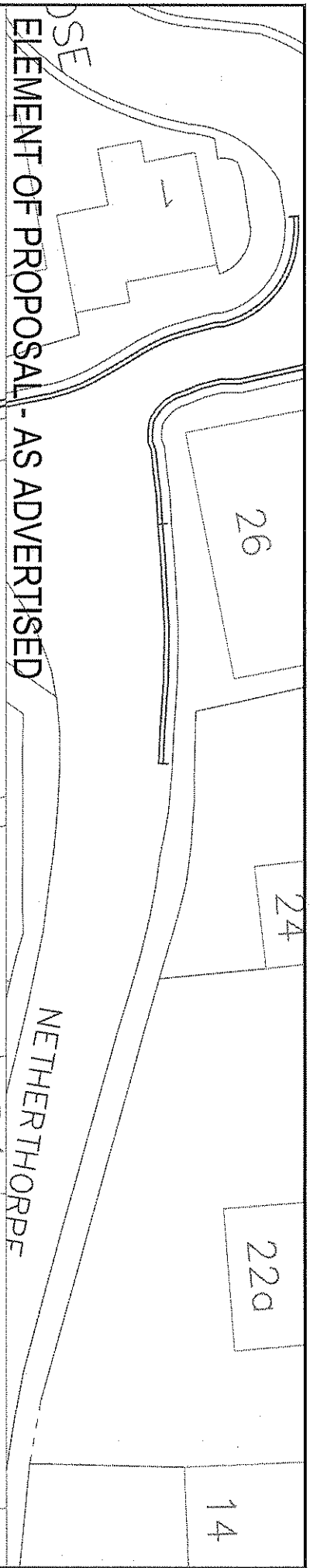


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MIKE ASHWORTH
Strategic Director
Economic, Transport & Environment Dept

AMENDMENT DETAILS			
BY	CHKD	APVD	DATE

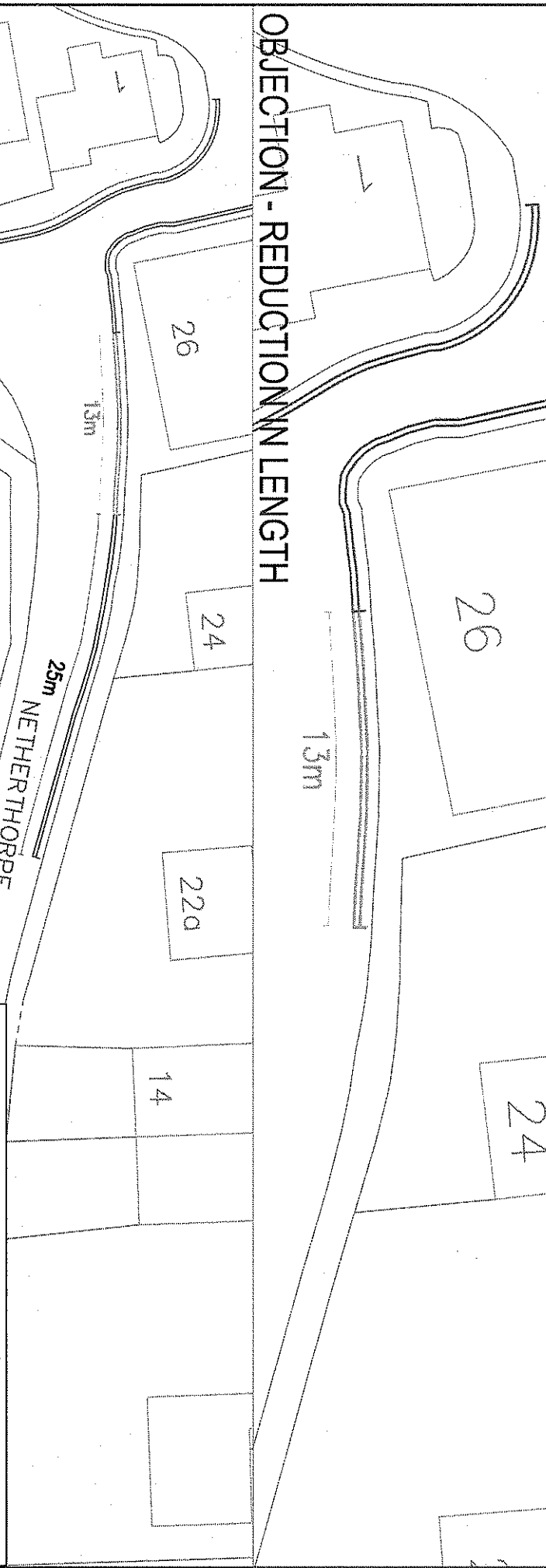
PROJECT TITLE		DRAWING TITLE	
PROPOSED DOUBLE YELLOW LINES		NETHERTHORPE & CORNER PIN CLOSE STAVELEY	
DRAWN	CHECKED	Project / Confirm Reference No.	APPROVED
PHIL BRAISBY	TRACY MCCANN	APPENDIX-1	RICH HANDBURY
Date 07/04/14	Date 07/04/14	Drawing Number HMT/PB/137/14	SCALE
			NTS



PROPOSED
ELEMENT OF PROPOSAL - AS ADVERTISED

OBJECTION - REDUCTION IN LENGTH

OBJECTION - EXTEND THE PROPOSAL



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MIKE ASHWORTH
Strategic Director
Economy, Transport & Environment

	= Proposed Waiting Restrictions (as advertised)
	= Requested Reduction in the Proposed Waiting Restrictions
	= Requested Extension to the Proposed Waiting Restrictions

PROJECT TITLE	
PROPOSED DOUBLE YELLOW LINES	
NETHERTHORPE & CORNER PIN CLOSE STAVELEY	
DRAWING TITLE	
DRAWN	CHECKED
RICHARD HANBURY	BRIDGET GOULD
Date 10/04/2015	Date 10/04/2015
Project / Confirm Reference No.	APPROVED
APPENDIX-2	BRIDGET GOULD
Drawing Number	Date
HMT/PB/37/14	10/04/2015
SCALE	
NTS	

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Netherthorpe - North side

Proposed No Waiting at Any Time
Netherthorpe - North Side

From a point 13m east of its junction with Netherthorpe in a westerly then northerly direction to the top of the tapered kerb to the driveway of the Sharolyn property.

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Strategic Director

Economy, Transport and Environment

AMENDMENT DETAILS	BY	CHD APD	DATE	NO

PROJECT TITLE	MINOR AMENDMENT IN PART TO TRO (REDUCTION IN LENGTH)		
	DRAWN R.HANDBURY	CHECKED R.HANDBURY	APPROVED B.GOULD
DRAWING TITLE	NETHERTHORPE & CORNER PIN CL STAVELEY		
	Date 14/04/2015	Date 14/04/2015	Date 14/04/2015
Project / Confirm Reference No.	APPENDIX-3		
	Drawing Number	HM/T/PB/137/14	SCALE NTS
ORIGINAL DRAWING SIZE 297 x 420 (A4)			

