

DERBYSHIRE COUNTY COUNCIL

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

26 April 2017

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO THE (CHAPEL LANE EAST, EASTWOOD PARK DRIVE,
NEWBOLD ROAD, GATEFIELD CLOSE, BARN CLOSE, FIELDHEAD WAY,
OLD BRICK WORKS LANE, PARK ROAD AND NEW STREET,
CHESTERFIELD) (NO WAITING AT ANY TIME) ORDER 2017**

(1) **Purpose of Report** To consider objections following the public advertisement and consultation on various Traffic Regulations Orders at two locations in Chesterfield, and to recommend that the Order be made with one minor amendment to the advertised Order.

(2) **Information and Analysis** Officers over the last few years have received requests from either members of the public, District and County Councillors, bus operators, as well as other Council staff, for new waiting restrictions or amendments to existing waiting restrictions in the Chesterfield area. The cost of advertising these Traffic Regulation Orders (TROs) has risen considerably over the last few years, mainly due to the printing costs in the newspapers. Officers have, therefore, been mindful not to advertise individual TROs but have looked at grouping requests in an area and then advertise them altogether. The above TRO, which includes five different locations in the Chesterfield area, was initially consulted upon in July 2017 and was then advertised on street and in the local paper, the Derbyshire Times, on 30 November 2017 to 22 December 2017. Following these statutory processes a number of objections were received.

Officer Comment

During the initial consultation process, many comments were received which officers were able to rectify prior to the formal legal advertisement. However, some have not been able to be resolved and additional objections were received during the formal advert period. These and other comments received have been detailed below.

**1. Chapel Lane East – Proposed Double Yellow Lines
Dwg. No. HMT/PB/225/17**

Officers have previously investigated the possibility of a Stopping Up Order in conjunction with double yellow lines at this location, in order to stop vehicles 'rat running' through here to avoid the traffic lights on Mansfield Road. Both

the refuse collection operators and the Devonshire Arms public house did not have access to land to turn their vehicles around. The refuse collection operators felt that they would have problems servicing some of the properties due the vehicle having to reverse in and up the full length of Chapel Lane East and round the bend at the top. The Devonshire Arms particularly felt that this was an unsafe practice for their drivers and they could not say what size of vehicles it would be using on a weekly basis. Officers took into consideration the needs of the delivery vehicles and decided not to pursue the traffic order to stop up this route. After this decision was taken enquiries were still being received from residents, informing the traffic Section of the difficulty of driving larger vehicles down the road when vehicles are parked on both sides. Road width is narrow at certain parts on the road. The double yellow lines will help traffic flow more easily along this route by removing vehicles where required.

(a) Objection: A resident asked for lines to be removed outside their property to allow visitors to park there.

Officer Comment: It was agreed that a section of the lines could be removed from outside their property. This would still allow other vehicles to pass by any parked vehicle at this location and this was included as part of the legal advertising process.

(b) Objection: Several residents had concerns about the reduced spaces available to park their vehicles. This is exacerbated by commuters to the area who regularly park on the street.

Officer Comment: Various properties on Chapel Lane East have access to off-street parking. The majority of properties that do not are along the south section, between numbers 4 to 14. Double yellow lines would not be located along this section to enable the occupants of those properties spaces to park their vehicles. An additional section of the lining was removed from the rear of the Devonshire Arms to create more parking space. Commuters should not be parking here and the Police have the authority to monitor this under the 'Access Only' TRO currently enforceable on this road.

(c) Objection: A disabled resident who uses a wheelchair was worried that the lines would be going in front of their property and that medical staff would not be able to park outside their home.

Officer Comment: The lines would be located on the opposite side of the road. If required, emergency services vehicles would be permitted to stop on the double yellow lines opposite to allow them to load and unload a wheelchair from the vehicle.

(d) Objection: A resident asked if the yellow box marking could be removed to increase parking spaces as it would no longer be needed if the double yellow lines went down.

Officer Comment: Officers had already planned to remove the markings if the double yellow lines were implemented.

(e) Objection: Request for those properties without off-street parking to have a 'Residents' Only' parking scheme instead.

Officer Comment: A small section of Chapel Lane East could not be altered to a 'Residents' Only' parking scheme. Providing such a scheme on one or two streets in isolation would invariably displace the problem onto adjacent streets. Sufficient revenue also needs to be generated from the sale of permits to cover management and enforcement costs. It would need several hundred residents to sign up to a scheme in order for it to be financially sustainable.

(f) Objection: Concerns expressed over the 'Access Only' signs on the entrance from Mansfield Road. A resident thought the signs currently on site could be improved and offered alternative signs to use.

Officer Comment: Signs erected on site comply with current signing regulations. Any variation in these signs could invalidate the existing 'Access Only' TRO and so signs need to remain as they are.

(g) Objection: A resident asked for the lines to be removed from outside his property to enable visitors to park there.

Officer Comment: This section of Chapel Lane East is the narrowest section of the road. Double yellow lines have been proposed on both sides and so any vehicles parked here would create difficulties for vehicles trying to pass.

(h) Objection: A resident asked for the lines to be removed from outside their property Chapel Lane East to Calow Lane to enable visitors to park there.

Officer Comment: This would remove a large proportion of the lining from this Order. A short section of double yellow lines could be removed where the road is at its widest to allow vehicles to park here. Officers recommend removing a short section of the lining at this location. Officers therefore request the Cabinet Member approves this minor amendment to the TRO as shown on drawing no. HMT/PB/225/17.

(i) Objection: Several residents were concerned that by removing vehicles from both sides of the road it would enable vehicles to travel faster down the road should they wish to do so.

Officer Comment: There will only be short sections where double yellow lines will be placed on both sides of the road. Around the back of the Devonshire Arms, where the road is narrowest and there is a sharp turn, and near to Calow Lane where the markings switch to the other side of the road. Some overlap is required to ensure larger vehicles will be able to move across

easily. The majority on the road will have space for vehicles to be parked on one side of the road, which will help reduce vehicle speeds.

(j) Objection: Some residents commented on the numerous vehicles that ignore the 'Access Only' TRO and use this route as a rat run. They did not think that double yellow lines would do anything to stop this from happening.

Officer Comment: It is accepted that vehicles frequently disregard the 'Access Only' TRO here. The Police have authority to enforce this restriction.

2. Gatefield Close/Newbold Road/Barn Close/Fieldhead Way – Proposed Double Yellow Lines

Dwg. No. HMT/PB/227/17

Discussions were held with the headteacher of St. Mary's School about safety in and around the school. A controlled crossing had been installed on Newbold Road in 2016 but there were still some issues that they wanted resolving. A child was hit by a vehicle crossing in between parked vehicles near the school gates. The Police and Ambulance Service attended the scene. The headteacher asked for double yellow lines to keep this area clear of vehicles. The school was also concerned that school buses were having great difficulty travelling along Gatefield Close due to parked vehicles on both sides of the road. This resulted in the caretaker placing cones on street to try and prevent vehicles from restricting the buses access to the school car park at the end of Gatefield Close. The proposed double yellow lines on this road would remove vehicles from around the entrance to the school gates, as well as the junction of Gatefield Close and Newbold Road. One side of Gatefield Close would also be kept clear allowing the buses easier passage to the school car park.

(a) Objection: A resident felt that the double yellow lines would be advantageous, but felt that Barn Close and Fieldhead Way should have parking restrictions from Monday to Friday, between 8.00am and 4.00pm.

Officer Comment: As there is already pressure for parking spaces on Gatefield Close, officers would be reluctant to reduce them any further with the addition of parking restrictions. Restrictions have not been proposed to reduce parking for visitors to the school.

(b) Objection: Request for the double yellow lines to go along the entire lengths of Barn Close and Fieldhead Way. The Objector also wanted additional double yellow lines to be put down on Gatefield Close to prevent vehicles from parking here all day and enable only residents to park here.

Officer Comment: The Objector was informed of the reasons for the restrictions, and that it was not to reduce parking for visitors to the school. This area would not meet the Council's criteria for a 'Residents' Only' parking scheme. Providing such a scheme on one or two streets in isolation would

invariably displace the problem onto adjacent streets. Sufficient revenue also needs to be generated from the sale of permits to cover management and enforcement costs. It would need several hundred residents to sign up to a scheme in order for it to be financially sustainable.

(c) Objection: The Head of School Transport at St Mary's School contacted officers requesting some changes to the initial proposal. They requested that the lines be extended along the east side of Gatefield Close. They highlighted the need for a larger area around the school gates to be kept clear.

Officer comment: The length of the lines were extended for a distance of 36 metres on the east side of Gatefield Close to enable the area in front of the school gates to be kept clear. Although this would take away more parking spaces in the vicinity, the school is intending to undertake measures to ease the current parking situation. Currently, 15 to 20 parking spaces are being taken up by buses that park within the school car park all day. If the proposals are approved, the buses will no longer need to be parked up all day, freeing up the additional spaces to be used during the school day. The school will also encourage parents who collect their children to wait until their buses have left, and use these available spaces to park on rather than on neighbouring roads. A supervised room for pupils to access and complete homework will be available whilst they wait for their parents to collect them.

(d) Objection: Numerous objections have come in from residents in the vicinity who believe that the double yellow lines will shift vehicles onto neighbouring roads. They state that this will exacerbate an already existing parking problem when trying to access Ambleside Close and the crescent opposite the school.

Officer comment: First of all, it has to be accepted that, for various reasons, many parents now choose to transport their children to and from school by private car. This can create problems and is a recurring concern at many schools throughout the County. Parking of this kind is inevitable to some degree, but there is no easy solution, and officers take the view that the onus is very much on the parents themselves where they should and should not park, based on common sense and a regard for the safety of their children and the children of others. It is also possible that some residents may be under the impression that double yellow lines are to be placed along the entire lengths of Gatefield Close, Barn Close and Fieldhead Way. These objections came in from residents who were not directly sent a layout of the proposed markings, and may have just read the notices on street. The total length of the proposed lining is approximately 170 metres, though this does include 60 metres of lining around various junctions that vehicles should not be parking on anyway in accordance with the Highway Code. This will result in approximately 20 safe parking spaces being removed as part of the Order. As the school intends to create an additional 15 to 20 spaces within its own car park, this will reduce or negate the impact the restrictions have on

neighbouring roads. However, officers agreed to look at the surrounding roads to assess if parking restrictions should be put down to help residents access and egress these neighbouring properties.

3. New Street/Park Road – Proposed Double Yellow Lines

Dwg. No. HMT/PB/228/17

Various industrial premises are located at the end of the street. Officers received enquires informing them that larger vehicles are having difficulties accessing and egressing New Street due to vehicles being parked around the junction with Park Road.

(a) Objection: A resident was concerned that this road was full to capacity most days, due to free parking being available here and its close proximity to the town centre. Several residents also park their vehicles on New Street rather than Park Road as cars are frequently vandalised when parked on Park Road.

Officer Comment: New Street already has an 'Access Only' TRO on it and so should only be used by drivers for that reason. Only the Police can enforce this TRO should commuters continue to park up here all day.

Local Members Comments

The five locations where there are proposed waiting restrictions planned are covered by three Local Members, Councillor Jean Innes, Councillor Dave Allen and Councillor Sharon Blank. All members were consulted about the proposals during the initial and formal consultation periods. As the Councillor for the Linacre ward, officers met with Councillor Innes and several residents regarding the TRO for Gatefield Close, following the formal consultation process. It was agreed that further restrictions around the crescent, opposite the school, would be consulted on in the future. These are shown on the attached drawing HMT/PB/227/17. No further comments were received from Councillor Allen or Councillor Blank for the TROs located in their wards.

Additional Comments

Of the five locations that were consulted on, objections were only received from the three locations listed above.

Only responses supporting the proposed lining at Eastwood Park Drive were received. Residents has previously been in contact with officers requesting that the restrictions were extended as advertised.

During the initial consultation period for Old Brick Works Lane, the owner of Chester's restaurant contacted the Traffic Section, as they were concerned about the number of spaces removed on the north side should the lining be put down. Subsequently, the length of the lining was reduced by 5 metres. No objection was received during the formal consultation process after these changes had been made.

An initial objection from another member of the public was received about the proposed lining on Old Brick Works Lane during the formal consultation period. The resident had seen the on street notices advertising the Order and believed that the markings would run along the entire lengths of both sides of the road. Officers contacted the resident and sent them a copy of the consultation drawing. A response was received saying that they were now in support of the proposals and no longer wanted to object to the Order.

(3) **Financial Considerations** This work forms part of the approved 2017-18 Local Transport Plan and the cost of the lining and associated signing work will be approximately £1,000.

(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 area 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 enables 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 representation which the Authority shall consider. In this

case, the amendment outlined within the report was of a minor nature and can therefore be included without the need for further consultations.

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, social value 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.

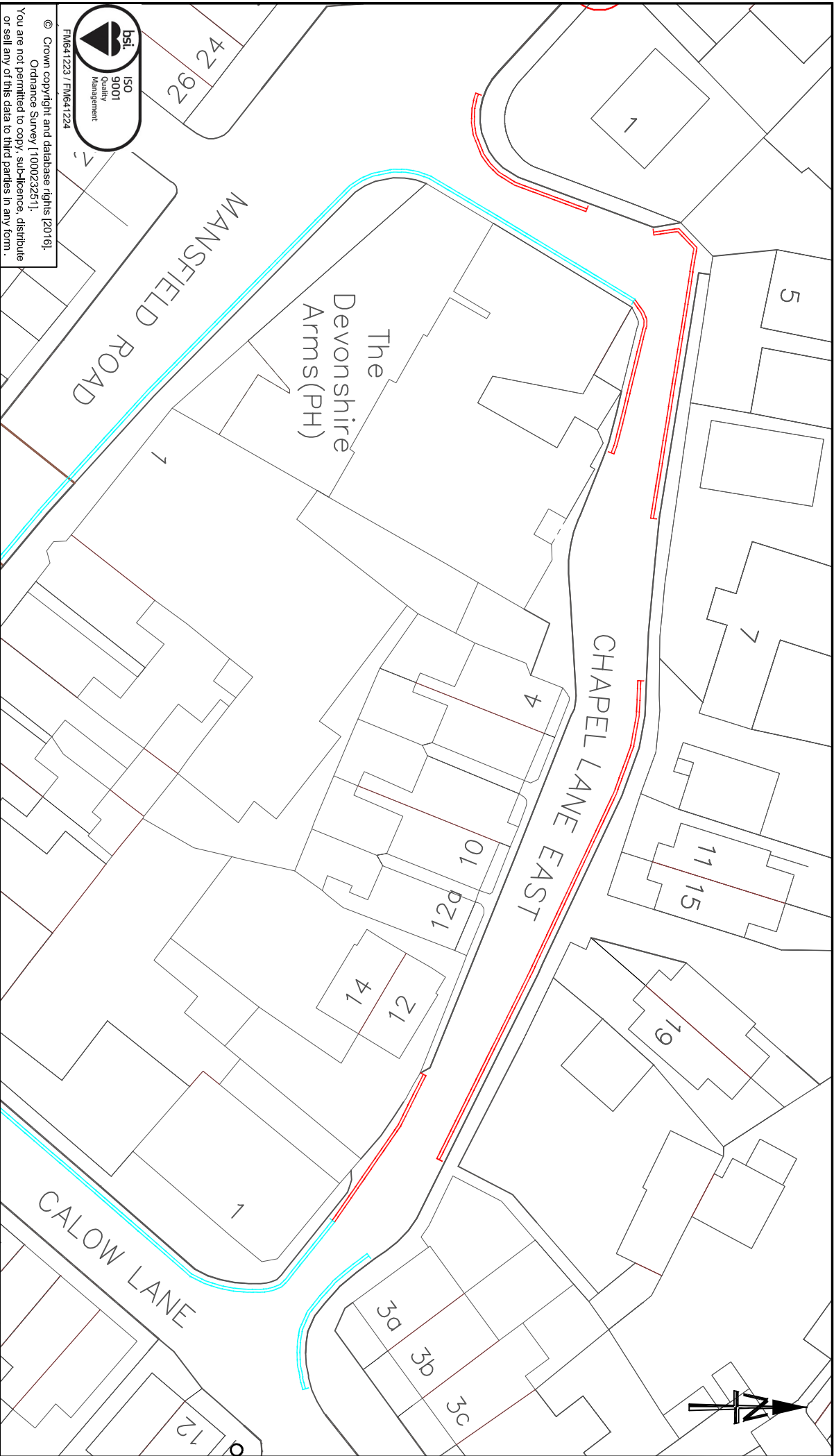
(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Philip Braisby, extension 31935.

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

8.1 The proposed Traffic Regulation Order (Chapel Lane East, Eastwood Park Drive, Newbold Road, Gatefield Close, Barn Close, Fieldhead Way, Old Brick Works Lane, Park Road and New Street, Chesterfield) (No Waiting At Any Time) Order 2017 be introduced as advertised and implemented in due course, with one minor amendment as recommended in this report.

8.2 The Local Members and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



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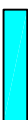
Strategic Director

Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)



EXISTING NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)

PROJECT TITLE

PROPOSED NO WAITING AT ANY TIME MARKINGS
CHAPEL LANE EAST, HASLAND

DRAWING TITLE

CONSULTATION
DRAWING

DRAWN

PHIL BRAISBY

Date

14/03/18

CHECKED

BRIDGET GOULD

Date

14/03/18

APPROVED

BRIDGET GOULD

Date

14/03/18

Project / Confirm Reference No.

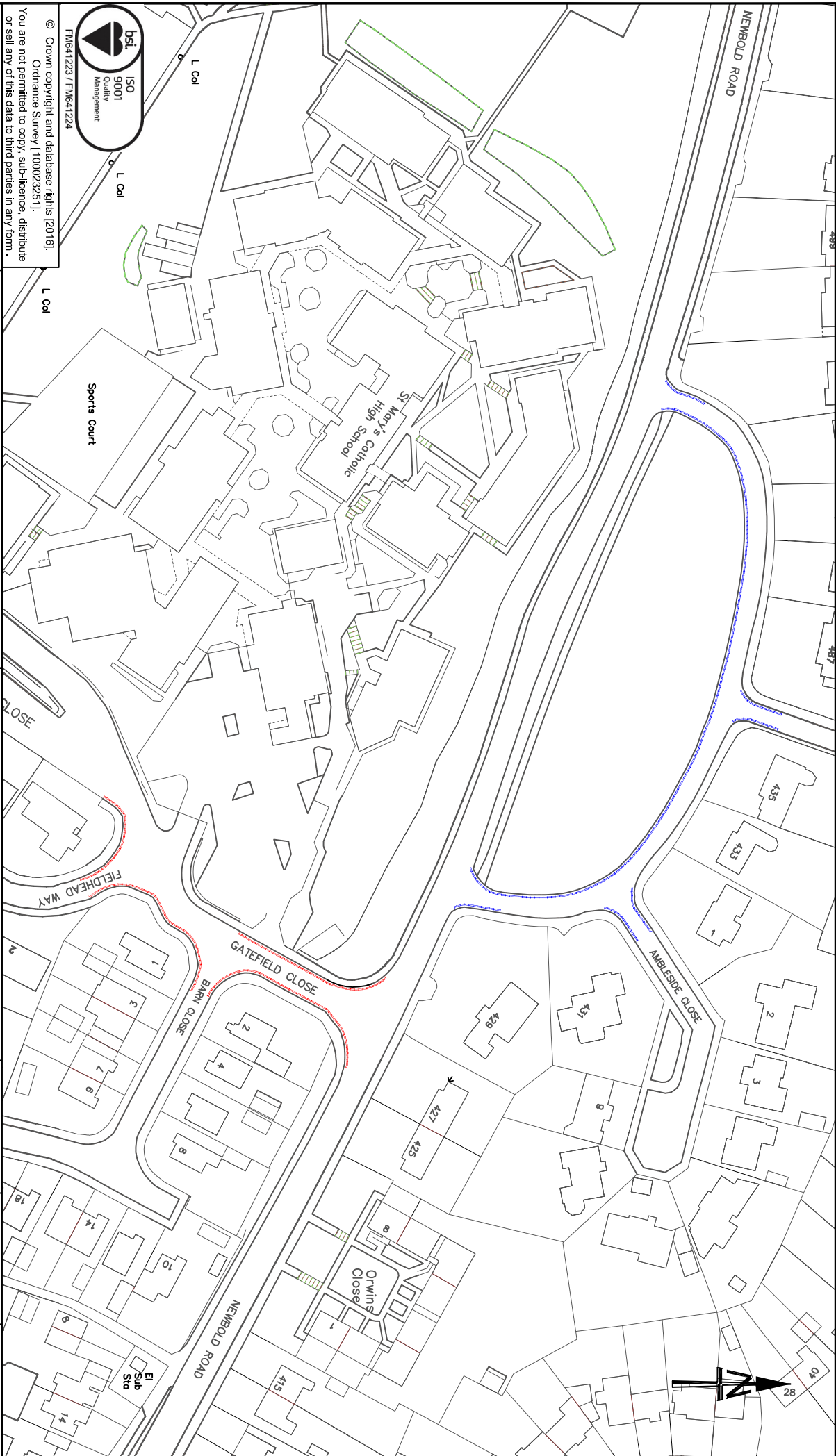
HMT/PB/225/17

SCALE

NTS

Drawing
Number

ORIGINAL DRAWING SIZE 297 x 210 (A4)



FM641223 / FM641224

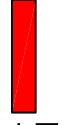
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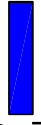
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Strategic Director
Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)



POSSIBLE FUTURE NO WAITING AT
ANY TIME (DOUBLE YELLOW LINES)

PROJECT TITLE
PROPOSED NO WAITING AT ANY TIME MARKINGS
GATEFIELD CLOSE, CHESTERFIELD

DRAWING TITLE
CONSULTATION
DRAWING

DRAWN	CHECKED	APPROVED
PHIL BRAISBY	BRIDGET GOULD	BRIDGET GOULD
Date 14/03/18	Date 14/03/18	Date 14/03/18

Project / Confirm
Reference No.
HMT/PB/227/17

Drawing
Number
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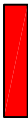
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Strategic Director

Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY
TIME (DOUBLE YELLOW LINES)

PROJECT TITLE

PROPOSED NO WAITING AT ANY TIME MARKINGS
NEW STREET, CHESTERFIELD

DRAWING TITLE

CONSULTATION
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APPROVED

BRIDGET GOULD

Date

15/06/17

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Project / Confirm
Reference No.

Drawing
Number

HMT/PB/228/17

SCALE
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