

DERBYSHIRE COUNTY COUNCIL

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

29 June 2017

Report of the Strategic Director – Economy, Transport and Communities

**OBJECTIONS TO THE DERBYSHIRE COUNTY COUNCIL
(CHESTERFIELD VARIOUS JUNCTIONS) (PROHIBITION OF WAITING,
LOADING BAY, DISABLED BAY AND WAITING RESTRICTIONS) ORDER
2017**

- (1) **Purpose of Report** To consider objections following the public advertisement and consultation on various Traffic Regulations Orders (TROs) at 17 various locations in Chesterfield, and to recommend that the Order be made as advertised.
- (2) **Information and Analysis** Officers over the last few years have received requests from members of the public, District and County Councillors and bus operators as well as other Derbyshire County Council staff, for new waiting restrictions or amendments to existing waiting restrictions in the Chesterfield area. The above TRO, which includes 17 different locations in the Chesterfield area, was initially consulted upon in September 2016 and was then legally advertised on street and in the local paper from 30 March 2017 to 21 April 2017. Following these statutory processes a number of objections were received.

The cost of advertising 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 proposals together in an area and then advertising them altogether.

Officer Comment

During the initial consultation process a few of the objections received were rectified 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. Brockwell Lane / Franklyn Road Junction – Proposed Double Yellow Lines Dwg. No. HMT/BG/228/16A

The proposed restrictions are to provide double yellow lines around the junction to stop parking and improve visibility.

Objection: A resident considers that the double yellow lines extend too far past his property on Brockwell Lane and wants them removing as he needs to park his car.

Officer Comment: The existing restriction was for a distance of 12m, however, officers have reduced this down to 10m prior to the formal advert; the standard stated in the Highway Code. The objector does, however, have a garage and off road parking available off Franklyn Road.

2. Purbeck Avenue / Wenlock Crescent / Nevis Close Junction – Proposed Double Yellow Lines Dwg. No. HMT/BG/227/16A

The proposed restrictions are to provide double yellow lines on Wenlock Crescent, opposite its junction with Purbeck Avenue, due to the service buses having difficulty negotiating the junction due to parked cars, particularly at school times. It is also intended to provide double yellow lines around the Nevis Close with Purbeck Avenue junction to keep it clear and improve visibility.

(a) **Objection:** An objector wants the double yellow lines extending to the start of his drive and wanted the double yellow lines extending from Nevis Close all the way down to Wenlock Avenue.

Officer Comment: The proposed double yellow lines, when measured on site, do extend to the top of the objector's drive, although it does not make this clear on the drawing as their drive is not shown. Whilst extending the double yellow lines all the way down from Nevis Close to Wenlock Avenue would stop the parking, officers feel that, due to the nearby school, parents would simply just park on the lines or transfer the problem to another nearby location.

(b) **Objection:** A resident of Wenlock Crescent is disabled and has problems with parents parking opposite their drive making it difficult to negotiate in and out of it. They want the restrictions extending on the opposite side of their property to cover their drive.

Officer Comment: Officers have sympathy with the resident but the proposed restriction is to protect the junction to allow buses easier access in and out of Wenlock Crescent. School parking is a significant issue but usually restricted to a couple of times a day and extending the restrictions would simply transfer the parking problem elsewhere.

(c) **Objection:** A resident of Purbeck Avenue considers the waiting restrictions around its junction with Nevis Close will have no effect on the parking problem and that the bus companies are not hindered in any way. They want the restriction marking up on site.

Officer Comment: The proposals came from the bus companies following years of disruption at this location. The restriction only extends a short distance past the objector's property which would still allow them to park outside.

3. Hastings Close / Newbold Road Junction – Proposed Double Yellow Lines Dwg. No. HMT/BG/323/16A

The proposal is to provide double yellow lines all the way up the eastern side of Hastings Close and to include the turning head at the top. When officers initially consulted upon the restriction, the double yellow lines only went a short way up Hastings Close to provide junction protection. However, many of the residents responded requesting that the lines should be extended and include the turning head at the top of the road. Officers formally consulted on this amended proposal.

Objection: The resident does not want the double yellow lines continuing all the way up one side of the road. They consider that it is very restrictive for residents and wants all the turning area included within the restriction.

Officer Comment: The road is only wide enough for parking on one side and therefore, if vehicles parked on both sides they would either block the road or be forced to park illegally on the footway. The extent of the highway boundary is such that the double yellow lines could not be provided into the entrance of the Observatory.

4. Highfield Lane / Mansfeldt Road Junctions – Proposed Double Yellow Lines Dwg. No. HMT/BG/233/16

The proposals are to provide double yellow lines around the junctions on Highfield Lane and Mansfeldt Road to improve visibility by removing parking which is prevalent at school drop off and pick up times.

Objection: There were no official objections, however, one resident does not see the point in them and another wants the lines extending down as far as the school.

Officer Comment: The suggestions would be far too restrictive for the residents.

5. Malvern Road, Darwin Road / Hawksley Avenue Junction – Proposed double yellow lines Dwg. No. HMT/BG/231/16

These proposals are to improve visibility when exiting onto Hawksley Avenue from Darwin Road and Malvern Road. There are already double yellow lines but, by extending them slightly, it would greatly improve the situation.

Objection: A resident was concerned that by extending the double yellow lines across their house front, it could be detrimental to people visiting his property, primarily to deliver to their address.

Officer Comment: Officers originally agreed that they would remove this section of double yellow lines in front of their property. However, after consideration, the resident has agreed to have them provided as loading and unloading are still permitted on double yellow lines and therefore would not interfere with deliveries to his property.

6. Barker Lane / Welfare Avenue Junction – Proposed Double Yellow Lines Dwg. No. HMT/BG/236/16A

The proposals are to provide junction protection to improve visibility.

Objection: A resident was concerned that, due to the limited parking in the area, the extents of the double yellow lines on Barker Lane did not need to be as long as the road was one way.

Officer Comment: Officers agreed with the objector and reduced the length so that it just covered the radius of the junction.

7. Springfield Avenue Junction with Sydney Street, St Marks Road and Clifton Street - Proposed Double Yellow Lines and No Stopping on School Keep Clear Markings Dwg. No. HMT/BG/235/Rev1

The proposal was intended as a junction protection to protect pedestrian dropped crossings points and improve visibility at two junctions near Brampton Primary School. Following the initial consultation it became apparent that there was strong support for the introduction of a 'No Stopping' Order on the school keep clear zig zag markings and officers therefore included this in the formal advert. Following the formal advert stage there have been over 100 letters of support for the proposals.

(a) **Objection:** A resident from Sydney Street considers that the restrictions would affect them too much and wanted them reducing in length. They do not think the restrictions will solve the problem with school parking.

Officer Comment: Officers agreed with the objector and have reduced the length of double yellow lines outside her property prior to formal advert but have extended them on the opposite side to improve movement in and out of the junction.

(b) **Objection:** One resident, whilst supporting the proposals, wanted double yellow lines around School Board Lane including and was concerned about displaced parking outside her property by pupils' parents.

Officer Comment: Officers considered providing double yellow lines around School Board Lane but it is very wide and there are no real problems with

manoeuvring in and out of it. Officers will monitor the situation once the other restrictions have been put in.

**8. Walton Fields Road / Walgrove Road - Proposed Double Yellow Lines
Dwg. No. HMT/BG/241/16A**

The proposal is to provide double yellow lines to prohibit parking to enable the delivery Lorries to Morrison's Supermarket access as they often have difficulty manoeuvring into their delivery yard.

Objection: A resident from Walgrove Road is concerned about the removal of so much parking as they often use this area to park on in the evening when residents were home.

Officer Comment: Officers agreed to reduce the length of double yellow lines to enable residents the ability to park prior to formal advert.

9. Lockoford Lane - Proposed Limited Waiting Bay, Loading and Disabled Bay Dwg. No. HMT/BG/240/16A

The proposal is to provide a loading and disabled bay, as well as limited waiting for the users of Tapton Lock Visitor Centre. Currently, there are no restrictions and the staff at the surrounding car garages all park on the road. The original plans saw double yellow lines opposite the visitor centre. However, following the consultation period, objections were received from the car garages who were concerned as to where their staff were going to park. Officers agreed therefore to remove this section of double yellow lines.

(a) **Objection:** Staff at one of the car garages is concerned about loss of on-road parking for their staff.

Officer Comment: Officers have reduced the amount of double yellow lines prior to formal advert; however, there is ample room within their site to accommodate staff parking if required.

(b) **Objection:** A business owner, located further up Lockoford Lane, is concerned about displaced parking onto their access road.

Officer Comment: This section of access road is not adopted highway but in private ownership and therefore they should be able to enforce their own road.

10. High Street, London Road, New Whittington – Proposed Double Yellow Lines and Changes to Timings of the Existing Limited Waiting Bays Dwg. No. HMT/BG/239/16A

The proposal is to amend the lengths of time available to wait on High Street due to the recent change of use in the businesses. It is also proposed to extend the double yellow lines around the junction of London Road with High Street due to inconsiderate parking impeding egress and ingress.

Objection: The Landlord was concerned about extending the double yellow lines across his vehicle access as he was able to use this area for parking.

Officer Comment: Officers agreed to remove this section of double yellow lines prior to formal advert but propose to extend them opposite his premises to improve issues with congestion.

11. Heaton Street / Rhodesia Road Junction - Proposed Double Yellow Lines Dwg. No. HMT/BG/322/16

The proposal is to provide double yellow lines around the junction to improve visibility.

Objection: A resident considers that it will greatly affect their ability to park and that the problem with parking is caused by neighbouring businesses and not by residents. She also considers that the lines extend further outside her property than on the other radii.

Officer Comment: Officers consider that the 5m length of double yellow lines, whilst considerably less than the 10m recommended in the Highway Code, will improve visibility in and out of the junction. Officers measured up the length on site for the resident to show that it was a consistent 5m length around all four radii.

Local Member Comment

Councillor Stuart Brittain, who was Ward Member for Loundsley Green and Newbold Ward, supported the proposals and, at that time, he copied the information to Councillor Mick Wall who now replaces him as Ward Member. He too supported the proposals and also wanted the school Zig Zag markings repainting at the same time. Councillor Mihaly fully supports the proposals in his Ward and those on Heaton Street. Councillor Jean Innes and Councillor Keith Morgan also fully support the proposals in their Ward, although Councillor Morgan is no longer the Ward Member, officers have sent the information through to the new Member Councillor John Blout, but have not received any comments back.

Councillor Dean Collins supported the proposals as does his replacement Councillor Barry Bingham.

(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 £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 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 matter, it is not considered that modifications are required.

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.

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.

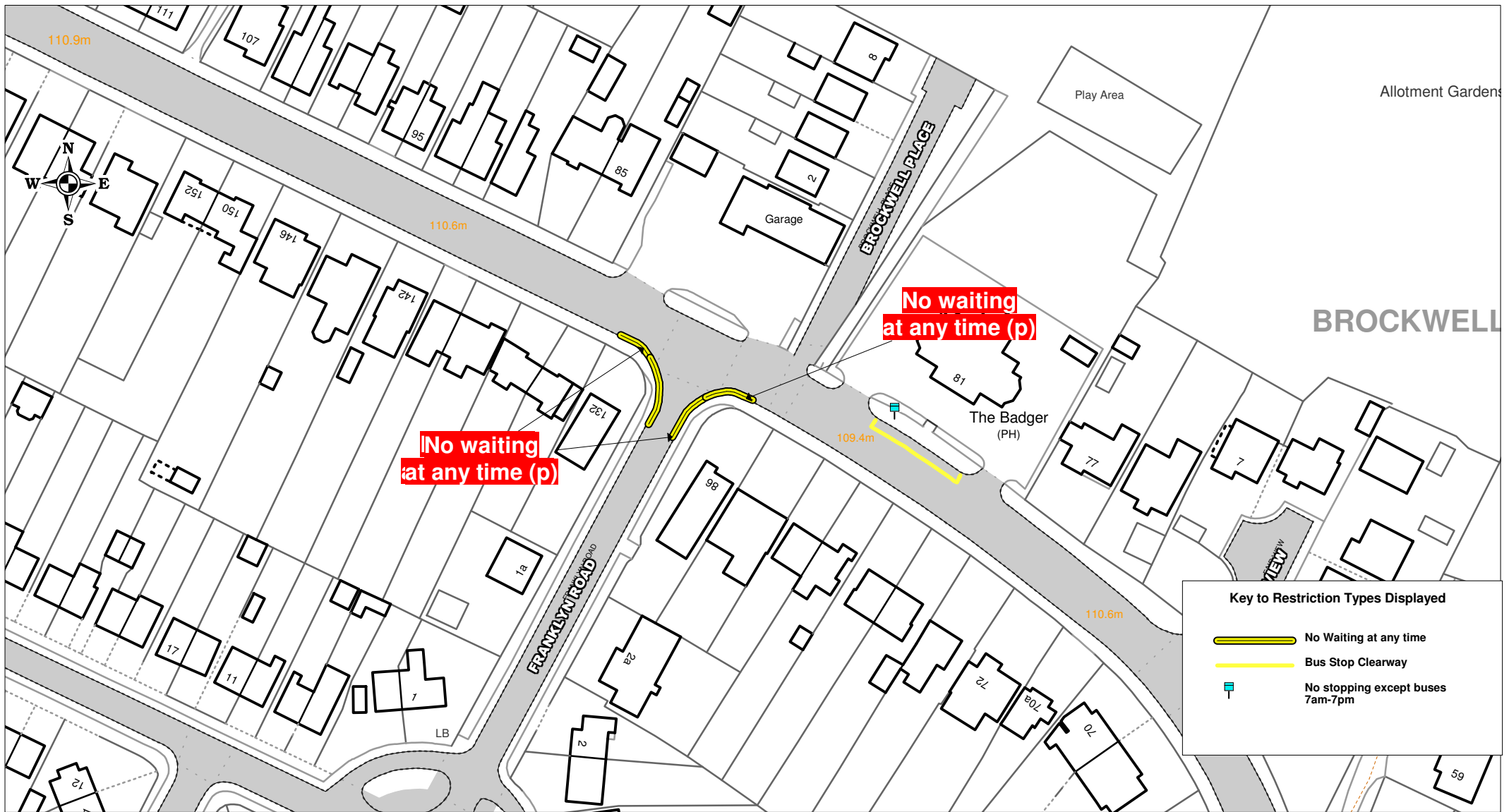
(7) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Bridget Gould, extension 38579.

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

8.1 The proposed Traffic Regulation Order Derbyshire County Council (Chesterfield Various Junctions) (Prohibition of Waiting, Loading Bay Disabled Bay and Waiting Restrictions) Order 2017 be introduced as advertised and implemented in due course.

8.2 The Local Members and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Communities

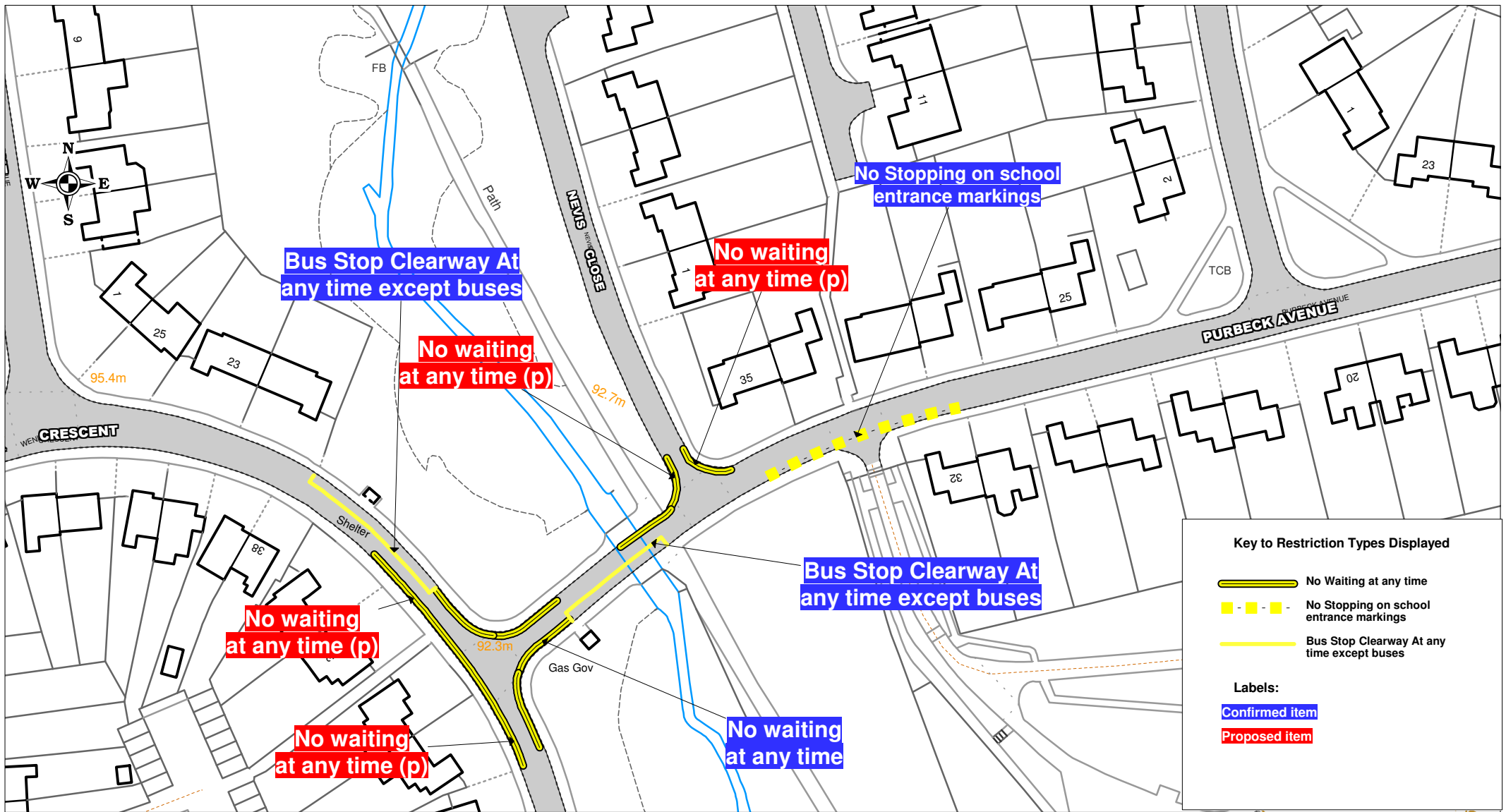


MIKE W. ASHWORTH
Strategic Director
Economy, Transport & Communities

Selected map area
FRANKLYN ROAD JUNCTION WITH BROCKWELL LANE, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME

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DATE	24/01/2017
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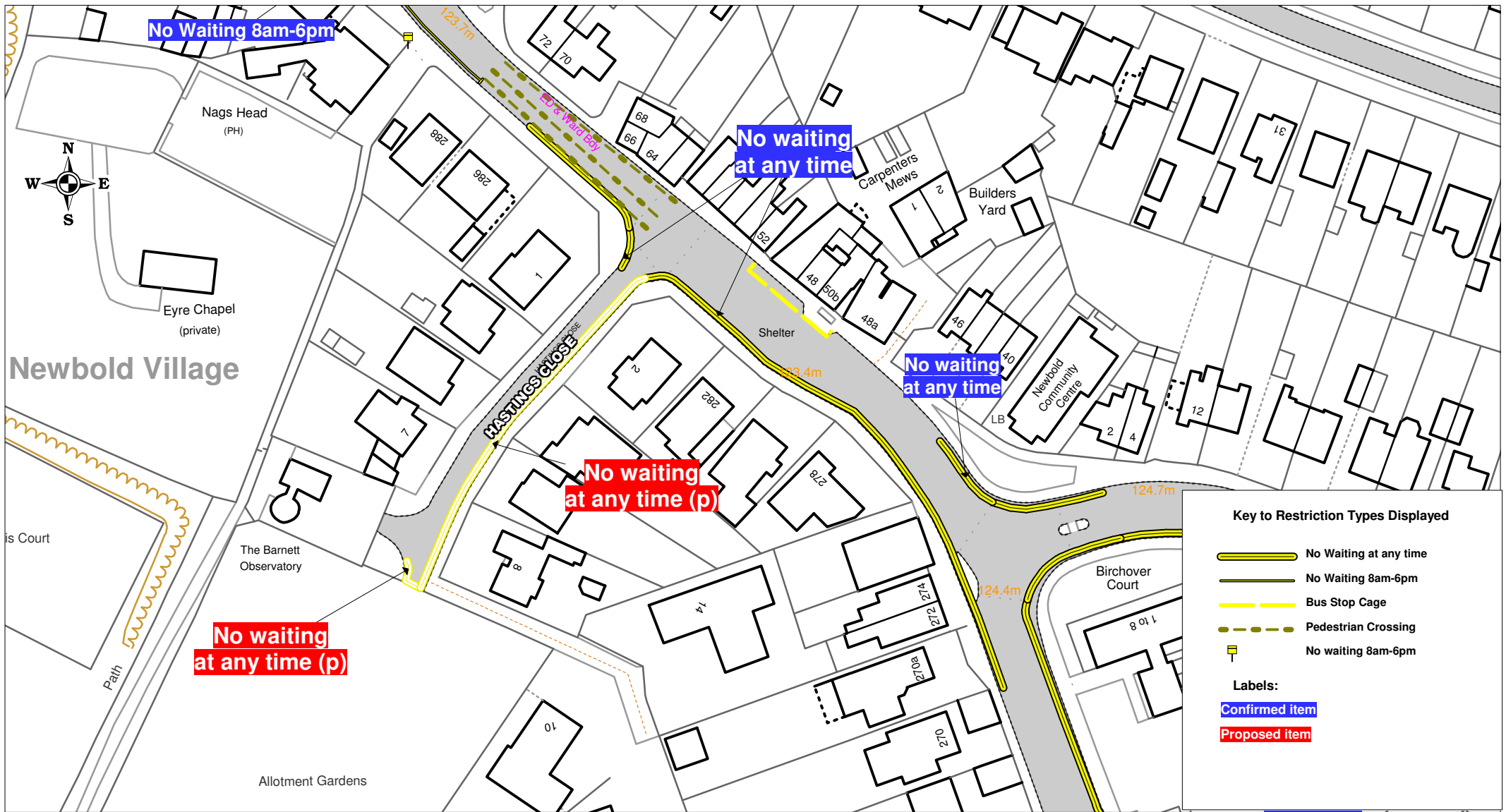


MIKE W. ASHWORTH
Strategic Director
Economy, Transport & Communities

Selected map area
PURBECK AVENUE / WENLOCK CRESCENT, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME RESTRICTION

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Selected map area
NEWBOLD ROAD / HASTINGS CLOSE, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME RESTRICTION

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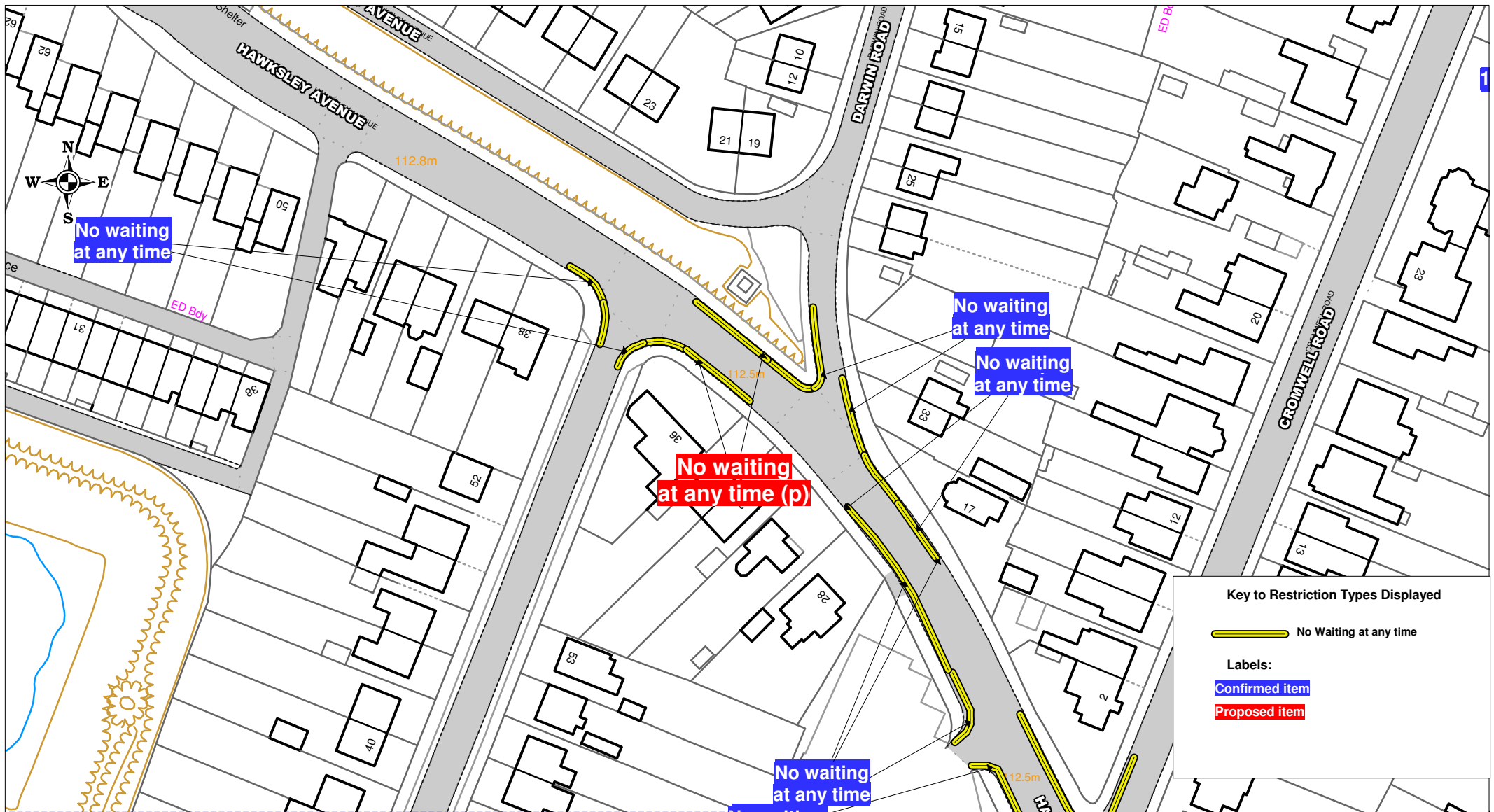
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HIGHFIELD LANE / MANSFELDT ROAD, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME

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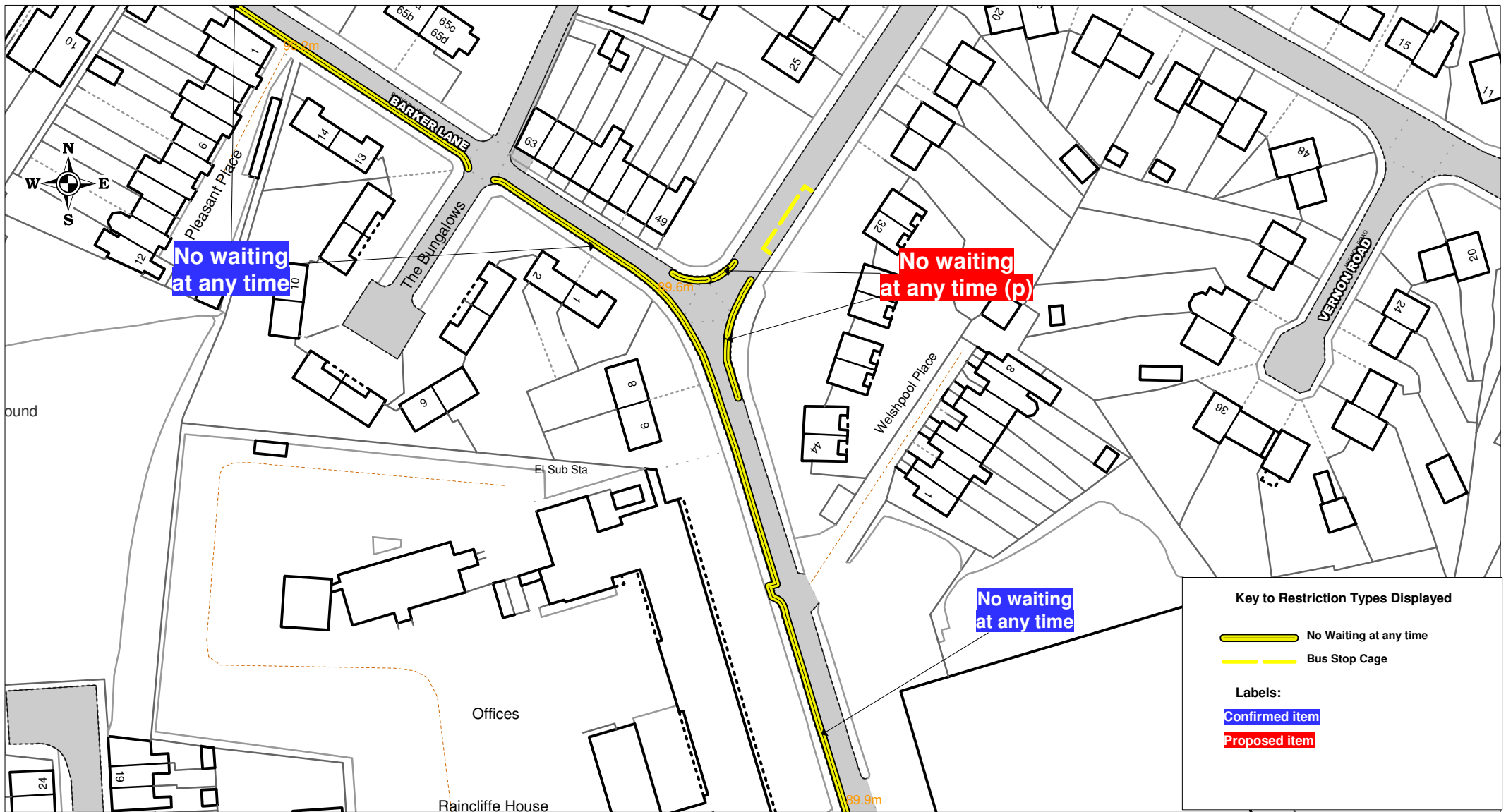
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Selected map area

HAWKSLEY AVENUE / MALVERN ROAD, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME RESTRICTIONS

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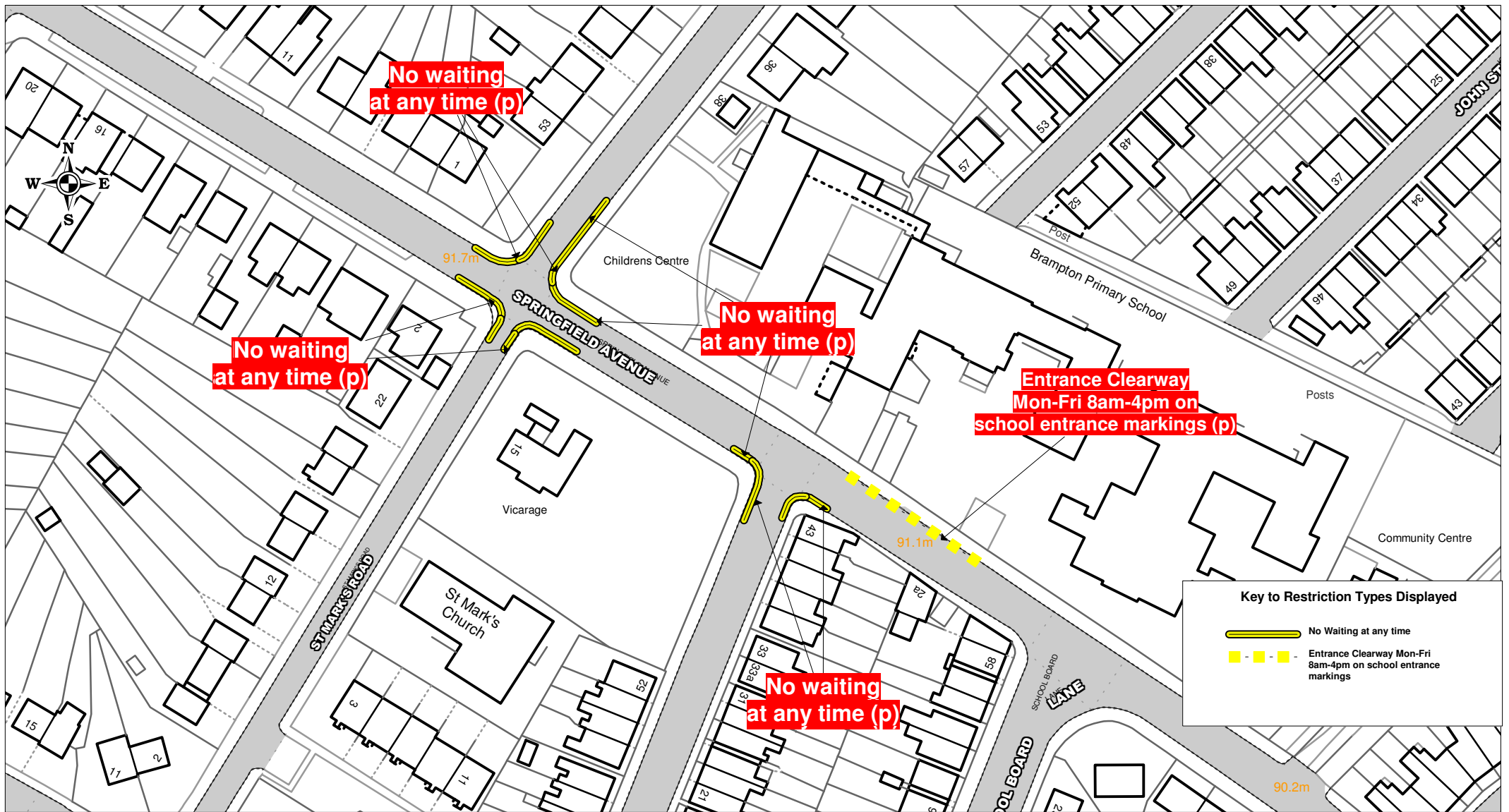


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Selected map area
BARKER LANE / WELFARE AVENUE, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME RESTRICTIONS

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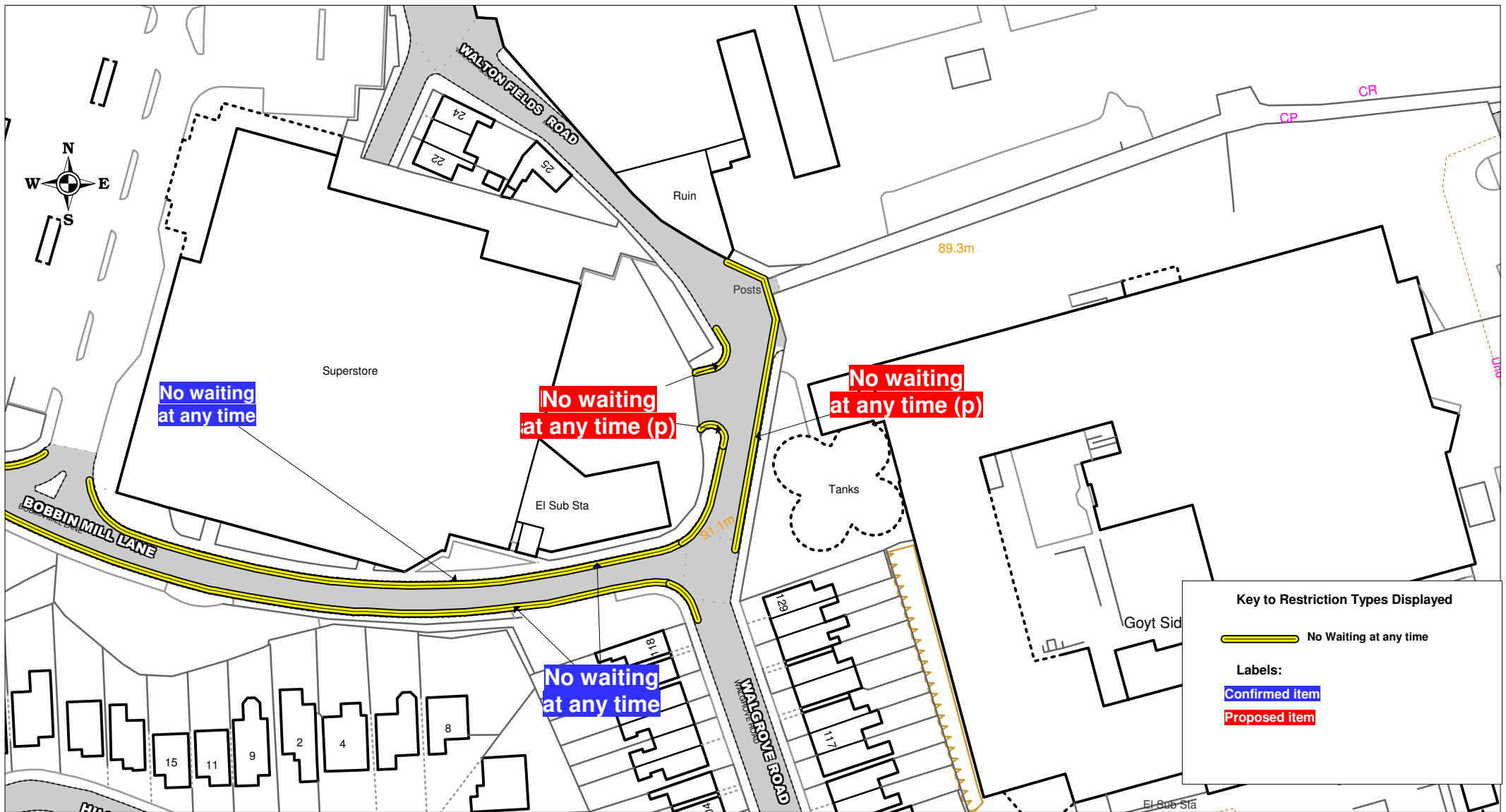


MIKE W. ASHWORTH
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Selected map area
SPRINGFIELD AVENUE JUNCTION WITH SYDNEY STREET AND CLIFTON STREET
PROPOSED NO WAITING AT ANY TIME AND SCHOOL KEEP CLEAR

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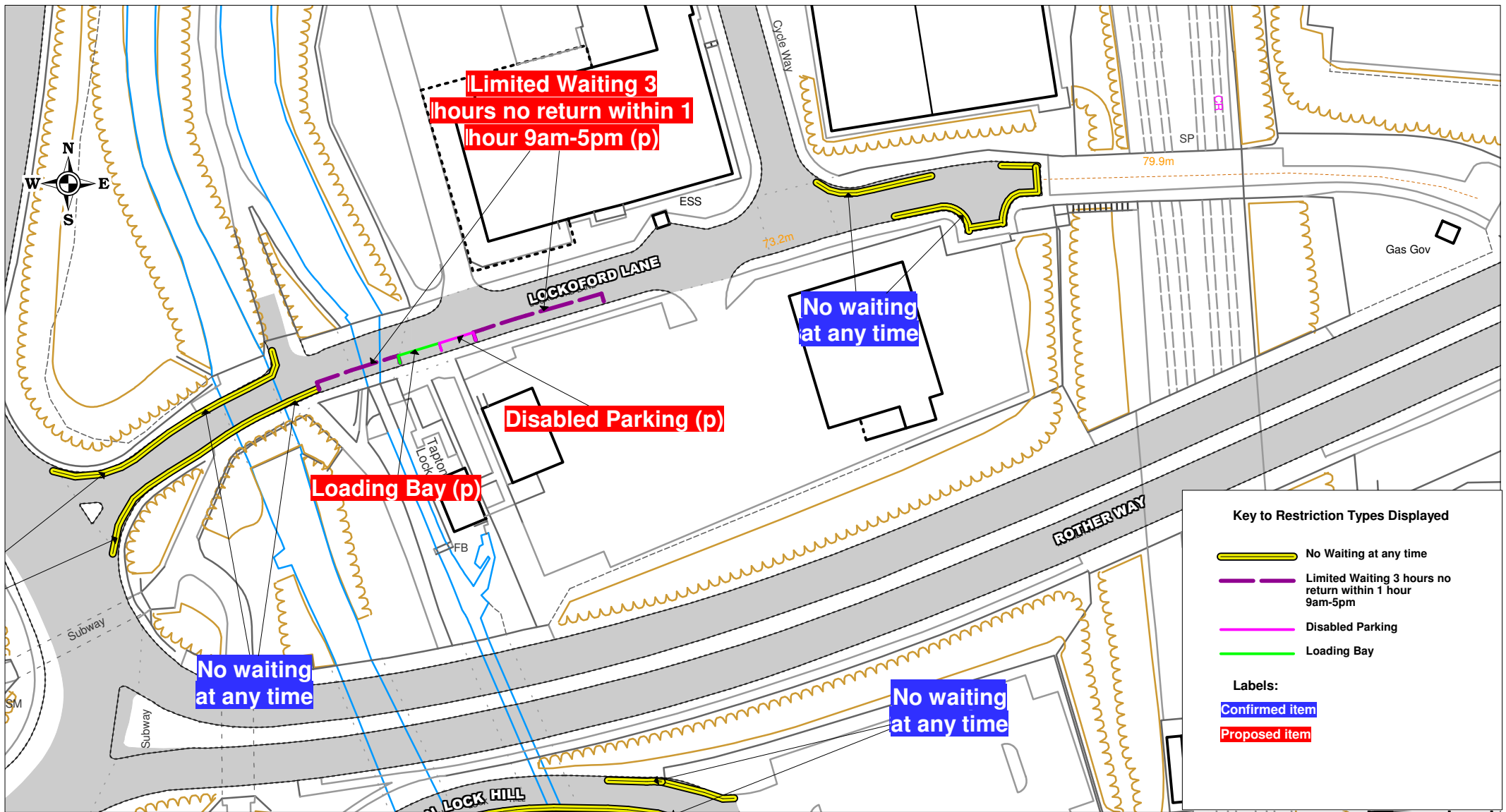


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WALGROVE ROAD, CHESTERFIELD
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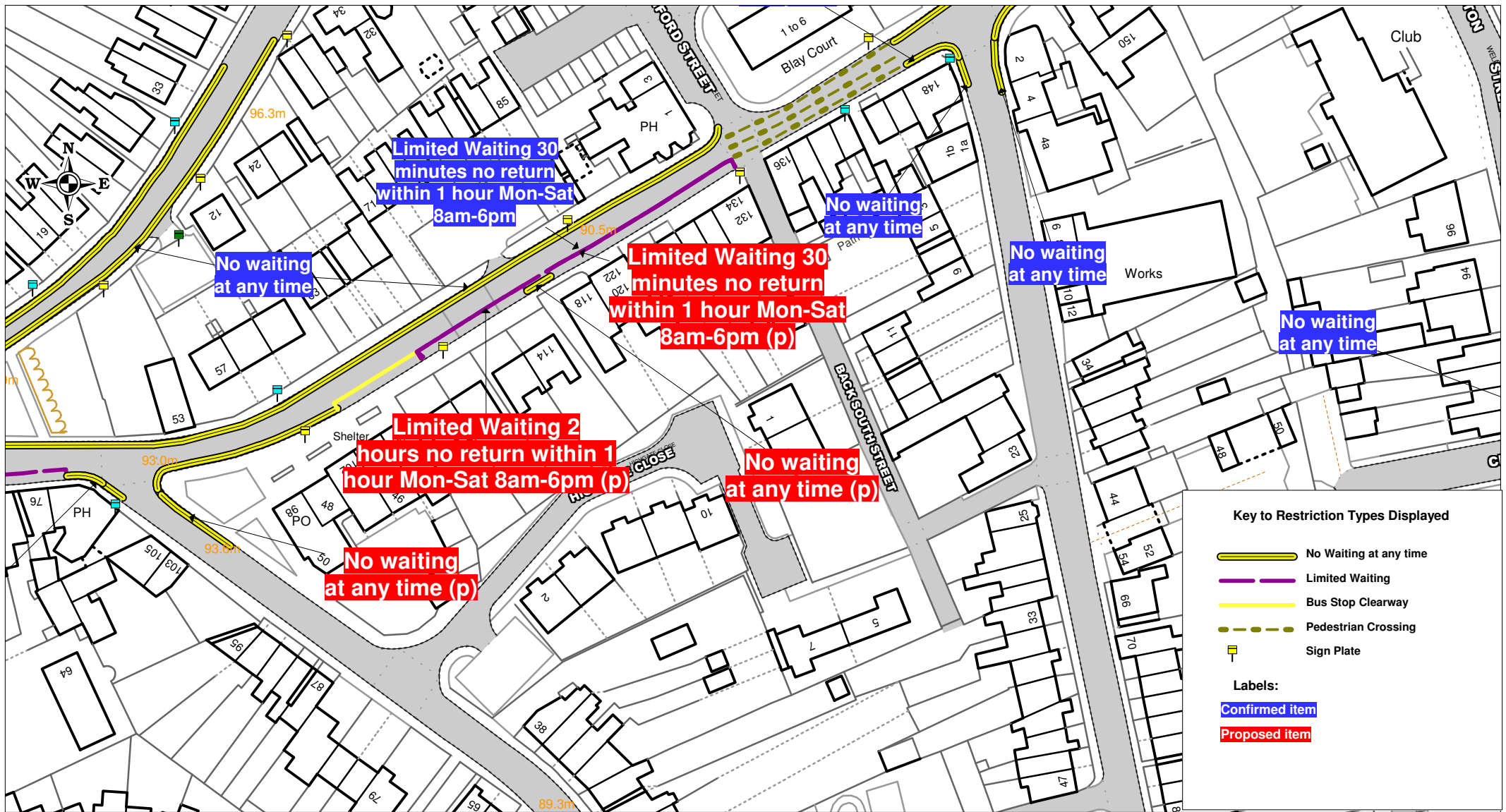


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Selected map area
LOCKOFORD LANE, CHESTERFIELD
PROPOSED WAITING RESTRICTIONS AND DISABLED PARKING

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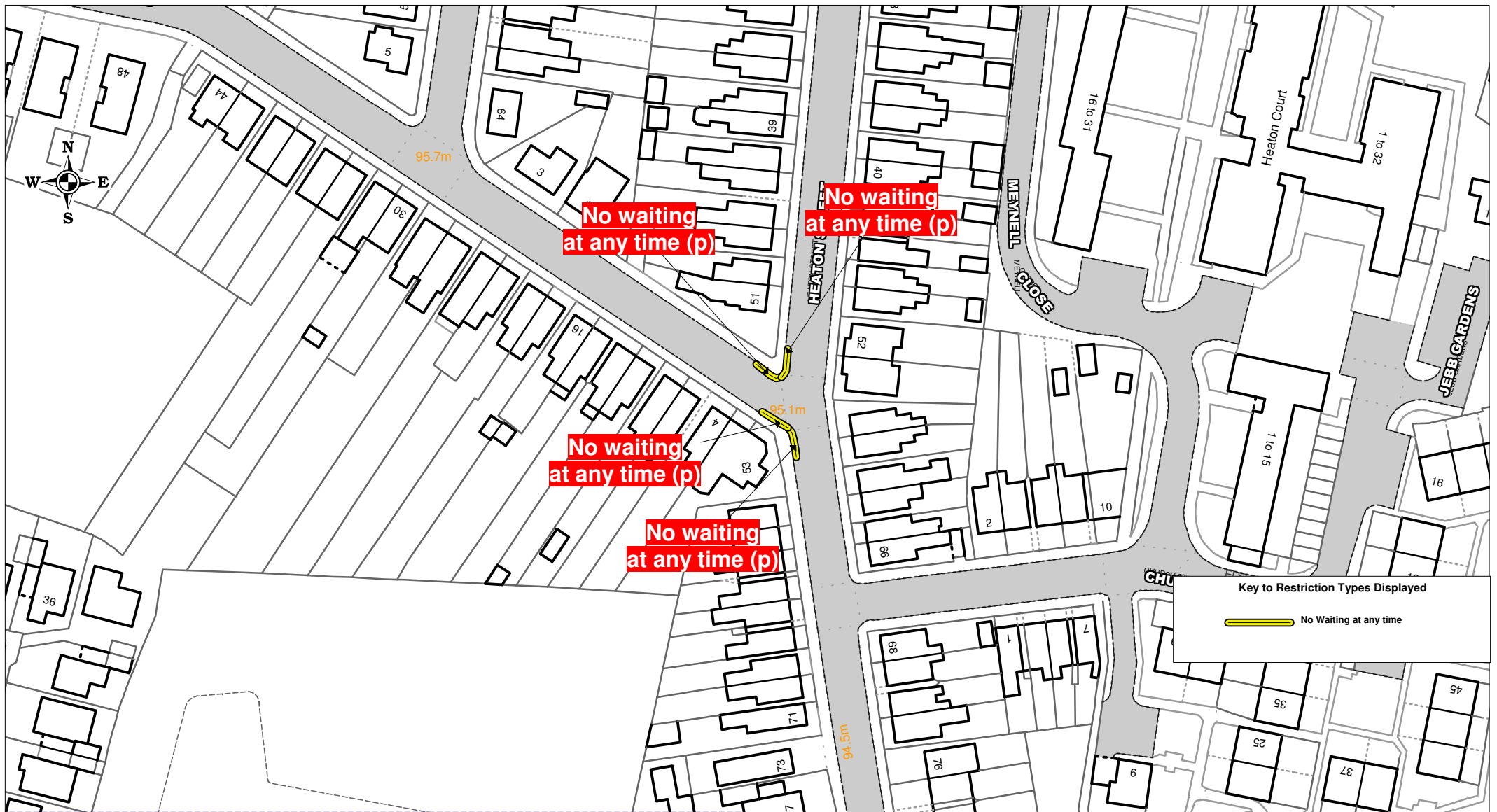


MIKE W. ASHWORTH
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Selected map area
HIGH STREET AND LONDON ROAD, NEW WHITTINGTON, CHESTERFIELD
PROPOSED NO WAITING AT ANY TIME AND LIMITED WAITING CHANGES

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HEATON STREET JUNCTION WITH RHODESHIA ROAD, CHESTERFIELD
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