

Agenda Item No. 4(c)

**DERBYSHIRE COUNTY COUNCIL**

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

**3 March 2015**

Report of the Strategic Director - Economy, Transport and Environment

**OBJECTIONS TO WAITING RESTRICTION PROPOSALS – SMITHY  
CROFT, LONGCROFT ROAD AND CROFT LEA, DRONFIELD  
WOODHOUSE**

(1) **Purpose of Report** To seek approval of the Cabinet Member to recommendations following objections to the proposals to introduce waiting restrictions in the vicinity of William Levick School, Smithy Croft, Dronfield Woodhouse.

(2) **Information and Analysis**

**Background**

Several years ago a School Safety Zone was introduced at William Levick School. The Order included, at that time, the possibility of making a Traffic Regulation Order on the 'School Keep Clear' zig-zags and some lengths of time limited single yellow lines, and some double yellow lines at nearby junctions.

A drawing showing the proposals is attached for reference – see Appendix 1.

**Site Details**

William Levick School is a primary school for 175 pupils, whose ages range from 5 to 11, situated within an otherwise residential estate of approximately 500 properties. Two road junctions, one opposite a tight bend, are situated within 50 metres of the school entrance. Another road junction is situated within a further 50 metres. Properties directly opposite the school and on nearby streets have off-street parking. Properties on a small cul-de-sac adjacent to the school grounds are without off-street parking.

**Officer Comments**

The original scheme identified the potential for conflict between parked vehicles and through traffic at school drop-off and pick-up times at the junctions and the bend. However, the proposal to introduce waiting restrictions was not implemented at the time. Representations have been received from local residents stating that inconvenience is being caused on a daily basis by

the number of children being taken to and collected from school by car. Subsequently, a public advertisement was made of the proposals to introduce a prohibition of waiting between 8:30am and 9:00am in the mornings and 3:00pm – 4:00pm in the afternoons, reflecting the school start and finish times. This would apply to the 'School Keep Clear' zig-zag markings, the single yellow line opposite the school entrance and on the bend. In addition, the proposal included lengths of double yellow lines (No Waiting at Any Time) on the three junctions near to the school.

Following advertisement of the proposals, a total of nine objections have been received from residents opposite and adjacent to the school. The comments included:

- Any slight congestion caused is for short periods only.
- Vehicle speeds are kept low due to the presence of parked cars.
- The keep clear zig-zag markings are already respected.
- Although some of the restrictions would only apply Monday to Friday, they would also be applicable 52 weeks of the year.
- Vehicle speeds might increase if parking were to be prohibited.
- Restrictions will not reduce the number of vehicles visiting the area, it will just displace the parking elsewhere.
- Restrictions could potentially be ignored whilst ever no Enforcement Officer is present.

Although not mentioned by the objectors, it is also the case that it is possible to set down and pick up passengers on single and double yellow line restrictions without committing an offence.

Bearing these points in mind, it is not proposed to pursue a scheme of waiting restrictions at this location, at this time.

### **Local Member Comment**

Councillor Stuart Ellis has been informed and has no comments to make.

(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Legal Considerations** Section 1 of the Road Traffic Regulation Act 1984 ("the 1984 Act") enables a traffic authority to make a Traffic Regulation Order (TRO) if it considers it expedient for a number of purposes. Schedule 9 of the 1984 Act provides that the power to make a Traffic Regulation Order (TRO) includes the power to make an Order to vary or revoke a previous TRO.

Section 2 of the 1984 Act states what a TRO may provide for and this includes requiring vehicular traffic (either generally or a specified class) to proceed in a

specified direction or prohibiting it from doing so, specifying the part of the carriageway to be used by such traffic proceeding in a specified direction, prohibiting or restricting the waiting or loading and unloading of vehicles, prohibiting the use of roads by through traffic, prohibiting or restricting overtaking. 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.

Section 122 of the 1984 Act 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 both 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 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.

Having considered all the objections made, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected and road markings placed on site in accordance with the new Order. 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 the 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 – Sue Pollard, extension 38634.
- (8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:
- 8.1 Approves that the proposal to introduce waiting restrictions on Smithy Croft, Longcroft Road and Croft Lea, Dronfield Woodhouse is not pursued at this time.
- 8.2 Approves that the location continues to be monitored by officers in the Traffic and Safety team.
- 8.3 Agrees that the local Member and objectors be informed accordingly.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**

**NOT TO SCALE**



**NOT TO SCALE**



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Proposed School Keep  
Clear markings Mon-Fri  
8:30-09:15 & 3:00-4:00

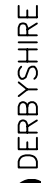
DRAWN BY **CMD** SCALE

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SMP

UNIT

ORIGINAL DRAWING SIZE 210 x 298 (A4)



MIKE ASHWORTH

STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

SMITHY CROFT  
DRONFIELD  
WOODHOUSE

DRAWING TITLE

## PROPOSED RESTRICTIONS

DRAWING No.

NTA/SMP/23/13