

Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

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

3 March 2015

Report of the Strategic Director- Economy, Transport and Environment

**PETITION – OXFORD STREET, RIPLEY – REQUEST FOR AMENDMENT
TO EXISTING PARKING RESTRICTIONS**

(1) **Purpose of Report** To inform the Cabinet Member of the results of investigations and seek approval of recommendations following receipt of a petition containing 1,689 signatures, requesting amendment of existing parking restrictions to help improve the commercial vitality of Oxford Street, Ripley.

(2) **Information and Analysis** The petition is headed: *“Petition to Amber Valley Borough Council”* and followed by *“Petition summary and background: Oxford Street was pedestrianised many years ago and during this time vehicles have been able to park before 10.00am and after 4pm without penalty, encouraging additional shoppers to Oxford Street. This has now changed and vehicles are regularly penalised with a £30 fine which is having a detrimental effect on trade. Action petitioned for: To re-instate the original arrangement where vehicles can park without penalty before 10.00am and after 4pm to encourage shoppers to Oxford Street and the town centre”*.

The petition was reported to the Cabinet Member - Jobs, Economy and Transport on 15 April 2014 (Minute No. 68/14 refers).

The street is a pedestrianised area within the centre of Ripley, surrounded by mostly retail premises. Through traffic is routed to the north of Oxford Street by Grosvenor Road and Church Street routes. On Oxford Street, vehicular access is prohibited Monday to Saturday between 10am and 4pm, with access only allowed to load/unload at adjacent properties outside those times. In addition to this, parking is generally prohibited 8am to 5pm. Minor exemptions for building, repair of highway, statutory undertakers, etc apply.

Officers Comments

Monitoring of Oxford Street revealed that at 4pm, vehicles usually queue to enter the street to load or unload goods, although it is difficult to differentiate between shop workers' or shoppers' cars unless they are actively seen to be loading or unloading goods. After 5pm and before 8am the following morning,

there are no restrictions to prevent vehicles being parked along the street. During times of heavy town centre congestion, a few motorists do, on occasion, use Oxford Street as a short cut and occasionally illegally try to drive against the one-way system. The numbers of pedestrians using Oxford Street after 5pm obviously reduces once the shops start to close.

To enhance the commercial vitality of the area but also to maintain an adequate level of pedestrian safety at the busiest times, it is recommended that motorists are permitted to access and park on Oxford Street between 4pm and 10am the following morning. The best way of achieving this balance would be to replace the existing Traffic Regulation Order (TRO) for the 'pedestrian zone' with a 'restricted zone'. To further help maintain the town centre's vitality, it is also felt that further on-street parking could perhaps also be accommodated on Wellington Street.

A check of the last three years of available personal injury collision data does not identify any reported injuries between pedestrians and vehicles.

It is recommended therefore that a restricted zone is pursued to replace the existing pedestrian zone together with consideration given to providing additional parking on Wellington Street.

Location plan HMT/DJO/10/15 is appended to this report.

A note has been made for Highway Inspectors to monitor and act upon any illegal encroachment of goods and A-boards encountered along Oxford Street, to help maintain pedestrian safety.

Local Members Comments

Councillor David Williams comments:

'What traders, residents and councillors want is a set of parking regulations which work for all stakeholders:

- traders*
- suppliers who need to deliver by car, van or lorry*
- safety for customers by foot, mobility vehicle / wheelchair or in motorised transport'.*

'Any parking management system arising should not be to the detriment of Ripley town centre trade'.

Councillor Steve Freeborn comments:

'I agree with Cllr William's comments'.

‘ The only thing I would wish to add would be about asking the Oxford Street traders to fully respect the need to keep the footways totally clear of A Boards at all times’.

(3) **Financial Considerations** A scheme to allow parking on Oxford Street, Ripley between 4pm to 10am and on an adjacent area of Wellington Street, is projected to cost approximately £6,000. The costs will be met from the 2014-15 Local Transport Plan programme for capital schemes relating to TRO Works.

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

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;
- 3) the national air quality strategy prepared under Section 80 of the Environment Act 1995.

- 4) 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
- 5) 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.

(4) **Key Decision** No.

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

(6) **Background Papers** Held on file within the Traffic and Safety Team of the Economy, Transport and Environment Department. Officer contact details – David Orton, extension 39186.

(7) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member approves:

- 7.1 The proposed changes to parking controls on Oxford Street and Wellington Street, Ripley
- 7.2 The necessary Traffic Regulation Order process commences with necessary consultations with appropriate stakeholders and the local community.
- 7.2 The Local Members and petitioners be informed of the decision.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

