

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**30 July 2013**

Report of the Strategic Director – Environmental Services

**HAWKSLEY AVENUE, SHEFFIELD ROAD AND ST HELEN'S  
STREET, CHESTERFIELD - PROPOSED PROHIBITION AND  
RESTRICTION OF WAITING ORDER - OBJECTIONS**

(1) **Purpose of the Report** To bring before the Cabinet Member objections received to the Chesterfield, Hawksley Avenue, Sheffield Road and St Helen's Street Proposed Prohibition and Restriction of Waiting Order 2012 for consideration.

(2) **Information and Analysis**

**Background**

Requests have been received from a number of sources to introduce further waiting restrictions on the roads concerned. Officers investigated the requests and considered that the introduction of waiting restrictions was justifiable in order to maintain and possibly improve traffic flows, and provide a turnover of parking in the case of St Helen's Street and Sheffield Road. The different proposals were grouped together in order to reduce consultation and advertisement costs.

The proposed Order was advertised in the local press and on site from 15 November 2012 to 7 December 2012. During the advertisement, three objections were received, all relating to the proposals on Hawksley Avenue.

**Objections**

The first objection related to the proposed extension of the existing double yellow lines on the northern side of Hawksley Avenue, eastwards from its junction with Darwin Road, on the grounds that the double yellow lines would be extended across a private driveway. The second was a request for an extension of the existing double yellow lines on the northern side of Hawksley Avenue, to the west of the junction with Darwin Road. The third was a request for the existing double yellow lines on the southern side of Hawksley Avenue,

either side of the junction with Malvern Road to be extended to improve visibility for turning out of that road.

### **Officer Comments**

The proposals on Hawksley Avenue were put forward as the carriageway narrows between its junctions with Cromwell Road and Darwin Road with parked vehicles serving to narrow the carriageway even more. The proposal on the northern side of Hawksley Avenue could be reduced to stop short of the private access concerned, as the proposals on the southern side will serve to remove parked vehicles and ease the flow of traffic.

The second objection concerns forward visibility when turning from Darwin Road onto Hawksley Avenue. Officers have carried out further observations since the objection was received. The alignment of the carriageway and the junction's position at the top of a hill, are such that the existing restrictions give sufficient visibility for vehicles turning eastwards towards town. The new proposals will allow traffic, westbound on Hawksley Avenue, to keep over to their side of the carriageway whereas, at present, some do cross the centre line to manoeuvre round parked vehicles. It is not recommended to extend the double yellow lines to the west of the Darwin Road junction at present, however, the effects of the current proposals will be assessed after their introduction.

The third objection is a request for the existing double yellow lines on the southern side of Hawksley Avenue, either side of the junction with Malvern Road, to be extended. When those restrictions were advertised, they were longer in order to give greater clearance at that junction. However, a significant number of objections were received from residents against the introduction of double yellow lines outside their properties. Those objections were upheld and the final restrictions to be introduced were shortened to what was considered to be the bare minimum. It is thought that proposals to extend the existing double yellow lines would, once again, meet with objections from residents. There have been no reported injury collisions at the junctions concerned in the past three years. Bearing this in mind, it is not intended to promote proposals to extend the existing double yellow lines either side of the junction with Malvern Road at this time.

### **Local Member Comment**

Councillor Mihaly has been consulted. No comments have been received.

**(3) Financial Considerations** The cost of introducing the Order would be met from the Traffic and Safety Revenue budget and will be in the region of £1,200.

(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 to be expedient for a number of purposes.

However, there is also a general duty in Section 122 of the Act which requires the authorities in exercising their functions under the Act to:

- a) secure the expeditious, convenient and safe movement of traffic (including pedestrians); and
- b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to:
  - 1) the desirability of securing and maintaining reasonable access to premises;
  - 2) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
  - 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 passengers/potential passengers; and
  - 5) any other matters appearing to the Council to be relevant.

Having determined the objections the Council may determine to make an Order.

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. Within 14 days of the making of the Order, the Council must give notice in writing to anyone who objected to the Order and whose objection has not been withdrawn. Where the objection has not been wholly acceded to, the notification must include the reasons for the decision.

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** Correspondence held on file in 44XT in Room N9, County Hall, Matlock. Officer contact details – Dan O'Neill, extension 38166.

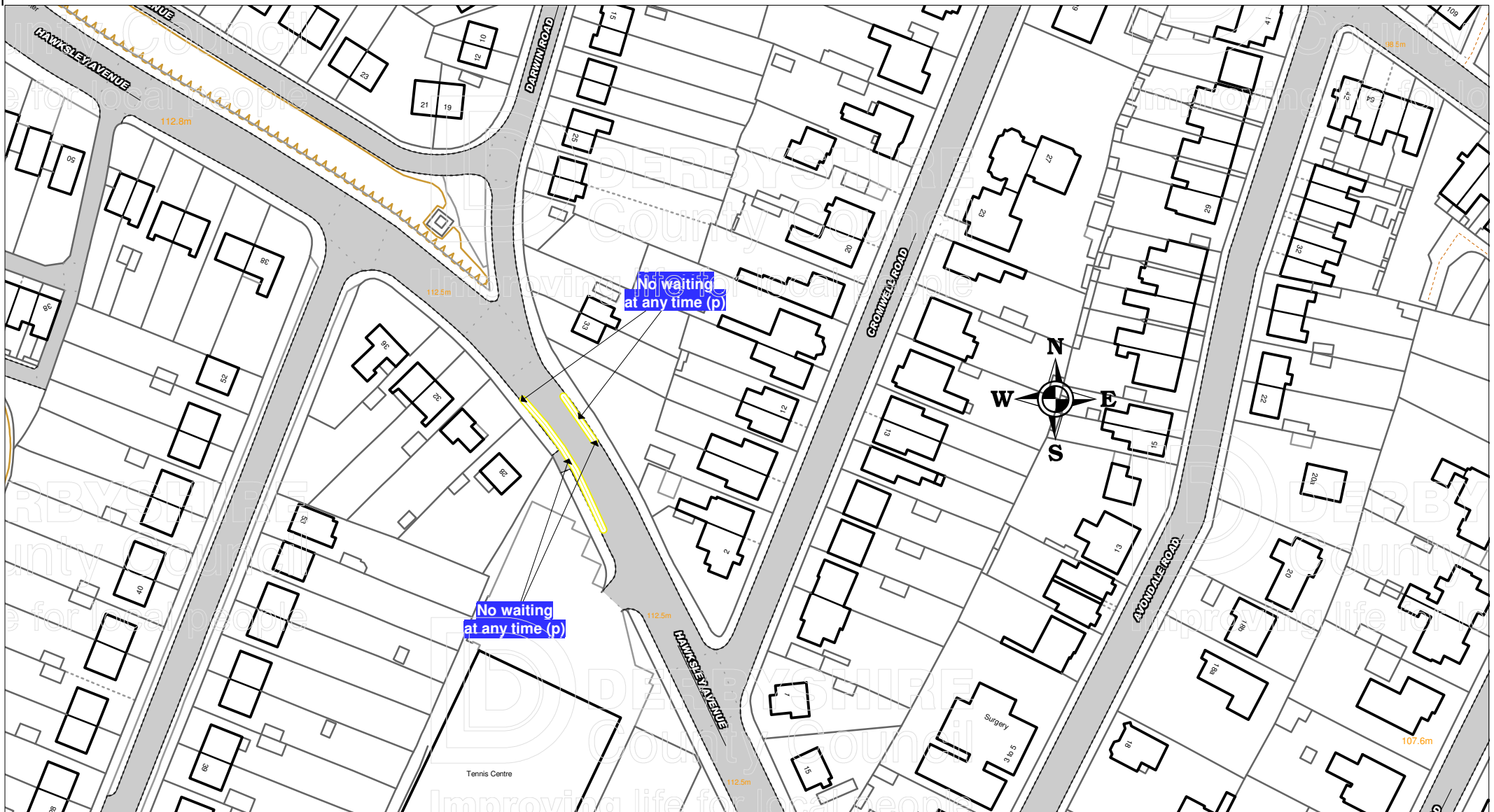
(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 The proposal on the northern side of Hawksley Avenue, Chesterfield be reduced by 8 metres.

8.2 The Order, as amended, be confirmed and introduced.

8.3 The local Member and objectors be informed accordingly.

**Mike Ashworth**  
**Acting Strategic Director – Environmental Services**



**DERBYSHIRE**  
County Council  
Improving life for local people

**IAN W. STEPHENSON** BSc., CEng., MICE, MHT  
Strategic Director of Environmental Services

Chesterfield  
Hawksley Avenue  
No waiting at any time

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SCALE	1 : 1250
DATE	13/01/2012
DRAWING No.	NTA/DON/262/11
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