

MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 20 December 2018

PRESENT

Cabinet Member - Councillor S A Spencer

Also in attendance - Councillor T Ainsworth and G Hickton

In accordance with Standing Orders, Councillor J Patten attended the meeting as local Member in respect of Minute No. 103/18.

100/18 PETITIONS RESOLVED (1) to receive the under-mentioned petitions:-

Location/Subject	Signatures	Local Member
Eckington, Chesterfield Road – Request for Traffic Calming	40	Councillors D Charles and B Ridgway
Chesterfield, Horns Bridge Roundabout – Traffic Management and Safety Concerns	46	Councillor S Blank
Ilkeston, Lord Haddon Road – Residents Parking and Safety Issues	62	Councillor T King
Ambergate – Request for a Pedestrian Crossing	707	Councillor T Ainsworth

(2) that the Strategic Director – Economy, Transport and Environment investigates and considers the matters raised in the petitions.

101/18 MINUTES RESOLVED that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 8 November 2018 be confirmed as a correct record and signed by the Cabinet Member.

102/18 PETITION – TAMWORTH ROAD, LONG EATON – REQUEST TO DETER CYCLISTS FROM USING PAVEMENTS Following receipt of a petition requesting improvements to deter cyclists from cycling on footways on Tamworth the matters has now been considered.

The County Council has, over the years, provided a significant number of improvements to both promote and assist road safety of cycling through Long Eaton. There were works planned for more improvements to the route along the A6005 Nottingham Road, which should be introduced in the coming months and incorporated an alteration to the existing on-road cycling lanes, with additional road markings and accessibility improvements.

The site has been visited and to emphasise the part of the cycle route where the shared cycle/pedestrian route ends to the end of the cycle lane at Broad Street, it was proposed to reinforce the end of the shared route and start of the cycle lane by moving the cycle lane slightly, so that the lane starts at the end of the shared route. This would be emphasised by an additional cycle symbol and an arrow on the road surface, indicating the direction of travel. It was also proposed to add six additional cycle symbols within the cycle lane itself.

RESOLVED (1) to approve the works to alter the road markings to deter cyclists using footways, Tamworth Road, Long Eaton; and

(2) that the Local Member and lead petitioner be informed of the decision.

103/18 PETITION FOR SAFETY IMPROVEMENTS AND OBJECTIONS TO A PROPOSED ADDITIONAL TRAFFIC CALMING MEASURE – MAIN STREET, HILTON The item was deferred pending further investigations on alternative measures and signage.

104/18 A610 AMBERGATE TO COUNTY BOUNDARY AND ADJACENT ROADS (30MPH, 40MPH, 50MPH AND DERESTRICTED SPEED LIMIT) ORDER 2018 – CONSIDERATION OF OBJECTIONS It was reported that objection have been received in respect of the proposed Speed Limit Traffic Regulation Order on the A610 between Ambergate and the County boundary.

The section of the A610, which was subject to a proposed change, was at Ladygrove in the village of Sawmills. This 230 metre section was part of the current 40mph and had urban built-up characteristics, street lighting, footways on either-side and bus stops. It was agreed that this section was more consistent with a 30mph limit and in line with the current Government Circular 01/2013 for the setting of local speed limits. It was also proposed to undertake an administrative consolidation of all the previous Traffic Regulation Orders along the length of the A610 in Derbyshire.

Following statutory consultation and advertisement five responses were received, four of which supported the proposal. One objection to the proposal was received from the Police.

The speed survey on this section of the A610 identified an 85 percentile speed of 38mph (the speed at which 85 out of 100 surveyed drivers travelled in free flow conditions when all speeds are listed in an ascending order) and a mean speed of

34mph. It was therefore envisaged that the proposed 30mph speed limit would see a reduction in speeds, but in light of the objection the site would be monitored following its implementation.

RESOLVED that (1) the Derbyshire County Council A610 Ambergate to County Boundary and adjacent roads (30mph, 40mph, 50mph and derestricted Speed Limit) – Order 2018, be made as advertised and the objectors advised accordingly; and

(2) Officers monitor this location by undertaking a speed survey and checking collision data once the new speed limit is in place.

105/18 OBJECTIONS TO THE DERBYSHIRE COUNTY COUNCIL (SCHOOL LANE, EATON HILL, CHURCH STREET AND BUBNELL LANE, BASLOW) (PROHIBITION AND LIMITED WAITING) ORDER 2017

Following public advertisement and consultation for a Traffic Regulation Order (TRO) to propose/amend waiting restrictions at various locations in Baslow, objections have been received.

During the formal consultation, 22 responses have been received, of which four objected to the waiting restrictions being advertised at School Lane and Eaton Hill. Two objections from residents of Over Road expressed concern that the proposed double yellow lines would cause displacement of parking onto Over Road, especially at school times.

The proposals for School Lane would result in a slight reduction in parking spaces and this could see some minor parking displacement into Over Road. However, it was considered that the safety benefits gained, which included facilitating safer access for all road users, preventing inappropriate parking on the footways which obstructs pedestrians and protecting adjacent property from getting damaged, should take precedent. The proposal would also enable some of the existing parking signs and posts to be removed within this conservation area.

In respect to parking pressures encountered on Over Road during school term times, this was typical of the situation at most schools and, generally only occurred for short periods of the day during school term time. It has been noted that the primary school was making every effort to manage this disruption for local residents as best it can.

The report detailed the individual objections and the officer's responses.

The Peak District National Park Authority has been consulted and was agreeable to the proposals so long as all signing and lining was kept to a minimum.

RESOLVED that (1) the proposed Traffic Regulation Order (Derbyshire County Council, School Lane, Eaton Hill, Church Street and Bubnell Lane,

Baslow) (Prohibition and Limited Waiting) Order 2017 be introduced as advertised and implemented in due course; and

(2) the Local Member and objectors be informed of the decision.

106/18 PROPOSED AMENDMENT TO THE DERBYSHIRE COUNTY COUNCIL (OFF-STREET PARKING PLACES) ORDER 2010 (PETER FIDLER AND ELVASTON CASTLE STAFF CAR PARKS)

The Countryside Service car parks at Peter Fidler and Elvaston (staff car park) were included in the original car park Order for the County Council's countryside car parks (2010). Charges were not levied at either car park and suffered from management issues. It was therefore proposed to make an amendment to the Off-Street Parking Order to address the issues.

Peter Fidler car park serves the adjoining Peter Fidler Reserve and the Stockley Trail. Unfortunately, during the week, the car park is often full all day with cars, which it was thought, belong to staff working at the adjoining businesses. Contact has been made with the businesses with little success to date. The Countryside Service therefore proposed the introduction of a time limit on parking for a maximum 3 hours, with no return within 6 hours. The horse box parking only would not be subject to restricted parking.

There was misuse of the Elvaston Castle staff car park which has developed over time, predominantly due to increased awareness of its existence and SAT NAV directions, together with the knowledge that the County Council did not enforce unauthorised parking. The proposal was to make the car park "Permit or Blue Badge Holder only".

Enforcement by Civil Enforcement officers would be required at both car parks when the schemes were introduced but it was envisaged that this could then be reduced to an "as needed" level. Enforcement for the horse box parking at the Peter Fidler car park would be directed at any vehicle other than horse boxes or trailers.

RESOLVED that consultation and other procedures for making an amendment to the Derbyshire County Council (Off-Street Parking Places Order) 2010 under sections 32 and 35 of the Road Traffic Act 1984 for Peter Fidler and Elvaston Castle staff car parks be commenced.

107/18 PUBLIC ENGAGEMENT AND REVISED PROPOSALS FOR A NEW SHARED USE CYCLE PATH, B6057 BETWEEN DRONFIELD AND UNSTONE

Proposals to develop a shared cycle route between alongside the B6057 between Dronfield and Unstone were approved by Cabinet on 10 January 2017 and detailed proposals for the route were presented to the Cabinet Member meeting in January 2018, following a period of public consultation. The decision was deferred to allow further consultation with the local community, Dronfield Town Council and the Post Office.

The context for a new cycle route and a summary of the proposals were detailed in the report.

A significant amount of public consultation has been carried out throughout preparation of the proposals, including discussions with North East Derbyshire District Council (NEDDC), Dronfield Town Council and Unstone Parish Council; discussions with the local member; hosting regular local cycle stakeholder groups, including group cycle corridor audits carried out in 2015; A61 Growth Corridor stakeholder and local member meetings; letters to householders in Dronfield and Unstone (overlooking and adjacent to the route) to consult on the preliminary design proposals in 2017; two public exhibitions of detailed plans of the route proposals; attendance at a public meeting in Unstone; results of a household survey (which was delivered to 530 households in Unstone) and an Online Survey carried out by the local member; consideration of a petition with 430 signatures objecting to the proposed Dronfield to Unstone cycle link; direct correspondence and meetings with several respondents to the public consultations; and consideration of the outcome of previous resident and community consultations to develop local strategies; for example, the regeneration framework for Dronfield and the North East Derbyshire District Local Plan (NEDDLP). A number of additional consultees and stakeholders were also invited to the public exhibitions, or were sent copies of the public exhibition plans for comment.

Whilst the proposal for a cycle route alongside the B6057 has received majority support over the period of consultation, concerns and objections have been expressed by residents, a local business, Unstone Parish Council and Dronfield Town Council. The objections and concerns were primarily focussed around the impact of the route on residents and the local business in Unstone village and the key areas of concern were the perceived negative impact that road narrowing proposed in the village would have on traffic speeds and road safety; the perceived negative impact that road narrowing would have on the ability of customers to park outside Unstone Post Office; and whether alternative cycle route options have been considered, and that other route options might be more appropriate.

Other concerns expressed were notably the appropriateness of shared cycle and pedestrian routes and risk of conflict between users; and design considerations.

A summary of the main concerns were detailed in the report.

Officers have fully assessed the concerns and objections raised during public and stakeholder engagement. This has been supported by a full appraisal of four different cycle route options, an Equality Impact Analysis (EIA), Health Impact Assessment (HIA) checklist, Road Safety Audit and use of specialist software to assess vehicle movements along the corridor. The report sets out the design response and recommendations for revisions to the proposals in response to feedback.

All concerns raised during public consultation have been examined and, as a result, where physical constraints allowed the proposals have been revised, as detailed in the report. The revisions were designed to support the local economy and local businesses, with measures such as a proposal to regularise parking outside Unstone Post Office and develop construction plans in collaboration with businesses was anticipated to address the concerns raised. The impact of road narrowing on the B6057 has been carefully assessed to ensure that risk of collision was not increased. It was considered that road narrowing would have a beneficial impact on road speeds along the corridor and to reduce risk of collisions.

The introduction of shared routes often raised concern, however most of the route could be provided with a wider shared route that meets highway design standards, appropriate for the level of usage. Mitigation measures have been suggested where feedback has highlighted particular concerns at Unstone Hill and Unstone Junior School. A short section of substandard route was proposed north of Cheetham Avenue to retain an important pedestrian crossing for the B6057.

The Cabinet Member allowed Mr A Meikle, Chesterfield Cycle Campaign, to address the meeting. Mr Meikle spoke in support of the County Council's proposals for a new shared use cycle path on the B6057 between Dronfield and Unstone. The preferred route option was the one detailed in the report.

Councillor Spencer stated that he had been lobbied by various groups and was fully aware of the concerns and preferences. He supported the County Council's Cycling Plan but was also conscious of residents' comments. It was essential that the Traffic Regulation Order outside the Post Office and the mitigating measures were in place before the scheme cycleway scheme was undertaken.

RESOLVED that (1) a new, shared-use cycle path on the B6057 between Cemetery Road, Dronfield and the existing bridleway network at Unstone be implemented, as set out in this report;

(2) construction planning should be discussed with local businesses along the B6057 prior to works commencing;

(3) monitoring of pedestrian and cycle use on the route be carried out after 12 months of operation;

(4) an off-road route connecting Cemetery Road to Dronfield Railway Station and opportunities for fully segregated routes are considered in due course;

(5) employees and school children are encouraged to use the new shared cycle route as part of ongoing travel planning work with local businesses and schools;

(6) the Local Member and lead petitioner be informed accordingly of the decision;

(7) the Cabinet Member notes that the Strategic Director – Economy, Transport and Environment intends to undertake the necessary steps required by the Local Authorities' (Traffic Procedure) (England and Wales) Regulations 1996 to make required Traffic Regulation Orders necessary to implement the proposals set out in the report;

(8) a further report will be submitted to the Cabinet Member in the event that objections to the necessary Traffic Regulation Orders are received; and

(9) if no objections are received, the necessary Traffic Regulation Orders will be confirmed.

108/18 AWARD OF GRANTS TO EXTERNAL RECIPIENTS

RESOLVED to approve the award of grants to Belper Arts working with Love Belper (£1,000); Arriva Rail North (£7,500); Friends of Bamford Station (£200); Friends of Disley Station (£252) and to Derbyshire Archaeological Advisory Committee (£2,500).

109/18 GOVERNMENT RESPONSE TO CONSULTATION ON SUPPORTING HOUSING DELIVERY THROUGH DEVELOPER CONTRIBUTIONS

The Cabinet Member was updated on the outcome of the consultation by the Ministry of Housing, Communities and Local Government (MHCLG) on 'Supporting Housing Delivery Through Developer Contributions (SHDTDC)'.

The key issues raised by the County Council in its response included:-

- Concern that the three scenarios proposed for lifting pooling restrictions would make the system more convoluted, less transparent and increase monitoring requirements. The County Council recommended that if pooling were to be removed in its entirety this would help to deliver the growth needed to support development in a timely manner, reduce the complexity of monitoring and reduce the incidence of challenge.
- Agreement that the setting of a CIL and the amount of consultation required should be proportionate to allow a charging schedule more reactive to market fluctuations.
- Agreement that the Regulation 123 list should be removed and replaced with an Infrastructure Funding Statement (IFS). The County Council suggested that an IFS should list the infrastructure required to support development in a local plan over a five year period with a section to address longer term strategic projects either within the plan period, or up to ten years. The IFS would also indicate how the infrastructure would be funded (i.e. CIL versus Section 106).
- Agreement that Section 106 monitoring fees should be allowed to be charged and, where there are two tier authority areas, consideration given to fees for each authority.

- Recommended the indexation of CIL should be via Building Cost Information Service's (BCIS) All in Tender price as this takes account of build costs and not the Consumer Price Index as house price indices can fall as well as rise, whilst the construction costs of infrastructure generally rise.
- Welcomed the option to introduce a Strategic Infrastructure Tariff (SIT), but advised this should not be limited to Combined Authorities and Joint Committees with strategic planning powers. It was strongly recommended that, as the delivery agent for large scale infrastructure, this opportunity should also be given to county councils to be an accountable body for a SIT.

The Government has now responded to the consultation feedback and full details were available on-line. A summary of the minor changes and potential implications for the County Council were detailed in the report, under the headings pooling resources, CIL Charging, Regulation 123, Reporting, Fees, Indexation and planning process for combined authorities.

A commitment was made by Cabinet on 22 February 2018, to the wholesale review of the County Council's Developer Contributions Protocol (DCP) to encompass all relevant County Council service areas and ensure the DCP reflects the legislative changes arising from MHCLG's consultation on developer contributions. The Government has committed to a consultation on the draft legislative changes later in 2018. Following the introduction of the legislation, a review of the Council's DCP would be undertaken.

RESOLVED to note the report and the impact of the changes proposed by Government to the system of developer contributions on Derbyshire County Council.

110/18 COMPULSORY COMMUNITY PRE-APPLICATION CONSULTATION FOR SHALE GAS DEVELOPMENT

On 31 October 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published a consultation document entitled 'Compulsory Community Pre-Application Consultation for Shale Gas Development', which was seeking views on whether applicants should be required to conduct pre-application consultation with the local community for shale gas development.

The County Council submitted extensive responses opposed both introducing permitted development rights for non-hydraulic fracturing shale gas exploration development and including shale gas production projects into the Nationally Significant Infrastructure Projects (NSIP) regime. The Council observed that these measures would take decision making powers on such developments out of local control and that shale gas proposals are too technically complex and too locally contentious to be considered suitable for permitted development rights. The NSIP regime was considered to be inappropriate for dealing with shale gas production proposals since, on an individual basis, they were not of a nationally significant scale. The County Council's representations also raised a number of serious

concerns regarding the lack of local involvement in the consenting regimes being proposed in the consultations.

The Ministerial Statements set out Government's commitment to consult on measures for strengthening community engagement through making pre-application consultation a statutory requirement. The consultation made clear that it was addressing each of the three key stages of shale gas development including exploration, appraisal and production.

Proposals set out in the consultation document raise a number of issues for Derbyshire County Council in its role as Mineral Planning Authority (MPA) and it was recommended that the County Council supports the introduction of measures that would make pre-application community consultation compulsory for shale gas development on the proviso that this should be the responsibility of the respective applicant (in consultation with the MPA) and should apply to all phases (exploration, appraisal and production) of shale gas development. The requirements for such community consultation should be clearly set out in new legislation.

The statutory pre-application consultation requirements of the NSIP regime, particularly the requirement for the applicant to prepare a Statement of Community Involvement, to consult on the Statement and to carry out consultation in accordance with the Statement appeared to be a very effective means of publicising the applicant's proposals more widely; and ensured that applicants sought to address concerns or issues raised prior to submitting the formal application. This was the County Council's preferred approach.

RESOLVED to delegate authority to officers to send a formal response, on behalf of Derbyshire County Council, on the consultation by the Ministry of Housing, Communities and Local Government on Compulsory Community Pre-Application Consultation for Shale Gas Development on the basis of the issues raised in the report and Appendix to the report.

111/18 BUDGET MONITORING 2018-19 – PERIOD 7 The net controllable budget for the Highways, Transport and Infrastructure portfolio was £77.945m. The Revenue Budget Monitoring Statement, prepared at Period 7, indicated that there was a predicted overspend of £2.110m. Of this overspend £2.763m related to Winter Maintenance of which £1m would be met from the Winter Maintenance Reserve.

The key variances included Waste Management (underspend £0.993m), Planning and Development (underspend £2.660m), Winter Maintenance (overspend £2.763m), Highways Maintenance (overspend of £0.323m) and Highway Management and Land Reclamation (underspend £0.507m).

Budget savings totalling £2.127m were allocated for the year, with a brought forward figure from 2017-18 of £2.794m, giving an overall target to date for 2018-19 of £4.921m. Savings allocated for 2018-19 were £2.140m.

Earmarked reserves relating to this portfolio, totalling £21.278m, were currently held to support future expenditure and to help manage the savings programme.

Growth items in the 2018-19 budget included Waste (£2.476m ongoing and £0.634m one-off), Highways Maintenance (£1.500m ongoing and £1.000m one-off), Public Transport (£2.600m ongoing), Street Lighting (£0.148m one off) and Planning Development Management and Obligation Monitoring Systems (£0.110m one-off).

RESOLVED to note the report.