

**DERBYSHIRE COUNTY COUNCIL**

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

**5 August 2014**

Report of the Strategic Director – Economy, Transport and Environment

**CHESTERFIELD VARIOUS ROADS PROPOSED PROHIBITION  
OF WAITING AND LOADING, DISABLED PARKING SPACES,  
LOADING BAY AND TAXI CLEARWAYS ORDER 2013**

(1) **Purpose of the Report** To bring before the Cabinet Member objections received to Chesterfield Various Roads Proposed Prohibition of Waiting and Loading, Disabled Parking Spaces, Loading Bay and Taxi Clearways Order 2013.

(2) **Information and Analysis**

**Background**

There have been a number of requests received to investigate the existing parking restrictions on Knivesmithgate, Elder Way, Cavendish Street and Stephenson's Place. A meeting took place in May 2012, with representatives from the Hackney Drivers Association of Chesterfield and officers from Chesterfield Borough Council's Licensing Section, to identify possible changes that could be made to increase the provision of taxi bays in the area. These proposals were consulted upon in October/November 2012, with no comments received from the Hackney Drivers Association, and a letter of general support from Chesterfield Borough Council's Licensing Section, which made the comment that the end time of taxi bays should be extended beyond 3am; a similar comment was received from Derbyshire Constabulary. The proposals were amended to reflect this. Furthermore, additional comments were received relating to the southernmost bus stop clearway on Stephenson's Place which is in use until 3am, so the proposal to have a part time taxi clearway on that length was withdrawn. Prior to advertisement, comments were received to state that some local businesses were having difficulty loading/unloading to premises on Stephenson's Place. In order to allow unimpeded loading, a loading bay was added to the proposals on Stephenson's Place. The proposals, as advertised, are shown on the attached plan.

## **Public**

The proposed Order was advertised in the local press and on site from 27 June 2013 to 19 July 2013. A number of objections have been received to specific lengths of the proposals.

### **Objections**

A total of four objections have been received relating to the change in use of the taxi bay located on the north side of Knifsmithgate, just to the east of the junction with Elder Way. It was proposed to change the bay to disabled persons badge holders during the day, with it reverting to a taxi bay overnight. The objectors have stated that this taxi bay is vital for use by Hackney carriages taking passengers to and from the pedestrianised part of the town centre. A representative from the Hackney Drivers Association had previously stated that the space was under-utilised and that it could have an alternative use during the daytime, with night-time use retained.

Objections were received to the placement of the night-time taxi bays on Stephenson's Place. Some businesses were concerned that there should be further loading bays provided whilst another was concerned about the provision of parking for their vehicles.

No further comments were received from the Hackney Drivers Association.

### **Officer Comments**

The objections concerned related to specific lengths of road included within the proposals. Due to the large amount of restrictions proposed, and that the recommendation contains a commitment for capital works to be carried out, it was thought pertinent to make the Order in two parts. The first of which would include all the proposals that were advertised and not objected to the first of which only contains those proposals that were not objected to during the advertisement period. The second part of the Order would consist of the restrictions mentioned in the recommendation to this report.

The objections to the proposed shared disabled persons parking bay and taxi bay on Knifsmithgate can be upheld. Disabled persons badge holders regularly park on the single yellow line on Elder Way, for up to a period of three hours, and with other proposed Traffic Regulation Orders (TROs) in the town centre no longer potentially reducing the amount of disabled persons parking in the area, there will be a minimal affect caused by leaving the bay as it currently is.

The situation on Stephenson's Place is more complicated as space is required for buses, taxis, off-peak parking and loading/unloading. The loading bay can be extended slightly if the bus stop clearway can be repositioned approximately 5 metres further northwards. This would necessitate kerbing works being undertaken and possibly the existing traffic signals loop being relocated to the junction with Holywell Street.

## Public

### Local Member Comment

Councillor Blank has been notified and has made the following comment:

*"I am aware that in the past problems were sometimes caused in the evenings on Stephenson's Place due to taxis parking along the road regardless of whether it was a bus stop or otherwise! Sometimes this was on both sides totally obstructing the buses that travel that way."*

(3) **Financial Considerations** The cost of introducing the Order will be in the region of £5,000. The cost of designing and building the changes recommended on Stephenson's Place will be approximately £10,000. Funding for the works will be met from within the 2014/15 Local Transport Plan.

(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 the matters listed below.

The matters also to be considered are:

- 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 considered any objections made, the Council may determine to introduce the new restrictions. Regulation 19 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 enables the Council to make an Order in part giving effect to some of the proposals to which the order relates while deferring a decision on the remainder.

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.

## Public

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 the Economy, Transport and Environment Department. Officer contact details – Dan O'Neill, extension 38166.

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

- 8.1 The proposal to convert the existing taxi bay on the north side of Knifemithgate, to the east of its junction with Elder Way, not be proceeded with.
- 8.2 The proposed loading bay on the western side of Stephenson's Place be extended northwards by 5 metres.
- 8.3 Part 2 of the Order be made with the amendments made to the proposals, as advertised, as listed in recommendations 8.1) and 8.2) above, along with the remainder of the proposals for Stephenson's Place.
- 8.4 The local Member and objectors be informed of the decision.

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




# Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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- Various Roads
- Proposed Parking
- Restrictions





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

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

DRAWING TITLE	
Chesterfield	
SCALE	1 : 1250
DATE	09/07/2014
DRAWING No.	NTA/DON/174C/14
DRAWN BY	DON