

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT

6 May 2014

Report of the Strategic Director – Economy, Transport and Environment

HIGH STREET, TIBSHELF – PETITION REQUESTING AN
INCREASE IN THE LIMITED WAITING

(1) **Purpose of the Report** To inform the Cabinet Member of investigations undertaken following the receipt of a petition requesting an increase in the current limited waiting time on High Street, Tibshelf.

(2) **Information and Analysis** At the meeting on 4 March 2014, the Cabinet Member acknowledged receipt of a petition requesting an extension to the limited waiting time on High Street, Tibshelf. The petition contains 13 signatures and reads as follows:

‘Businesses on High Street at Tibshelf are experiencing an increasing impact on their trade because of the very limited availability of parking on the High Street, which currently has a time limit of 20 minutes.

Officer Comment

The petition was presented to Tibshelf Parish Council at its meeting on 21 January 2014, at which it resolved to fully support the traders on the High Street and ask Derbyshire County Council to change the restriction on parking from 20 minutes to 30 minutes.

Representation through the petition has been received from 12 local businesses which operate out of the High Street. The current limited waiting bay outside the frontages of Nos 105 to 125 High Street and within the lay-by opposite (outside Nos 112-114) applies Monday to Saturday, 9am to 6pm, 20 minutes, no return within 1 hour (*see appendix 1*).

To extend the period of limited waiting by a further 10 minutes to 30 minutes, will necessitate a change to the Traffic Regulation Order (TRO) which applies to this length of restriction.

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It is not clear from the petition whether it is envisaged any such changes to the current parking arrangements outside Nos 127 to 159 High Street are being requested. This section of the High Street is currently unrestricted (see *appendix 2*), however some of the signatories on the petition have businesses which operate directly from this section of the High Street.

The County Council would be reluctant to promote a restriction for this section of the High Street, as the existing businesses are interspersed with residential properties which have limited off-road parking available. Therefore, any proposal to restrict these current parking arrangements will likely be met with strong objection from the residents which reside here.

From a safety perspective, the location does have a very good safety record with one personal injury collision within the last three years.

Whilst officers within the Traffic and Safety service have no objection to the promotion of an increase in the allocated waiting time, for the identified section of the High Street (see *appendix 1*), amendments to existing Traffic Regulation Orders (TRO's) require the same formal consultation process as those which are starting out as a new TRO. Therefore, the above amendment, regardless of the scale of change required, will have to go through the statutory process, which can take a considerable time. The entire TRO process does have a resource implication on the Authority and therefore, it will be undertaken in the future as soon as resources permit it to be pursued.

Local Member Comment

Councillor Clive Moesby would welcome an increase in the waiting time for this section of the High Street. He feels that many of his elderly constituents who use the Post Office services do not have sufficient time to carry out these tasks and visit further shops along the High Street, such as the Co-op store for their groceries.

A further consideration on this section of the High Street is the gymnasium, which attracts significant turnover from local residents as part of the Bolsover District Council, Health and Wellbeing Programme. Therefore, an increase in the allocated waiting time at this location would aid the people using this local facility.

In light of these comments, the Local Member and Tibshelf Parish Council would welcome an increase in the limited waiting time from the current '20 minutes no return within 1 hour', to '1 hour no return within 1 hour' to maintain and encourage the use, and interaction of these local facilities.

(3) Financial Considerations The cost of making a change to the TRO will be in the region of £2,500 and the Traffic and Safety Team will endeavour to undertake the necessary consultation associated with the TRO

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when resources permit. These costs will be met from Capital Scheme number 02-02-07 from 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 TRO if it considers it expedient for a number of purposes.

Section 2 of the 1984 Act states what a Traffic Regulation Order (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

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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.

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.

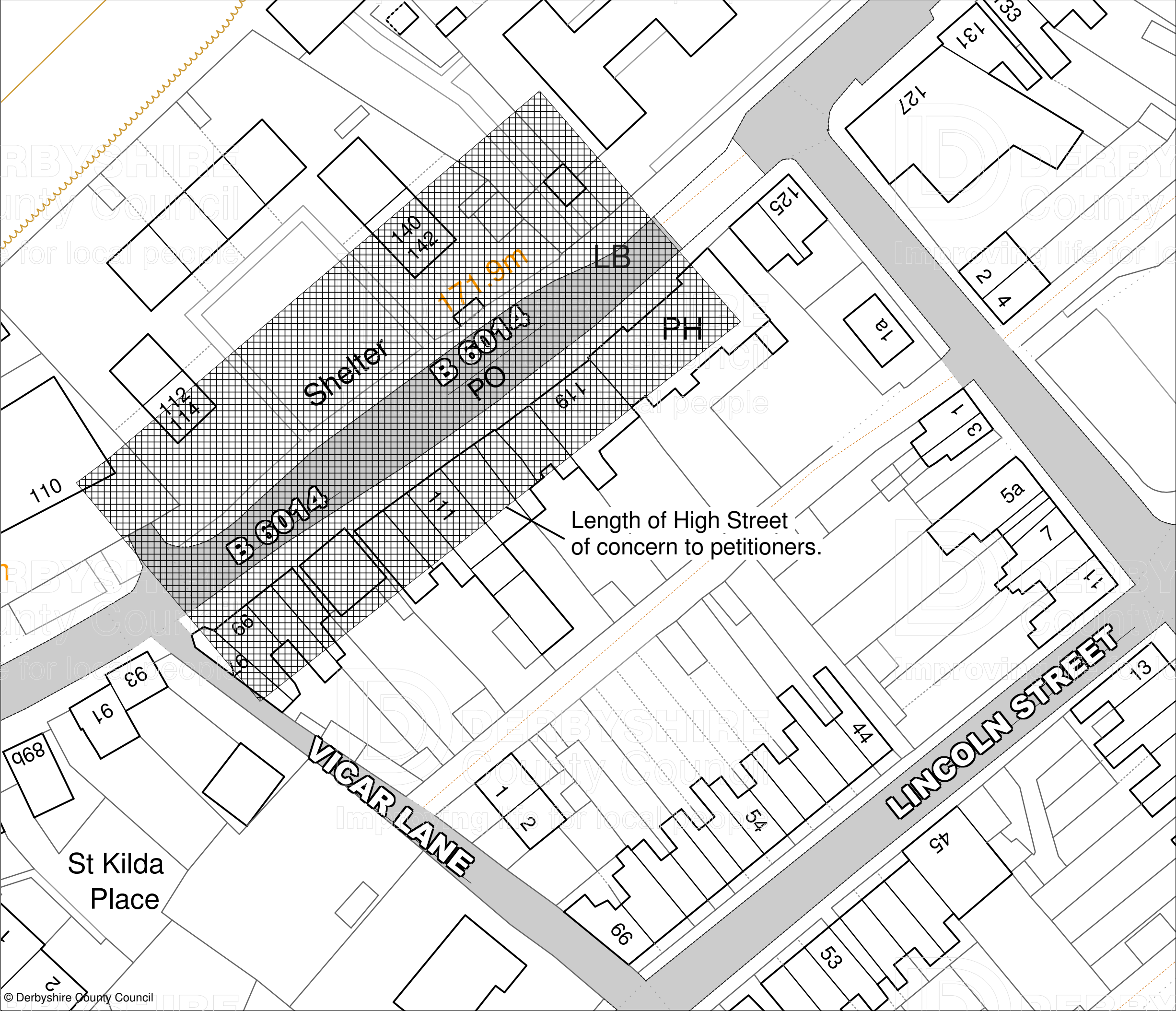
(7) **Background Papers** Held on the electronic filing system within the Traffic and Safety Service of the Economy, Transport and Environment Department. Officer contact details – Richard Handbury, extension 38569.

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

8.1 The proposed alteration to the limited waiting on High Street, Tibshelf to 'Monday to Saturday, 9am to 6pm, 1 hour, no return within 1 hour' be implemented when resources permit.

8.2 The local Member and lead petitioner 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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Tibshelf

High Street

Area of Interest



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

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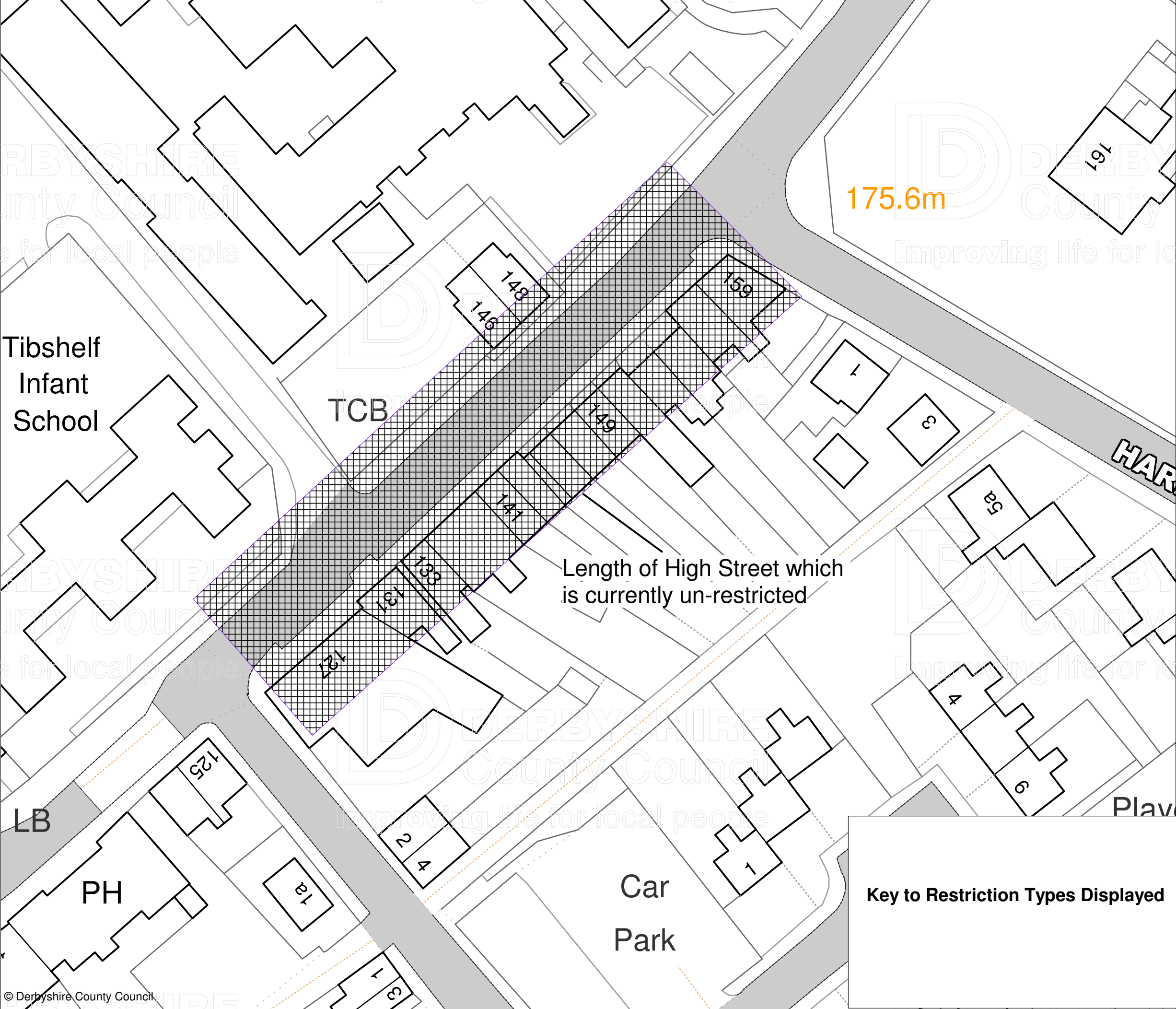
Tibshelf

SCALE 1 : 500

DATE 24/03/2014

DRAWING No. Appendix 1

DRAWN BY RJH



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

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High Street
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Strategic Director of Environmental Services

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DRAWING No. Appendix 2

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Key to Restriction Types Displayed