

Agenda Item No. 4(b)

**DERBYSHIRE COUNTY COUNCIL**

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

**8 September 2015**

Report of the Strategic Director – Economy, Transport and Environment

**PETITION – A619 CHATSWORTH ROAD, BRAMPTON, CHESTERFIELD –  
OBJECTIONS TO PROPOSED PARKING RESTRICTIONS**

(1) **Purpose of Report** To seek approval of the Cabinet Member to the introduction of a proposed Traffic Regulation Order (TRO) for revised and new parking restrictions on A619 Chatsworth Road, Chesterfield and other associated streets, following receipt of a petition and other correspondence objecting to the original proposal.

(2) **Information and Analysis**

**Background**

At the meeting on 7 July 2015, the Cabinet Member acknowledged receipt of a petition (Minute No. 82/15 refers). It contained 34 signatures objecting to the proposed changes to the waiting restrictions along the A619 Chatsworth Road, Chesterfield.

The A619 Chatsworth Road is a busy arterial route through Chesterfield and forms part of the designated high load route through the town. In addition, it provides important highway network links to the M1 Motorway and the A61 to outlying areas, such as Sheffield, Stockport and Manchester. Over a number of years the road has seen significant changes to the occupation of its buildings and premises, and supports a vibrant and thriving local economy.

The change in the nature of the local area over time has promoted a review of parking arrangements to better balance business and residents' needs.

The proposed scheme of works takes in the A619 Chatsworth Road, from its junction with West Bars Roundabout, through to just past its junction with Church View, incorporating its various side roads along the route where it was felt changes were necessary (see Appendix 1).

Phase 1 of the proposals was originally advertised in the Derbyshire Times for the statutory 21-day period in February 2014. As part of this exercise, 17

formal objections were received to the proposed waiting restrictions and a further 10 objections, relating to the relocation of a particular bus stop outside St Thomas Church. These objections were reported to the Cabinet Member on 23 December 2014, with a recommendation to re-visit the proposals to help achieve a better balance between the differing needs of the various businesses located along this road (Minute No. 187/14 refers).

Following the formal feedback officers received from Phase 1 of the proposals and the decision taken by the Cabinet Member at his meeting on 23 December 2014, it was proposed to re-consult on the proposals with several amendments to the waiting restrictions.

A further consultation with statutory bodies and affected frontages along Chatsworth Road was undertaken between 23 January and 27 February 2015. Two letters of objection were received to the proposals through this stage of the process. Based on the number of letters that were delivered it was felt that, on the feedback received, it was appropriate to proceed to advertisement of the revised proposals. This statutory 21-day formal public consultation of the proposals was undertaken between 14 May and 5 June 2015. A copy of the notice appeared in the Derbyshire Times and the proposals were displayed and maintained on-street through public notices. A copy of the proposals was also hand delivered to fronting properties along Chatsworth Road within the extents of the scheme of work on 14 May 2015.

During the consultation period, the Authority received three enquiries relating to specific elements of the proposals at three separate locations. Officers provided a detailed response to all three specific enquiries and requested the enquirer to reply if they were dissatisfied with the response or if they wished for their enquiry to be logged as a formal objection. No further communications were received from these enquiries.

A petition has since been received by the Authority, which was acknowledged and reported to the Cabinet Member for Highways, Transport and Infrastructure on 7 July 2015 (Minute No. 82/15 refers). This petition was received 22 working days after the end of the statutory consultation period, which ended on 5 June 2015.

### **Officer Comments**

The key focus of the petition is that the proposed one hour limited waiting bays on Chatsworth Road are not of a sufficient length of time for people wishing to visit a number of establishments to undertake, for example, a lunch appointment, visit a hair salon, have beauty treatment or visit a cafe.

Whilst the scheme promotes a number of short stay, one hour parking bays, as requested during the consultation process, the scheme does incorporate some two hour time limited parking bays within the vicinity of the lead

petitioner's premises and its associated signatories. Three two-hour parking bays in the vicinity of those properties, shown in Appendix 1, are being promoted as part of this TRO. Of the 34 signatories on the petition, 10 are from those who run a business on the former Petrol Station site at 131 Chatsworth Road. The site has off-road parking provision for 11 vehicles, which, it is claimed, is not sufficient for the 9 businesses which operate from this site and therefore, there is often a demand for on-street parking space nearby. The current parking provision outside Brampton Home Furnishings and No.126 to No.160 Chatsworth Road is un-restricted; however, as part of this proposal, the Authority is proposing to install a mixture of 1 and 2 hours short stay parking to improve turnover for the various businesses operating here.

Improvements along Old Road have been identified separately which include the removal of a section of double yellow lines between No. 37 and 47 Old Road and the provision of extra parking space with a two hour limit operating between Monday and Saturday, 8am-6pm with no return within two hours. This scheme would increase short stay parking and address some of the petitioners' concerns.

For the purposes of consistency, the two hour time restriction will have the same constraints as those being promoted as part of the A619 Chatsworth Road scheme. This will provide an extra five to six spaces within the vicinity of those businesses wishing to see additional or two hour short stay parking area.

Proposals in the Old Road area are the subject of a separate report to this meeting of the Cabinet Member.

The petition also requests that additional off-road car parking on Factory Street is provided. However, as this is on private land, this is not something the Highway Authority is in a position to respond to and would be an issue for the relevant land owner to consider.

The proposed waiting restrictions advertised for the A619 Chatsworth Road will help to achieve a successful balance between those wishing to park for a maximum of one hour and those seeking a longer stay of two hours to undertake their respective business.

### **Local Member Comment**

The Local Member for Brampton South, Councillor Ron Mihaly, feels that the Authority has undertaken significant consultation on this scheme over the last couple of years, and that the proposals advertised in May of this year help strike a balance between the varying needs of the businesses which operate and the residents which reside along Chatsworth Road.

The Local Member for Walton and West, Councillor Keith Morgan has not provided any comments in respect of this report.

(3) **Financial Considerations** This scheme of works forms part of the approved Local Transport Plan scheme for TRO works at an estimated cost of £20,000.

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984 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 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 preserve or 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.

Section 2 of the 1984 Act states what a TRO may provide for and this includes prohibition of waiting. Notice of proposals must be given in accordance with Regulation 7 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.

Regulation 14 of the 1996 Regulations enable an order making authority to modify an Order in consequence of any objections or otherwise, before it is made. Where substantial changes are to be made, the order making authority must notify those likely to be affected by the modifications giving them an opportunity to make a representation which the authority shall consider.

Having determined all objections the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected. An Order shall not be made until after the last date for objections. 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 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.

(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.

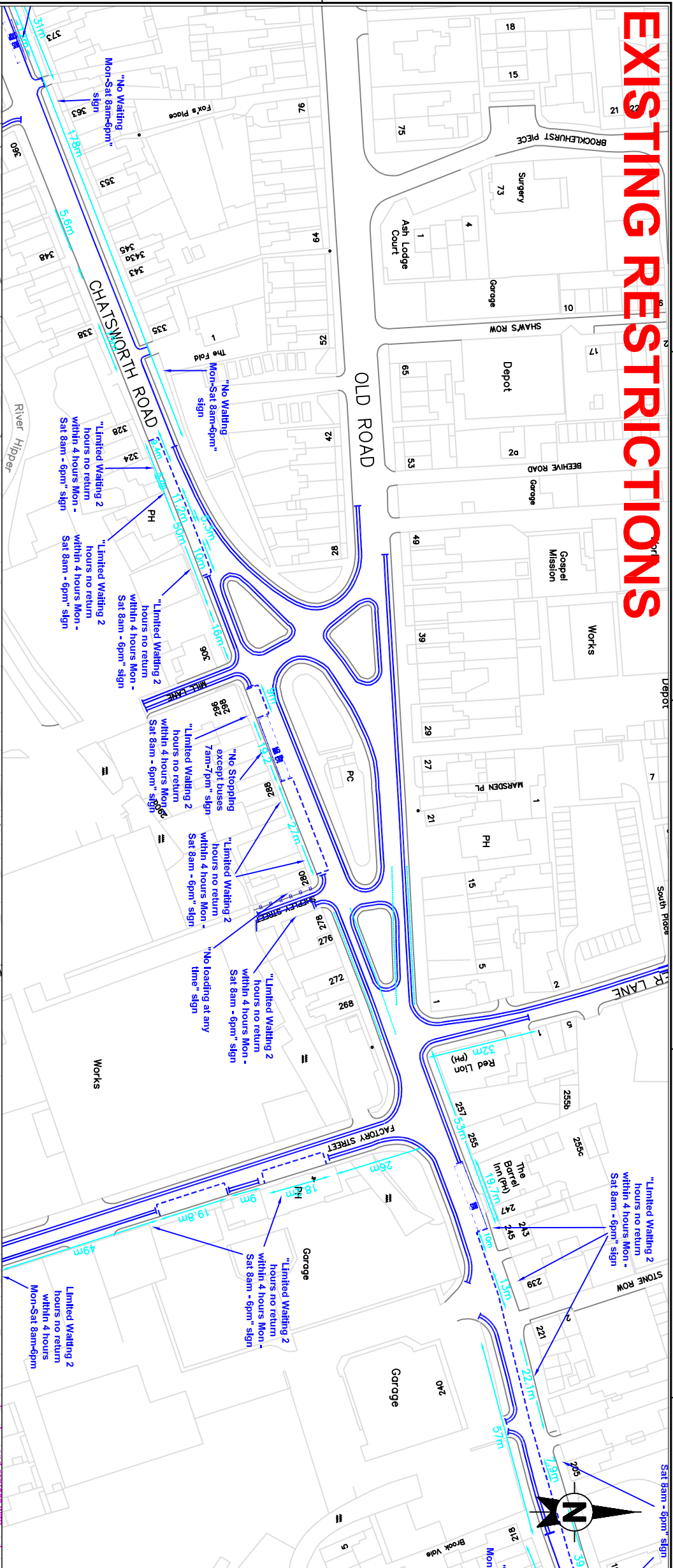
(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Richard Handbury, extension 38569.

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

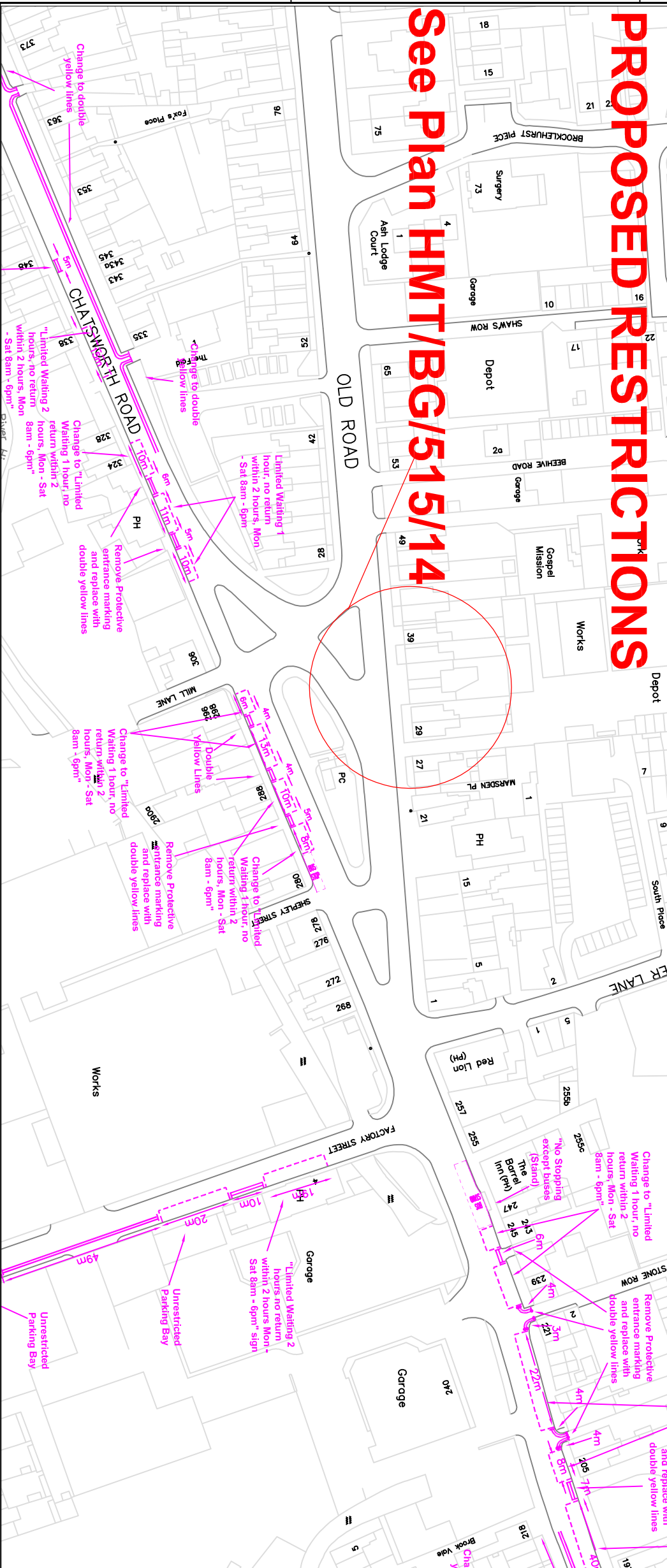
- 8.1 The amended Traffic Regulation Order proposals, as advertised from 14 May to 5 June 2015, be implemented on-street on the A619 Chatsworth Road, Chesterfield.
- 8.2 The Local Members, lead petitioner and members of the public who raised queries relating to the Traffic Regulation Order during the formal consultation period be informed of the decision.
- 8.3 The Cabinet Member approves the introduction of the Traffic Regulation Order and Bus Stop Improvement Works for Chatsworth Road, Chesterfield in the 2015-16 Capital Programme at a cost of £20,000.

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

EXISTING RESTRICTIONS



PROPOSED RESTRICTIONS



See Plan HMT/BG/515/14

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- KEY
- Existing Road Markings
- 
- Proposed Road Markings

Drawing Alterations	RH	20/10/14	1
Drawing Alterations	RH	02/3/14	2
Drawing Alterations	RH	22/3/14	3

AMENDMENT DETAILS		By	Date	No.
DRAWN BY	P.BRAISBY	SCALE N.T.S		
DATE	19/08/13			
ORIGINAL DRAWING SIZE 420 x 300 (A3)				

DERBYSHIRE  
COUNTY COUNCIL

M. W. ASHWORTH

STRATEGIC DIRECTOR  
ECONOMY, TRANSPORT AND ENVIRONMENT

PROJECT TITLE

CHATSWORTH.ROAD  
AREA  
CHESTERFIELD

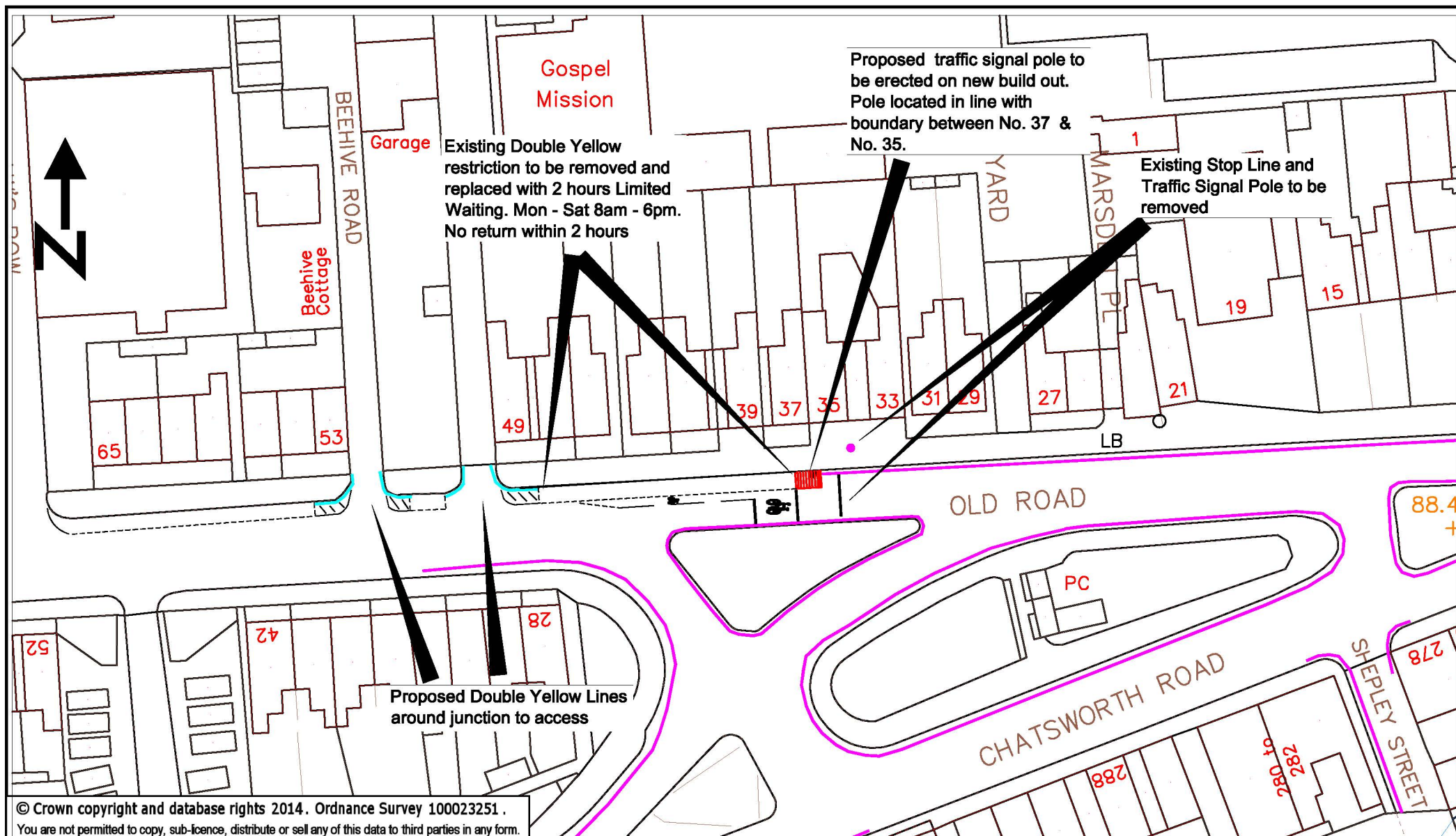
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PROPOSED – TRAFFIC  
REGULATION.ORDER  
APPENDIX.1

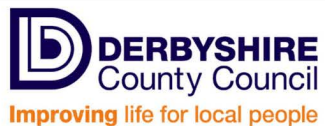
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MIKE ASHWORTH  
Strategic Director  
Economy, Transport and Environment

**KEY**  
— Existing Double Yellow Lines  
— Proposed Double Yellow Lines

AMENDMENT DETAILS

BY CHKD APVD DATE NO.

**PROJECT TITLE**  
A619 CHATSWORTH ROAD/OLD ROAD JUNCTION  
PROVISION OF SHELTERED PARKING BAY AND  
TRAFFIC SIGNAL IMPROVEMENTS

**DRAWING TITLE**

CONSULTATION\_DRAWING

**DRAWN**  
B.GOULD

**Date**  
NOV.14

**CHECKED**  
S.TRANTER

**Date**  
NOV.14

**APPROVED**  
S.TRANTER

**Date**  
NOV.14

**Project / Confirm Reference No.**  
02-05-03

**Drawing Number**  
HMT/BG/515/14

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**SCALE**

N.T.S.