

Agenda Item No. 4(c)

**DERBYSHIRE COUNTY COUNCIL**

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

**8 September 2015**

Report of the Strategic Director – Economy, Transport and Environment

**PROPOSED PARKING BAY AND AMENDMENTS TO PARKING  
RESTRICTIONS – OLD ROAD AND CHATSWORTH ROAD,  
CHESTERFIELD**

(1) **Purpose of Report** To seek approval, following the public advertisement and consultation of a proposed Traffic Regulation Order (TRO) for short stay waiting and double yellow lines on Old Road and Chatsworth Road, Chesterfield.

(2) **Information and Analysis**

**Background**

Improving parking for local businesses and providing additional parking for residents in Chesterfield is a continual pressure in the town. Improvements along Old Road were identified in the 2014-15 Local Transport Plan Capital Programme of Works, which included the removal of a section of double yellow lines between houses Nos. 37 and 47 Old Road, and the provision of a sheltered parking bay with a 2 hour limit, applying Monday to Saturday between the hours of 8am to 6pm, with a no return within 2 hours.

In order to achieve this additional parking, it will also be necessary to make changes to the existing traffic signal equipment and relocate the existing traffic signal pole to a position on a new kerb build out between houses Nos. 37 and 35 Old Road.

In conjunction with this, short sections of double yellow lines are also proposed around the junction of Beehive Road and the access road to Serpent Motors. These changes are in addition to the recently advertised TRO on Chatsworth Road, where changes to parking restrictions have also been proposed.

The proposal is shown on attached drawing No. HMT/BG/515/14

Following consultation in December 2014, comments were received from the directly affected residents of Old Road, and their concerns are summarised below:

- Some residents want Residents Only Parking Permits.
- Some are worried that two lanes of traffic will hinder access by the ambulances service.
- One resident does not want parking outside their house.
- There are concerns about local businesses parking all day instead of on their own premises.

In May 2015, the proposals were formally advertised in the Derbyshire Times and public notices were also erected on street for the duration of the consultation period. As well as the statutory consultees, officers also wrote again to all those residents who commented initially on the proposals, as well as those directly affected by the proposed changes. Following this, one written objection to the public advertisement was received. The objector does not live in the area but works on Old Road and they objected to the removal of all day parking and replacing it with limited stay waiting. They considered that it would be very difficult and inconvenient to keep moving their vehicle.

### **Officer Comment**

Officers wrote to the objector as they considered that they had misunderstood the proposed changes on Old Road which do not remove free all day parking, but instead create additional parking by removing a section of double yellow lines.

The objector has not removed their objection.

Generally, the scheme has been met with approval, although concerns have been expressed about the route being congested and that narrowing the road down at this location would have a detrimental effect on the ambulance access. It should be noted that the junction width will still allow a vehicle to wait comfortably in the running lane and there will be space for vehicles to manoeuvre, should an emergency service vehicle wish to pass. The situation is no different from that at the next set of traffic lights along the routes on both Chatsworth Road and Old Road.

The parking bays will be available for all to use and whilst officers have some sympathy with the use of the bays by Serpent Motors, they will be available for all to use and will help local businesses, as well as residents. The area is too far removed from the existing 'Residents' Only' parking scheme operating in and around the Chesterfield Town Centre' and isolated schemes of this nature simply displace parking to the next available street. There are currently no plans to extend the 'Residents' Only' parking scheme at present.

### **Local Member Comment**

Councillor Ron Mihaly raised similar concerns regarding the route being on the main ambulance route into Chesterfield and that he was concerned about the potential nuisance for residents with local business vans parking in front of their property. He also wanted to ensure that the section of limited waiting is vigorously enforced.

(3) **Financial Considerations** This work forms part of the approved Local Transport Plan 2014 – 15 Capital Programme of works at a 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. In this matter, no modifications are recommended.

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.

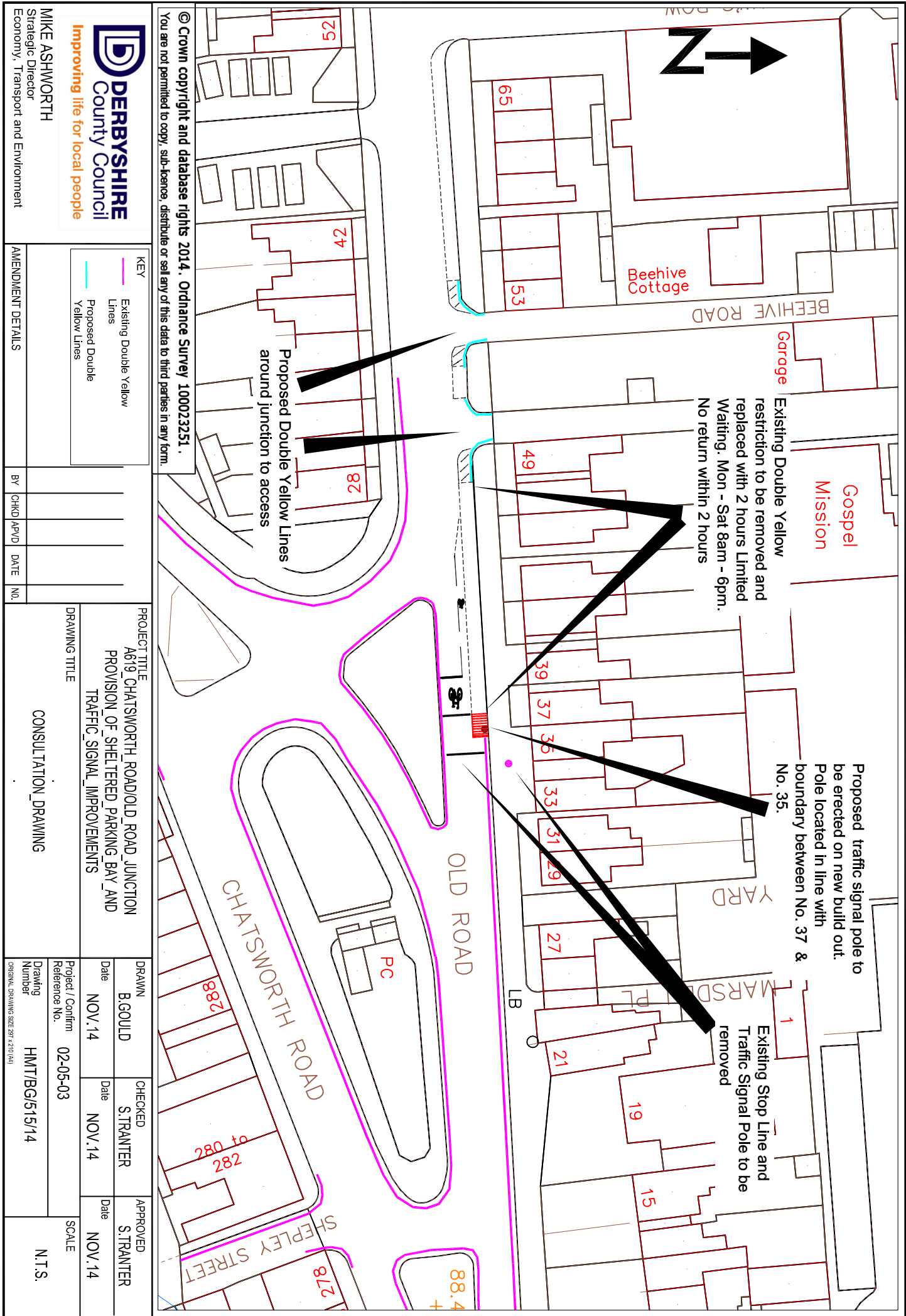
(7) **Background Papers** Held on file in the Economy Transport and Environment Department. Officer Contact Details – Bridget Gould, extension 38759.

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

8.1 The Cabinet Member approves the introduction of a short stay parking bay, relocation of a traffic signal pole and proposed double yellow lines at the 'Old Road - Chatsworth Road Junction, Chesterfield, as shown on attached drawing No. HMT/BG/515/14, with funding from the 2014 – 15 Local Transport Plan Capital Programme at a cost of £20,000.

8.2 The Local Member, objector and the Chief Constable be notified accordingly.

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



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MIKE ASHWORTH  
Strategic Director  
Economy, Transport and Environment

KEY	
<span style="color: magenta;">—</span>	Existing Double Yellow Lines
<span style="color: cyan;">—</span>	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

CONSULTATION DRAWING

DRAWN	CHECKED	APPROVED
B.GOULD	S.TRANTER	S.TRANTER
Date	Date	Date
NOV. 14	NOV. 14	NOV. 14
Project / Confirm Reference No. 02-05-03		SCALE  N.T.S.
Drawing Number	HMT/BG/515/14	
ORIGINAL DRAWING SIZE 297 x 210 (A4)		