

DERBYSHIRE COUNTY COUNCIL

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

9 September 2014

Report of the Strategic Director – Economy, Transport and Environment

**PETITION – DARLEY CHURCHTOWN PRIMARY SCHOOL -
REQUEST FOR 20MPH SPEED LIMIT AND SLOW MARKINGS**

(1) **Purpose of the Report** To inform the Cabinet Member of the results of an investigation undertaken following receipt of a petition requesting the introduction of a 20mph speed limit on Church Road near Churchtown Primary School.

(2) **Information and Analysis**

Background

A petition and covering letter was reported to the Cabinet Member on 25 March 2014 (Minnute No. 52/14 refers). The covering letter was accompanied by an article from the Child Accident Prevention Trust on the costs of accidents to society.

The petitioners requested a 20mph speed limit on Church Road and additional slow markings between the current school warning signs for Churchtown Primary School. The petitioners claim that there have been minor incidents on Church Road over the years, they believe that 'there is an accident waiting to happen' and also claim that traffic has increased on the road. The petitioners state that there is no footway adjacent to the church and that parents have to walk through an unlit church path to access the school road from where they have parked.

Site Details

Church Road is a narrow lane for the most part; it links the A6 with the B5057 Station Road (shown on the attached plan). Church Road is not a road used by high volumes of traffic but is primarily a local link road used by local people, although it is acknowledged that it may be used by residents of the Darley Bridge area who wish to avoid the Whitworth junction with the A6.

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Approaching from the Darley Bridge direction, Church Road is fully rural with street lighting and a footway on one side. On approaching the church there is a 'School Safety Zone' sign and a 'SLOW' marking near to the bend. The footway continues on the opposite side to the church and the road becomes subject to a 30mph speed limit. Adjacent to the graveyard, the bend in the road provides a small parking area on one side of the road and many parents park in this area, although it is not large enough to accommodate them all. The churchyard gate leads directly from this parking area.

From the Darley Dale direction, the road is more urban with a footpath on both sides. Past the level crossing, the footpath continues on both sides of the road and a 'School Safety Zone' sign is situated on the offside. All of this section of road is subject to a 30mph speed limit and is lit.

The school itself is sited on a no-through road; many parents park here and take their children directly into the school without having to cross any other roads.

Officer Comments

This location does not suffer from a collision problem and speeds are generally observed to be at an acceptable level, due partially to the narrow width of the road and also the sharp bend.

At school start and finish times, in common with the majority of schools, the situation is somewhat chaotic, with parents parking to take and fetch their children to and from school, and pulling in/driving out of parking spaces that other parents have vacated. Those parents who do not walk through the churchyard often walk their children on the side of the road without a footway, adjacent to the church, rather than crossing their children over the road onto the footpath.

Speed surveys and a traffic count were undertaken in 2009 which indicated that mean speeds were between 19mph and 26mph near to the church, and the average two-way volume of traffic during school start and finish times was 122 vehicles per hour, which is very light, and consistent with a village environment.

A recent analysis of the personal injury collision history for Church Road indicates that there has been one injury collision south of the railway line in the last three year period, and this incident was a low speed collision in which a car reversed into a parked car.

In view of previous measured low speeds and low traffic volumes, and the fact that there is not a collision problem, there is no justification for undertaking any further surveys or counts at the present time. Although the petitioners are concerned about the potential safety of school children at this location, near

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the bend, this is very likely to be the main factor in holding the speeds in the area down to an acceptable level, as traffic slows to negotiate the bend.

Although the average speeds along the road are not high, there may be a minority of drivers travelling through the village who drive with little concern for the safety of other road users. Signing on its own will have little effect and the only thing likely to alter such behaviour is the threat of being stopped by the Police and prosecuted for an offence which is unlikely to happen in such a rural area.

A footway is provided on the Darley Bridge side of Church Road, albeit on one side of the road. It is feasible for parents to cross over away from the bend, walk along the footpath around the bend safely and then cross back over the road onto the other side of the road to access the school, if they don't wish to use the churchyard path. It is, however, accepted that the footway narrows near the corner. There is also the option for parents to park on the Darley Dale end of Church Road, where there is a footway on both sides of the road.

In view of the lack of evidence to suggest an actual, rather than perceived, problem and the lack of a collision history, low vehicle numbers and low speeds, it is recommended that the provision of a 20mph speed limit cannot be justified at the present time.

Local Member Comments

Councillor Longden is aware of the contents of this report and accepts the reasons for rejecting the request, but has visited the site again and requested that additional signs indicating the narrow winding nature of the road be erected on each approach, and points out that one of the 'School Safety Zone' signs is currently partly obscured by vegetation. It is recommended that further investigation of additional signs is undertaken.

(3) **Financial Considerations** There are no financial considerations associated with this report.

(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;

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- 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 Traffic Regulation Order (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 and giving them an opportunity to make a representations which the authority shall consider. In this matter, it is considered that the modifications constitute a reduction and are therefore not a substantial change.

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.

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 within the Economy, Transport and Environment Department. Officer contact details - Dawn Bryan, extension 38695.

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(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member agrees:

- 8.1 The request for a 20mph speed limit on Church Road, near Darley Churchtown Primary School, be refused.
- 8.2 Further consideration be given to the provision of road narrows/bends ahead signs.
- 8.3 A request for the cutting back of vegetation be made.
- 8.4 The local Member and petitioners be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

