

DERBYSHIRE COUNTY COUNCIL

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

9 September 2014

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO DOUBLE YELLOW LINES – KENT STREET
AND EYRE STREET EAST, HASLAND**

(1) **Purpose of the Report** To inform the Cabinet Member of the results of the investigations following receipt of three objections to the proposed “No Waiting at any Time” (double yellow line) restrictions on Kent Street and Eyre Street East, Hasland, and to seek approval that the Order be made as advertised.

(2) **Information and Analysis**

Background

The Eyre Street East/Kent Street junction is very busy, both in terms of pedestrians and vehicles, particularly at school drop off and collection times. Vehicles parked so close to the junction restrict visibility and passing space for vehicles and pedestrians, and make it particularly difficult for pedestrians to cross safely and create obstructions for other vehicles, particularly large ones, for example refuse collection vehicles. The situation is compounded by limited off-street residential parking in an area of densely populated terraced housing. The local junior school is in close proximity, so there is a significant increase of both pedestrians and vehicles during school opening and closing times. There is also the Hasland Baptist Church and the Kid's Zone at this junction, both of which attract additional traffic at various times throughout the day.

To address this issue, there is a proposal to install double yellow lines, 8 metres on Kent Street on both sides of the road and 9 metres east and 5 metres west respectively along Eyre Street East, as shown on drawing no. HMT/PB/35/14. Following consultation and the public notice procedure, three objections have been received.

The objections relate to:

- the perceived lack of parking for residents becoming exacerbated by the restrictions;

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- that they will simply move the parking problem further along the road;
- that the problem is an intermittent one during school drop off and collection times;
- that the proposal would only work if vigorously enforced; and
- that protective entrance markings should be added for vehicular crossings.

Officer Comment

The initial consultation was to determine the view of local residents before the proposal was taken further.

One objector expressed a concern over the additional distances they will have to walk from their vehicle to their front door if the restrictions are imposed. However, only very small stretches of double yellow lines are being proposed which would cause minimal impact to residents. School children would be under no additional safety risk as the implementation of these restrictions would increase visibility and reduce traffic congestion.

It is considered that the congestion is only a problem during peak times of the day when there is a much higher traffic volume, for example, during term time and at school arrival and dispersal times.

It has been suggested that the Council provides protective entrance markings to the two private church car parks so visitors there will have access to the car park and therefore result in fewer vehicles parking on the highway. However, the Council no longer provides protective entrance markings.

One comment received was that the proposed restriction would only be effective if it was enforced at all times. However, if the Traffic Regulation Order (TRO) was implemented then the site would become part of the Council's enforcement sites and be added to the patrol rota.

The objector was concerned that disabled badge holders should not be allowed to park on the new double yellow lines. However, the law permits disabled badge holders to park on double yellow lines for up to three hours, (no return within 1 hour) provided they are not causing any obstruction or a danger. It is not felt that this would be a problem here as most disabled drivers appreciate it's unreasonable to park close to a junction but officers will, of course, monitor the situation should the yellow lines be implemented.

It was suggested that the zig-zag markings outside the school create a dangerous bottleneck. However, they are provided to protect the children who are crossing outside the school by providing a protected area with increased visibility for both motorists and the pedestrians. It was also felt that the introduction of the TRO would merely move the parking and congestion problem further along to York Street. It was suggested that all parking

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restrictions, apart from outside the school, be removed to address the parking problems.

Whilst appreciating the comments made by the objectors, the implementation of short lengths of double yellow lines is sufficient to increase visibility and safety, and ease the congestion around the junction whilst incurring the minimum impact of the levels of parking in the area. It is therefore recommended that the Order be made as advertised.

Local Member Comments

Councillor Allen has been consulted and made the following comments:

“My comments are that I appreciate that this area is very congested particularly at school times and that there has been a lot of pressure from the school to introduce these double yellow lines. I basically support the provision of this although I appreciate that the objectors are concerned about the loss of parking and would consider whether these lines could be enforceable during the peak morning and peak evening time when the schools go in and out. I recognise there was a reluctance to do this but I think this should be considered as both a possibility to both satisfy the objectors and provide the parking that is currently provided.”

(3) **Financial Considerations** This work forms part of the approved Local Transport Plan scheme for TRO works.

(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.

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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.

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.

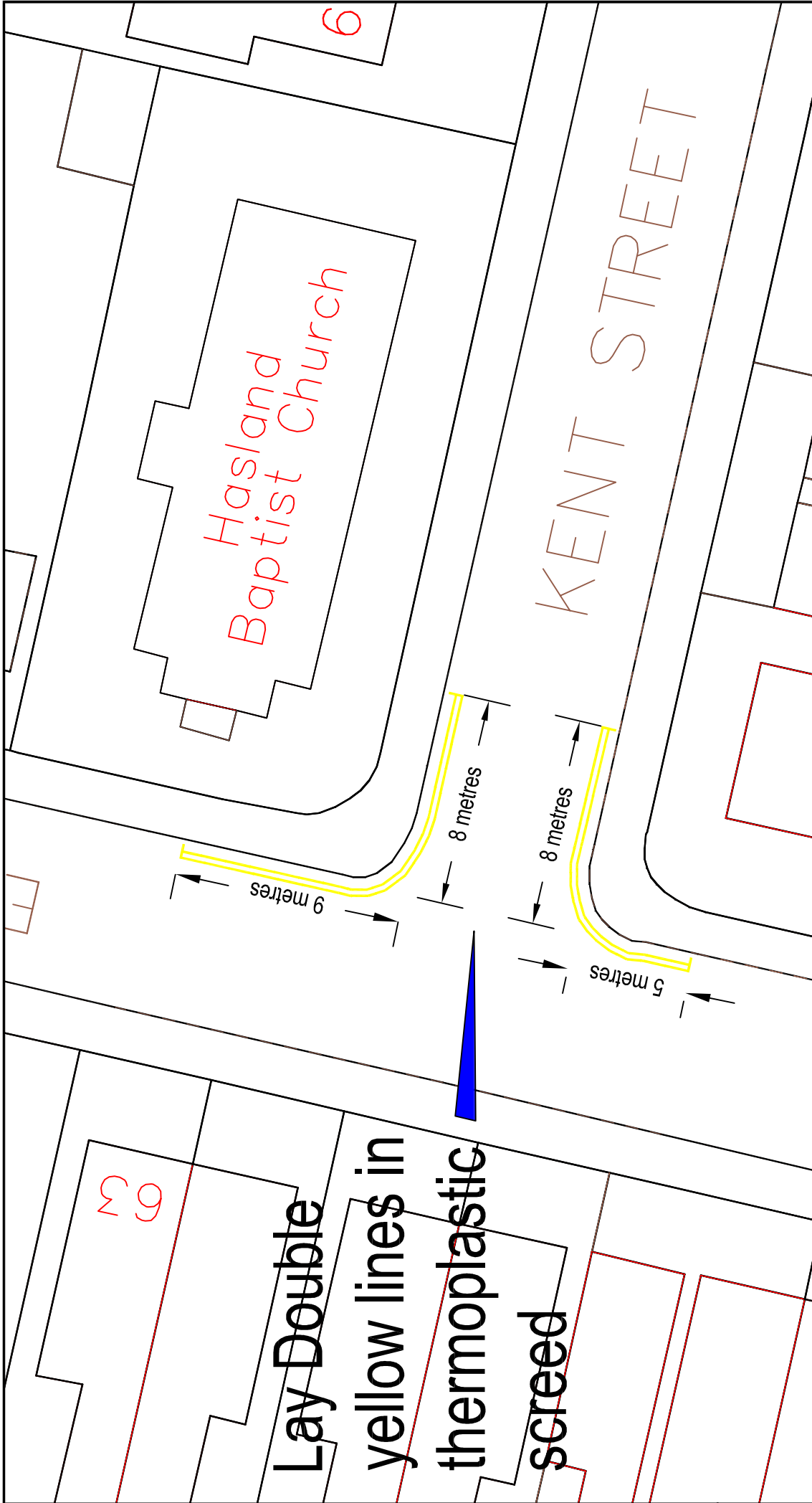
(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Tracy McCann, extension 31930.

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

- 8.1 The provision of the "No Waiting at Any Time" (double yellow lines) restrictions on Kent Street and Eyre Street East, Hasland, as detailed in the schedule, shown on the attached drawing no. HMT/PB/35/14, be implemented in due course.
- 8.2 The local Member, Chief Constable and objector to be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



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DERBYSHIRE
County Council
Improving life for local people

MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment

AMENDMENT DETAILS

BY	CHKD	APVD	DATE	NO.	

PROJECT TITLE		DOUBLE YELLOW LINES		DRAWN PHIL_BRAISBY		CHECKED TRACY_MCCANN		APPROVED	
DRAWING TITLE		KENT STREET, HASLAND		Date		Date		SCALE	
				15/01/2014		15/01/2014			
				Project / Confirm Reference No.		PROJECT/CONFIRM_REF			
				Drawing Number		HMT/PB/35/14			
ORIGINAL DRAWING SIZE 297 x 420 (A4)									