

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 EXTENSION OF DOUBLE YELLOW LINES –
STORFORTH LANE, HASLAND**

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

(2) **Information and Analysis**

Background

Storforth Lane is a busy road with a significant amount of heavy goods vehicle (HGV) use, partly due to the number of Industrial Estates along the route. Vehicles park close to the junction, thus narrowing the available space for vehicles turning into Storforth Lane from the A61. The problem is compounded when vehicles are queuing at the junction traffic lights, blocking the junction. A proposal to extend the double yellow lines by 13 metres should alleviate the problem by keeping the area clearer and ensure the signalled junction works at full capacity.

The County Council has implemented a Capital Scheme this financial year which involved the refurbishment of the Storforth Lane traffic signals. As part of this scheme, some localised widening on Storforth Lane, on the approach to the signals, was incorporated. This has increased the capacity of the junction slightly. However, this is not sufficient on its own to fully alleviate the congestion problem, and due to BT apparatus being located in the footway in the vicinity of number 257 Storforth Lane, it is not financially viable to relocate or widen the carriageway further within existing budget constraints.

To address this issue, the proposal to extend the existing double yellow lines by 13 metres, as shown in drawing no. HMT/PB/34/14, was advertised and, following consultation and public notice procedure, two objections were received from the residents of Storforth Lane.

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The objections raised relate to the perceived lack of parking on Storforth Lane and concerns about devaluing properties and inability to park outside properties should the Traffic Regulation Order (TRO) come into force. One objector would like the County Council to instead create a car park behind the trees across the road from 254/256 Storforth Lane. They also wish to know if they would be compensated for devaluing their property by not being able to park directly outside their property. Another objector asked if lined bays could be marked outside the properties to help people to park correctly.

Officer Comment

The County Council has to balance the need to provide for free-flowing traffic with the desire for residents to park close to their properties. Residents of adjacent properties have no absolute right to park on the highway and there is no statutory provision for compensation in the event that on-street parking is restricted. The highway authority is under no obligation to make an alternative off-street parking provision.

Local Member Comment

Councillor Allen has been consulted and made the following comment:

"I understand the concern of residents who lie close to the junction of Storforth Lane and Derby Road but recognise the fact that the parking does cause congestion and that traffic does have problems turning onto Storforth Lane from Derby Road when cars are parked so basically I would support the introduction of further double yellow lines just there."

(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;

Public

- 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.

Having considered 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:

- 8.1 The Cabinet Member approves the extension of the "No Waiting at Any Time" (double yellow line) restrictions on Storforth Lane, Hasland, as detailed in the schedule, shown on the attached drawing no. HMT/PB/34/14, be approved.
- 8.2 The local Member, Chief Constable and objectors be informed accordingly.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

