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PUBLIC

To: Members of Cabinet Member meeting - Highways, Transport and Infrastructure

Tuesday, 12 November 2019

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Highways, Transport and Infrastructure** to be held at **10.00 am** on **Thursday, 21 November 2019** in Committee Room 3, County Hall, Matlock, DE4 3AG, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Emma Alexander'.

Emma Alexander
Executive Director
Commissioning, Communities and Policy

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Declarations of Interest
To receive declarations of interest (if any)
2. To receive Petitions (Pages 1 - 2)
3. Minutes (Pages 3 - 8)

To confirm the non-exempt minutes of the meeting of the Cabinet Member
– Highways, Transport and Infrastructure held on 10 October 2019

To consider the non-exempt reports of the Executive Director for Economy,
Transport and Environment on:

- 4 (a) Petition - Request for Traffic Calming and Safety Measures on Main Road
Between Marsh Lane and Eckington School (Pages 9 - 16)
- 4 (b) Petition - Horns Bridge Roundabout, Chesterfield - Concerns Regarding
Highway Safety (Pages 17 - 20)
- 4 (c) Highways Development Control - Standing Technical Advice for Smaller
Planning Applications (Pages 21 - 30)
- 4 (d) Highways Development Control - Standing Technical Advice for HGV
Operators Licences (Pages 31 - 38)

To consider the Joint Reports of the Executive Director for Economy, Transport
and Environment and Director of Finance and ICT on:-

- 5 (a) Funding of the Digital Derbyshire Team and Future Delivery of Digital
Infrastructure (Pages 39 - 44)
- 5 (b) Budget Monitoring 2019-20 - Period 5 (Pages 45 - 50)

DERBYSHIRE COUNTY COUNCIL**CABINET MEMBER MEETING – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE****21 NOVEMBER 2019****Report of the Deputy Director of Legal Services****REPORT ON PETITIONS TO BE RECEIVED**

1. Purpose of the Report To receive petitions forwarded to the County Council relating to matters contained within the portfolio of the Cabinet Member for Highways, Transport and Infrastructure.

2. Information and Analysis In compliance with the Council's Petition Scheme, the following petitions are presented for receipt, investigation and formal response by the Executive Director – Economy, Transport and Environment:-

<u>LOCATION/SUBJECT</u>	<u>SIGNATURES</u>	<u>LOCAL MEMBER</u>
Wirksworth – Request for Signage and Safety Improvements at the Southern Approach	209	Councillor I Ratcliffe
Breaston, Firfield Avenue – Request for Parking Restrictions	19	Councillor R Parkinson

3. Considerations (to be specified individually where appropriate)

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, social values, property and transport considerations.

4. Key Decision No

5. Call-in Is it required that call-in be waived in respect of the decisions proposed in the report? No

6. Background Papers

Petition held on file 124.0 in Democratic Services.

7. OFFICER'S RECOMMENDATION

- (1) that the petitions listed above be received and noted; and
- (2) that the Executive Director – Economy, Transport and Environment be asked to investigate and consider the matters raised.

Simon Hobbs
Deputy Director of Legal Services

MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 10 October 2019

PRESENT

Cabinet Member - Councillor S A Spencer

Also in attendance – Councillors T Ainsworth and G Hickton.

52/19 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 12 September 2019 be confirmed as a correct record and signed by the Cabinet Member.

53/19 **PETITION - RIPLEY, WAINGROVES, PIT LANE – REQUEST FOR NO PARKING AT THE JUNCTION WITH CHURCH STREET** Following receipt of a petition received requesting measures to improve access and egress at the junction of Pit Lane and Church Street, Waingroves, Ripley, investigations have been undertaken.

Where the highway was not subjected to any formal parking restrictions, the law still made it an offence to wilfully obstruct the free passage along a highway and was enforceable by the Police as a moving traffic offence.

The junction of Pit Lane with Church Street was regularly used by the residents and their visitors to access their respective properties on Pit Lane and was used by vulnerable road users; cyclists, pedestrians, people with prams, wheelchairs and people walking aids utilise this designated public bridleway. These levels of service demand coupled with the high degree of on-street parking on both Church Street and Pit Lane, provided constraints to visibility and unhindered access at this busy junction.

In order to maintain the safe and expedient movement of traffic at this junction, reduce the potential for the dropped crossing to be regularly obstructed and maintain the movement by vulnerable road users that are utilising the public footpath (Pit Lane), it was proposed to put forward a scheme that would rationalise the on-street parking, this being double yellow lines around the junction of Pit Lane and Church Street. This would be subject to the formal consultation process.

RESOLVED (1) to supports the introduction of no waiting at any time double yellow lines for the junction of Pit Lane and Church Street, Ripley as shown in Appendix 1 to the report; and

(2) that the Local Member and Lead Petitioner be advised of the decision.

54/19 PETITION: CHESTERFIELD, HEATON STREET – REQUEST FOR ONE WAY TRAFFIC SYSTEM Following receipt of a petition requesting a one way traffic system for Heaton Street in Chesterfield, investigations had been undertaken.

Heaton Street and St Thomas Street had, for a significant number of years, been subject to various consultation exercises and debate upon various traffic management proposals, with a proposal to provide waiting restrictions and a no left turn from Heaton Street onto Chatsworth Road, which prompted a review of alternative schemes that had been suggested at the time. These included one way systems, and reports were presented to previous meetings of the Cabinet Member for Highways and Transport on 2 July 2009 and 10 February 2011. These reports had given careful consideration to all options and were attached as Appendix 2 to the report.

The results of further consultation, following the Cabinet Member report in 2009, was to consider the appropriateness of the provision of traffic calming measures along Heaton Street, St Thomas Street and Rhodesia Road to try to deter through traffic. The results of the consultation on traffic calming were not conclusive and the scheme was not implemented. However, in 2017, it was agreed to revisit the situation to provide traffic calming, as there was an opinion that the residents of Heaton Street and St Thomas Street should be given a further opportunity to express their views and, as such, it was added to the Capital Programme of Local Transport Plan schemes in the financial year 2017-2018. Again, the consultation proved inconclusive and residents wanted the Council to revisit alternative measures, including a one way system, access only restrictions and additional waiting restrictions around junctions. As the capital funding was specifically for traffic calming, it was removed from the Capital Programme.

Whilst the lead petitioner consulted with the residents of Heaton Street and got support from 77 residents at 51 properties, the proposed one way system would actually effect around 340 properties. Officers accepted that the residents of Heaton Street were directly affected and did experience the most disruption from the through traffic. There were also wider network implications and impacts upon other residential areas. There were also concerns raised, during the recent consultation process, about the existing one way systems on Old Hall Road and Victoria Street West and many respondents wanted these removing or reversing, as this would alleviate some of the congestion on Heaton Street. Currently, both systems operated in the direction from Chatsworth Road to Old Road and were originally provided following a collision which involved vehicles emerging out of Old Hall Road onto the Chatsworth Road roundabout, and were intended to deter through traffic movements across the town. If Victoria Street West had not also been one way in the same direction, then through traffic would simply have transferred onto it with it being very close to Old Hall Road. Victoria Street West would have been unsuitable for the large volumes of traffic that previously used Old Hall Road. Bearing this in mind, it was not intended to reverse these one way controls.

Local Borough Councillors had been proactive in gaining support for a one way system along the whole length of Heaton Street, with the surrounding streets remaining two way. This would effectively prohibit all access into the residential area from Chatsworth Road, would stop through traffic in one direction and potential conflict along the route. However, it would also cause quite a long detour for residents along Chatsworth Road to Storrs Road and along Old Road, and increase the volume of traffic using St Thomas Street. It would also leave only two routes out of the residential area instead of three and doubling of the traffic emerging out of Heaton Street onto Chatsworth Road. Such increases in traffic flow would increase the risk of conflict, bearing in mind the busy nature of Chatsworth Road and the limited gaps in the traffic flow to emerge onto the main road.

Officers had conducted a bluetooth vehicle recognition survey in 2015 to establish how many vehicles were entering and leaving Heaton Street and St Thomas Street in the morning and evening peaks and these results were shown in Appendix 1 to the report. It could be seen from the results of this survey that in both am and pm peaks the majority of through traffic was travelling from Old Road to Chatsworth Road with very few travelling in the opposite direction. The traffic currently using Storrs Road may transfer to Heaton Street should there be reduced opposed flow, and generally, vehicles speeds did increase with the introduction of one way streets.

Having looked at the speed data taken in 2006, it could be seen that vehicles speeds along Heaton Street had not increased and the collision history was very good, with only one slight injury collision reported along Heaton Street.

In light of the above, there was no overwhelming evidence to suggest that further funding should be provided for traffic management solutions here and it was recommended that the request for a one way system be declined.

Councillor J Boulton, the local Member attended the meeting and suggested a number of alternative proposals that could be considered. However, it was agreed that further discussions between the Cabinet Member, Councillor Boulton and the Principal Engineer – Traffic and Safety, be arranged.

RESOLVED that (1) the proposed One Way Traffic Order for Heaton Street, Chesterfield be refused; and

(2) the Local Member and Lead Petitioner be advised of the decision.

55/19 OBJECTION TO THE (OLD WHITTINGTON LANE AND CHURCH STREET, UNSTONE) (PROHIBITION OF MOTOR VEHICLES) ORDER 2019 The Cabinet Member was informed of an objection following the public advertisement and consultation on the Old Whittington Lane and Church Street, Unstone (Prohibition of Motor Vehicles) Order 2019 which was currently being progressed under the delegated powers of the Executive Director Economy, Transport and Environment for Traffic Regulation Orders.

As part of the construction of the proposed cycle path, it would be necessary to prohibit motor vehicles from entering Church Street and Old Whittington Lane from the B6057 in order to construct a continual cycle path across these access roads. In order to achieve this, it was necessary to advertise a TRO to prohibit motor vehicles. This was advertised on street and in the Derbyshire Times from 6 June 2019 to 28 June 2019 and had received one objection, from Unstone Parish Council.

Whilst officers appreciated the Parish Council's comments relating to additional traffic that would require access to the B6057 along Crow Lane and Whittington Lane, traffic surveys carried out showed that this level of traffic was relatively insignificant and that the improvements planned at both junctions would improve safety by removing fast moving traffic cutting sharply left from the B6057 along Church Street and Old Whittington Lane.

Additional travel time would be incurred by residents travelling to and from the Dronfield direction but this again was minimal, compared to the benefits the cycle path would bring. Officers considered that it would encourage more residents to cycle to local destinations, including employment and leisure, reducing the reliance on motor vehicles.

RESOLVED (1) to note the objection to the Old Whittington Lane and Church Street, Unstone (Prohibition of Motor Vehicles) Order 2019;

(2) that the Executive Director - Economy, Transport and Environment progresses with the (Old Whittington Lane and Church Street, Unstone) (Prohibition of Motor Vehicles) Order 2019 under the scheme of delegation for Traffic Regulation Orders; and

(3) that the Local Member, objectors and the Chief Constable be advised of the decision.

56/19 STATEMENTS OF COMMON GROUND Cabinet Member approval was sought for Derbyshire County Council to enter into and, be signatories to, Statements of Common Ground (SoCG) with other local authorities/organisations within and outside Derbyshire.

Under Section 33A of the Planning and Compensation Act 2004, local planning authorities were under a duty to cooperate with each other, and with other prescribed bodies, when local plans (including mineral and waste local plans) were being prepared which regard to 'strategic matters' that crossed administrative boundaries.

Derbyshire County Council was the minerals and waste planning authority for the County (outside the National Park) and had a statutory duty to prepare minerals and waste local plans which it was discharging in collaboration with Derby City Council to provide new, joint minerals and waste local plans for the collective areas.

It was therefore required to provide SoCG in respect of this specialist local plan provision.

The County Council was also a statutory consultee on general development plans prepared by district and borough councils – both within and adjoining Derbyshire. Therefore, it had a duty to co-operate with these councils on the strategic, cross-boundary matters affecting these plans and was expected similarly to enter into SoCG with the relevant authorities and prescribed parties. Requests for SoCG in which the County Council was expected to enter/be signatories to, had been received from the following local authorities/ organisations:

Local Authority(s)/ organisation(s)	Title/Nature of Statement of Common Ground	Date Received
Sheffield City Region local authorities	Sheffield City Region Statement of Common Ground (draft version)	17 July 2019
Durham County Council	The supply of high grade industrial dolomitic limestone for use in making refractory products (final version)	17 June 2019

RESOLVED that approval be given for Derbyshire County Council to enter into Statements of Common Ground, referred to in the appendices to the report, with Sheffield City Region local authorities (Appendix 1) and Durham County Council (Appendix 2).

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Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Report of the Executive Director – Economy, Transport and Environment

**PETITION: ECKINGTON - REQUEST FOR TRAFFIC CALMING AND
SAFETY MEASURES ON MAIN ROAD BETWEEN MARSH LANE AND
ECKINGTON SCHOOL**

(1) **Purpose of Report** To consider a petition requesting traffic calming and safety measures on Main Road between Marsh Lane and Eckington School, Eckington, Sheffield.

(2) **Information and Analysis**

Background

The petition was reported to the Cabinet Member on 19 June 2019. It contained 264 E-petition signatures and a paper petition signed by 137 persons and reads as follows:

“The route on Main Road between Marsh Lane and Eckington has for many years been one of significant concern in terms of safety for pedestrians. Children from Marsh Lane daily use this route to get to and from the secondary school in Eckington. Many parents, however, will not allow children to walk to and from school due to safety concerns related to crossing the road. Many adults also use this route to walk to and from both villages.

A recent collision when a student was crossing the road, involving a car and the student has led a renewed call for the council to implement traffic calming measures, support regarding reducing the speed limit and the request to reconsider extending the footway.

These proposals would allow safe pedestrian travel for local children and adults.”

B6056 Main Road, Marsh Lane is a ‘B’ classified Road and is used by an average of 8,500 vehicles every day. It connects Dronfield with Eckington and Marsh Lane village is located along the route. Marsh Lane Primary School is located off School Lane with a vehicle and pedestrian entrance on Main Road.

Located outside the primary school is a pedestrian crossing and outside Eckington School there is a zebra crossing. Unfortunately, the footway between these two continuous facilities is not and pedestrians have to cross the road without a controlled facility.

Marsh Lane Primary School has the 'School Safety Zone' signing on both approaches as does Eckington School which includes flashing amber warning lights stating that the advisory speed limit is 20mph when the lights flash. Unfortunately, the downhill sign to Marsh Lane Primary School cannot have the flashing lights as there is conflict with the flashing lights of the pedestrian crossing and the advice of the Department for Transport is that such a practice could potentially lead to driver confusion. Bearing this in mind, the 'School Safety Zone' signing within a yellow backing board has no flashing amber warning lights.

The speed limit varies along the B6056 with 30mph through Marsh Lane village, which then increases to a 40mph section through the rural area prior to Eckington School, where the 30mph speed limit is then resumed. Marsh Lane also has a fixed speed camera, similarly there is a fixed speed camera outside Eckington School and an additional fixed speed camera just south of Ford Lane, and associated camera signing along the whole route. Speed readings taken around the point where pedestrians cross show that the 85th percentile speed (the speed at which 85% of motorists are travelling) is 38mph.

In conjunction with the speed limit terminal signs, there are the 30mph speed limit gateway features on both approaches into Marsh Lane and Eckington. There are road signs, 30mph painted roundels and 'dragon teeth' approach markings.

The collision history for Main Road is very good with one slight injury collision near Eckington School in the last three years (to date 31st May 2019, the standard test period). This involved a vehicle turning out of the school and a motorbike.

The collision the head petitioner refers to was as a result of a child pedestrian stepping out into the road without looking. The Police at the scene did offer road safety advice. Fortunately, the collision was not serious.

The various road safety and traffic calming measures along Main Road, Marsh Lane are shown on the attached drawing.

Officer Comment

The B6056 Main Road has a very good accident history and good compliance with the speed limit. This is likely as a result of the three fixed speed cameras

along the route, gateway treatments, school signing and the controlled crossings outside each school.

The County Council receives daily requests for traffic calming in the form of vertical and horizontal deflection or vehicle activated signs, and to ensure these are treated on a consistent basis, a speed management protocol has been developed which, amongst other factors, highlights the required injury collisions to justify the expenditure of the Council's very limited resources. Due to the very good collision history for Main Road, the Council will not be providing any additional traffic features to the ones already provided.

Officers do recognise that crossing the road to complete the route from Marsh Lane to Eckington is not desirable and having a dedicated crossing point is not easy to achieve, as it is better to cross the road in two different places depending upon which direction you are walking, due to visibility. An additional controlled crossing would not meet the Council's criteria on pedestrian demand. Officers suggest that additional warning signing, either side of the crossing area to highlight that pedestrians will be present, could be provided.

Officers have investigated completing the footway continually down one side and an estimate of the cost is £150,000. Currently, the Council is only receiving funding for a limited number of highway schemes and, therefore, the construction of a footway at this location remains a consideration for the future.

Officers have, over the years, been approached by members of the public concerned over parking in and around the school and they have therefore agreed to investigate the possibility of providing short sections of double yellow lines around the junctions of Main Road with School Lane and Lightwood Road. This proposal will be added to a list of similar schemes which will be pursued at a later date. Officers have discussed this with the Head Teacher who welcomed the proposals as she is experiencing poor parking practices, by parents which include dropping off children on the pedestrian crossing itself.

The speed limits along the B6056 have been reviewed recently and they are considered appropriate. The 40mph section is more rural in nature than other more urbanised sections of the route and in line with criteria set down in Government documents which ensure that there is a consistent approach to speed limits throughout the County. The speed limit will not therefore be reduced.

Local Member Comments

Councillors Charles and Ridgeway have been contacted and made the following comments:

"I have read the report which I feel is thorough and fair in the circumstances. Certainly on the stretch of road you refer to I am aware that visibility is limited, due to the various twists and turns in the road. Ideally of course, I would like to see a pavement, but I do take the point about resources, when there is no significant record of accidents, and the cost so high in the current times of having such limited resources.

I would have suggested the possibility of a strategically placed zebra crossing to join the two paths, but I do understand the difficulty about placement due to the visibility issues, which would require two crossing places, and I am not convinced that this would improve safety in any case.

Which leaves us with the speed to consider. I wonder if this could be looked at again? Since this stretch is used as a pedestrian route quite extensively and regularly, particularly by young people, who we now are easily distracted, could we not consider the introduction of a 20mph zone?

My experience elsewhere when there is a variable speed limit moving between 30 to 40 and back again is that most people drive at the upper limit, and although this is very far from being a straight road, experience of travelling on this road suggests that traffic often moves at above the speed limit. A 20 mph zone would potentially slow most (law abiding) road users down for the whole stretch and make it safer for pedestrians at all times. As we know, research tells us that the seriousness of accidents to pedestrians is much less when the vehicle is travelling at a slower speed.

I have seen 20mph zones on short stretches elsewhere which are effective, often where there is limited pedestrian space, and the vulnerability of the pedestrians is being taken into account.

I would be very pleased if this could be given further consideration."

Comment: Officers have noted the request from the Local Members, Diane Charles and Brian Ridgeway for a 20mph speed limit along the section of highway where the school children have to cross the road. The change in speed limit to 20mph, however, is simply not a feasible option as a reduction in the speed limit with signs only and without the introduction of physical traffic calming would not make the speed limit adhered to and would not be supported by the Police. At this location, it is open countryside with very little development and the characteristics of the environment are not that of a 20mph speed limit. The introduction of traffic calming is something that the Council would not support due to the good accident history and the site would not meet the criteria as laid down in the adopted speed management protocol document.

(3) **Financial Considerations** The cost associated with the advertisement of the TROs is approximately £4,000 and the cost of supply and erection of two 'pedestrian warning' signs is approximately £400 which will be funded through the Highways Maintenance Revenue Budget.

(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 regulating the use of a road by vehicular traffic. 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 cannot be made until after the last date of publication of the notice of proposal. No part of a TRO can come into force before that date when it is intended to publish a notice of making it.

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, social value and transport considerations.

(5) **Key Decision** No.

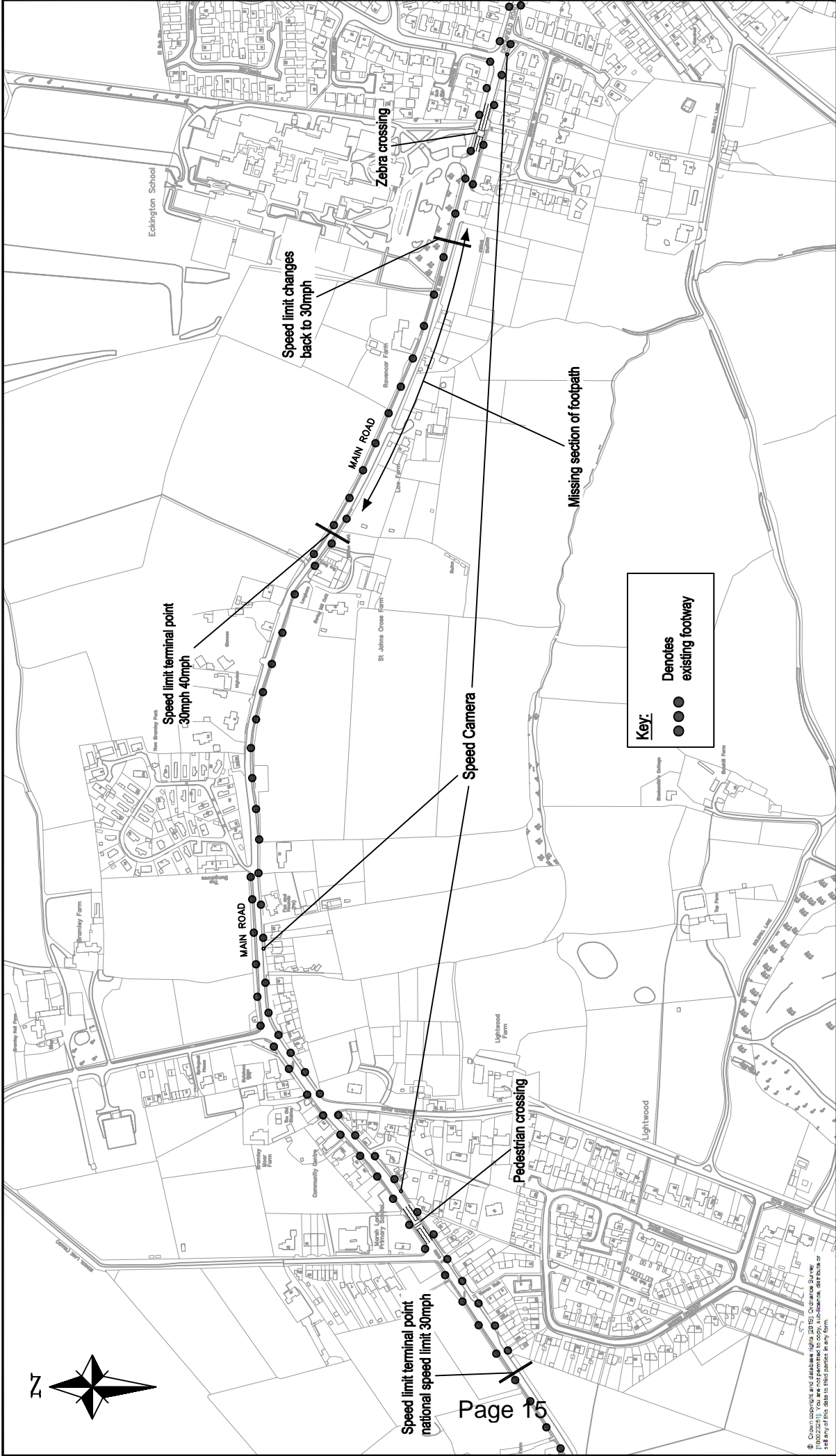
(6) **Call-In** Is it required that call in be waived in respect of the decisions proposed in the report? No.



(7) **Background Papers** Held on file within the Economy, Transport and Environment Department.

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

- 8.1 The Cabinet Member refuses the request for traffic calming and reduction in the speed limit on Main Road between Marsh Lane and Eckington School but notes the request for the footway to be added to a desire list for funding in the future.
- 8.2 The Cabinet Member approves the erection of two 'pedestrians crossing' warning signs' and add the Traffic Regulation Order proposal to the current waiting list.
- 8.3 The Local Member, objectors and Head Teacher of Marsh Lane Primary School be notified accordingly.

Mike Ashworth
Executive Director – Economy, Transport and Environment



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MIKE ASHWORTH
Executive Director
Economy, Transport and Environment

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Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Report of the Executive Director – Economy, Transport and Environment

**PETITION – HORNS BRIDGE ROUNDABOUT, CHESTERFIELD
CONCERNS REGARDING HIGHWAY SAFETY**

(1) **Purpose of Report** To inform the Cabinet Member of a petition reporting safety concerns and suggested improvements to highway signing at Horns Bridge roundabout, Chesterfield.

(2) **Information and Analysis**

Background

At the meeting on the 20 December 2018, the Cabinet Member acknowledged receipt of a petition (Minute No. 100/18 refers). It contained 26 signatures with a covering letter from a group of Advanced Driving Instructors requesting amendments be made to the destination wording on existing advanced direction signs situated on the A617 on the approach to the roundabout, together with new signage installed on the A617 further back from the roundabout. There was also a request for improvements to be made to advanced direction signs when approaching the roundabout from the A61 southbound. In addition, details of collision statistics at Horns Bridge roundabout were requested.

Officer Comment

The Horns Bridge roundabout is a busy signalised roundabout which serves as the gateway to Chesterfield from the M1 Motorway, connecting the A61 with the A617 to the east of the town centre. (Location Plan - Appendix 1). All four approaches serving the A61 and the A617 are signalised, with the fifth arm being the access from the Spire Walk Business Park, which has priority control. Approximately 75,000 vehicles pass through the roundabout on a typical weekday.

Whilst officers feel that the current destination signage and lane markings are adequate to allow a motorist to select the correct lane and negotiate the roundabout, additional place name information on the advanced direction signs on the A61 southbound and A617 westbound approaches would be

helpful in allowing a motorist to make an earlier decision over which is the correct lane to select prior to entering the roundabout.

As is alluded to by the petitioner, part of the issue is caused by drivers ignoring the information given to them over which is the correct lane to select depending on their chosen destination, resulting in a late change of lane. Unfortunately, it is common driver behaviour to try to beat queuing traffic by swapping lanes at the last possible moment.

The collision history over the three year period between 1 June 2016 and 31 May 2019 shows that there have been nine collisions, all with a slight severity. Given that approximately 75,000 vehicles use the roundabout on a daily basis, this is considered to be a good collision record when compared with similar junction layouts in other parts of the country that carry similar volumes of traffic. Three years is the standard test period when comparing the safety record of the highway and Derbyshire County Council's latest collision data is current up to 31 May 2019.

However, recognising that improvements to advanced direction signage could reduce collision numbers, it is recommended that these works be carried out.

Local Member Comment

Councillor Sharon Blank was consulted but did not have any comments to make.

(3) **Financial Considerations** The costs associated with the works are estimated to be £10,000 and can be met from the approved 2019-20 Local Transport Plan.

Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

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

(6) **Background Papers** Held on file within the Economy, Transport and Environment Department.

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

- 7.1 The existing capital budget will be used to fund improvements to the advanced direction signage on both the A617 westbound and the A61 southbound approaches to the Horns Bridge roundabout, Chesterfield.
- 7.2 The Local Member and lead petitioner be informed accordingly.

Mike Ashworth
Executive Director – Economy, Transport and Environment

Agenda Item No. 4(c)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Report of the Executive Director – Economy, Transport and Environment

**HIGHWAYS DEVELOPMENT CONTROL - STANDING TECHNICAL
ADVICE FOR SMALLER PLANNING APPLICATIONS**

(1) **Purpose of Report** In the interests of expediency and best use of limited resources, to seek the Cabinet Member's approval for the Highway Authority to provide standing advice for use by local planning authorities when determining smaller planning applications.

(2) **Information and Analysis** In its role as Highway Authority, the County Council is a Statutory Consultee to the 10 local planning authorities in Derbyshire (8 borough and district councils, the Peak District National Park Authority and the County Council as Mineral and Waste Planning Authority) and in for the determination of the County Council's own applications.

Each year, the Highway Authority is consulted in connection with approximately 8,000 planning applications, ranging in scale from small domestic extensions to major commercial and residential developments. Unless agreed with the local planning authority, the County Council has 21 calendar days to make a substantive response to any application on which it is consulted. Despite the anecdotal uncertainty quoted in the development industry, the number of applications continues to rise at a time when the level of staffing resource is under severe strain.

Increased automation of the consultation process at source by local planning authorities has placed a greater burden upon the Highway Authority to locate applications, reproduce any hard copy material, respond to consultations on-line and store material electronically. All this activity impacts upon officer time and resources.

In order to help address the tension between increasing application numbers, limited/ reducing staff resources in the Highway Authority and increased time required to process applications, it is proposed to introduce a Standing Advice document for use by planning officers at the local planning authorities. This will provide straightforward, technical guidance to allow the planning officers to

carry out the necessary assessment of smaller applications without having to consult the Highway Authority. This is a common practice amongst many Highway Authorities nationally and whilst not ideal, does present a pragmatic solution to addressing the pull on resources and dealing with low risk applications.

It is proposed that the move to Standing Advice will be supported by a programme of guidance and training delivered by the Highway Authority to the local planning authority in advance of the Standing Advice being introduced. It is also proposed that the Highway Authority will continue to offer technical advice for the smaller development sites where they are contentious or the planning officers are in doubt as to whether the standard criteria can be met, this will allow any element of risk to be managed but will also help build up knowledge and skills transfer to the local planning officers..

(3) **Financial Considerations** As well as saving officer time and reproduction costs associated with the planning application documents, there will be a reduction in the need to inspect smaller development sites and the frequency of visits to local planning authority offices will be reduced. This will result in a consequential reduction in travel costs (grey mileage) and environmental impact, along more productive time being available in the office by highways officers.

(4) **Legal Considerations** The Highway Authority will continue to fulfill its obligations as a Statutory Consultee in the planning process pursuant to the Town and Country Planning (Development Management Procedure) (England) Order 2015 using a combination of the proposed Standing Advice and individual assessment of other planning applications.

(5) **Social Value Considerations** Adoption of this advice will allow officers to devote more time and energy to those applications which have a more significant impact upon the community and assist in maintaining the quality and efficiency of service to the public and developers.

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.

(6) **Key Decision** No.

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

(8) **Background Papers** Held on file within the Economy, Transport and Environment Department.

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

- 9.1 Approves the publication of the attached Standing Advice for use by the local planning authorities within Derbyshire as proposed in the report.
- 9.2 Agrees to a programme of guidance and training being offered to all local planning authorities in Derbyshire to minimise risk and ensure the most effective implementation of the Standing Advice.

Mike Ashworth
Executive Director – Economy, Transport and Environment

Derbyshire County Council

Highways Development Control

Standing Advice for Local Planning Authorities

The Town and Country Planning (Development Management Procedure) Order 2015 (the DMPO) requires local planning authorities (LPAs) to consult on planning applications as set out under Article 18. The need to consult is removed by Article 18(1) of the DMPO if a consultee has provided or reaffirmed within the last two years standing advice covering the proposal.

The DMPO instructs LPAs to consult with the local Highway Authority (LHA) in the following circumstances:

- a) where development is likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway;
- b) where development likely to prejudice the improvement or construction of a classified road or proposed highway;
- c) where development involves (i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road), or (ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force; and
- d) where development consists of or includes the laying out or construction of a new street.

Accordingly, this standing advice provides a proportionate response in line with the DMPO, recognising that development affecting unclassified roads does not trigger consultation with the LHA in the first instance.

Part A – Applications Covered by this Standing Advice

This advice relates only to minor applications as summarised in Part B.

Before seeking to refuse an application on the basis of this standing advice, the LPA shall first consult the Highway Authority.

Part B – The local highway authority DOES NOT wish to be consulted upon the following type and scale of development

- Residential developments of five dwellings or less. Where these are served by a private drive onto an unclassified road subject to a 30mph speed restriction or less where this complies with (or can be amended to comply with) the advice in this document and local parking standards.

- Residential extensions. Where these do not require creation of alteration of an access to a highway, do not compromise local parking standards and do not encroach onto the public highway.
- Commercial extensions. Where these are less than 10% of the gross floor area of the existing unit, do not compromise local parking standards or space for on-site loading and manoeuvring of goods vehicles and do not encroach onto the public highway.
- Conversion of commercial premises to residential use in urban/town centre areas where the net number of dwellings is less than 10 classified.
- Advertisements and signs. Applications for advertisement consent under the Town and Country Planning (Control of Advertisement Regulations) 1992 (as amended) unless excluded by way of not complying with Part D of this document.
- Boundary structures and gates. Any new or altered fence, railing, wall, gates or other barriers (which do not open outwards over the highway) or any other means of enclosure requiring planning consent; unless these encroach onto visibility splays as set out in this document or for and of drivers entering or leaving an adjacent access or retain the public highway.
- Listed Buildings/Conservation Areas and Tree Preservation Orders.
- Change of use or change of house types where these comply with local parking standards and where on-site servicing arrangements are likely to be adequate.

Part C – Access Requirements

Any development which proposes new or modified access to a classified (A, B or Class III) highway or motorway or lies within 12m of a road junction or where the speed restriction is 40mph or more or where the buildings are less than 1m from the highway boundary, is considered to fall outside these guidelines and the LHA should be consulted. All other development must be compliant with (or capable of being modified to comply with) the following criteria.

- Access visibility (see Appendix I figure 1).
- Driveway width (see Appendix I figure 2).
- Driveway length not more than 25m measured from the nearside highway boundary. In front of a garage not less than 6.5m.
- Parking bay sizes for cars minimum 2.4m x 5.5m (3m x 5.5m where bounded by a wall) locally adopted policy and/or guidance where this commands higher standards.
- Garages shall be minimum internal dimensions of 3m x 6m (single) and 6m x 6m (double) and be set back at least 5.5m behind the nearside highway boundary (back of verge or footway) where the garage doors open outwards.
- On-site turning area (see Appendix I figure 3) for Class III roads, unclassified distributor roads or shared driveways.

- Driveway gradient not steeper than 8% (1 in 12).
- Provision for refuse bin storage/collection commensurate with the size and number of bins per property and so that collection points do not interfere with pedestrians, cyclists or the manoeuvring of vehicles.
- Gates to domestic premises to be set back 5m from the highway boundary on distributor roads (generally through routes with a carriageway width of more than 6.5m) and to open inwards only in all circumstances.
- Gates to commercial premises fronting distributor roads (generally through routes with a carriageway width of more than 6.5m) to be set back a sufficient distance to allow the longest vehicle commonly expected to access the premises to stand clear of the highway and to open inwards in all circumstances.
- Planning conditions (see Appendix II).

Where other development is not compliant with the above (or is not capable of being modified to comply with the above) the highway Authority should be consulted.

Advertising Signage Advice

Any projecting signage shall not extend closer than 0.6m back from the nearside carriageway edge or any public highway.

Any projecting signage shall have at least 2.4m overhead clearance to any footway.

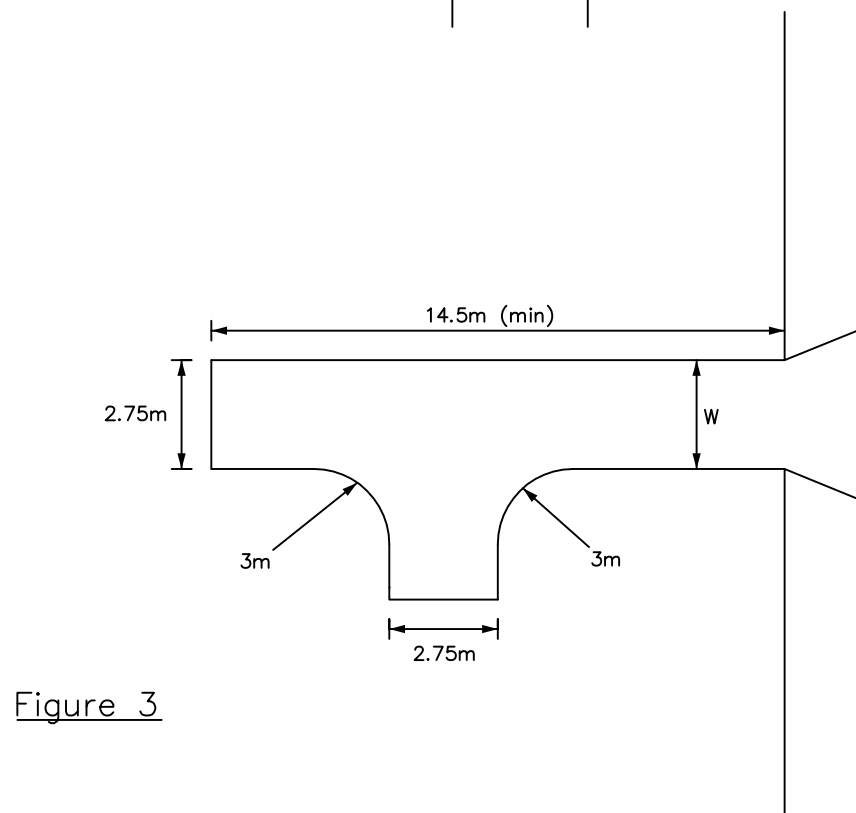
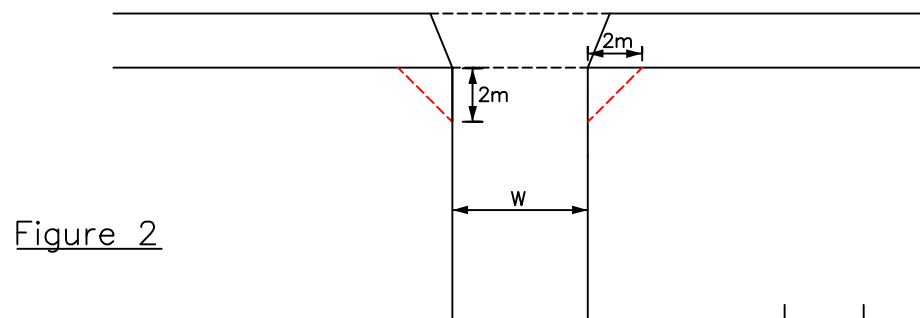
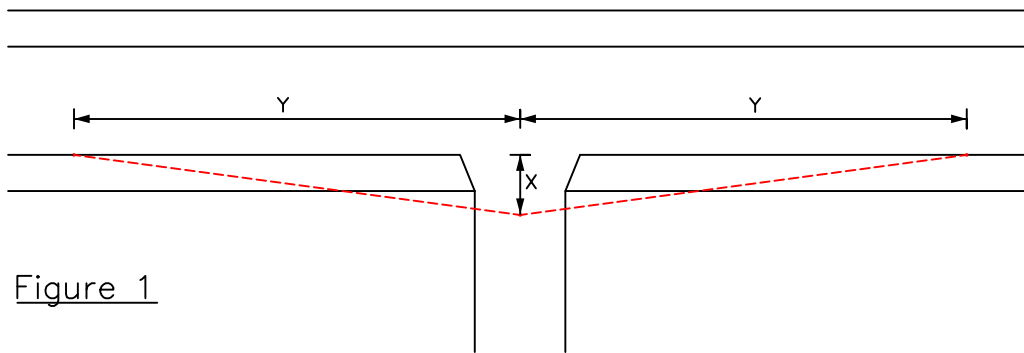
Projecting signage shall not mask drivers' view of any highway signage, traffic signals or visibility splays.

Signs containing directional elements, moving images or flashing lights shall be referred to the highway Authority for consideration.

Illuminated signage shall not exceed the maximum luminance contained in the Institute of Lighting Professionals guidance document PLG05 The Brightness of Illuminated Advertisements (or equivalent guidance document that may replace or supersede it).

Light sources for externally illuminated signs shall be directed/covered so as not to dazzle drivers on the adjacent highway.

Appendix 1 (Diagrams)



Appendix 1 (Explanatory Notes)

Figure 1.

X Distance. Measured back from the nearside carriageway edge along the centreline of the access. Generally 2.4m but may be reduced to 2m in exceptional circumstances (please seek further advice from the Highway Authority if a reduction below 2.4m is sought).

Y Distance. Measured along the nearside carriageway edge in both directions from the centreline of the access. For 30mph speed restricted areas this should be at least 43m. Where 85th percentile vehicle speeds are known the distance may be reduced (please seek further advice from the Highway Authority where a reduction in the splay length is sought or if the speed restriction or 85th percentile vehicle speeds exceed 30mph).

Visibility Sightline. The line of vision connecting the X and Y distances.

Visibility Splay. The area between the nearside carriageway edge and the sightline. This area must be owned or controlled by the applicant or fall within the limits of the public highway. It must be maintained clear of any object greater than 1m in height relative to adjacent nearside carriageway channel level (0.6m in the case of vegetation to allow for growth).

Figure 2.

Access Width 'W'. This should be no less than 2.75m where there is a separate pedestrian access or 3.2m where pedestrians will share the access. Accesses serving between two and five dwellings should be at least 4.25m wide or 4.8m wide in the case of a double drive (where there are two parking spaces side by side). Driveways providing access for refuse vehicles should be no less than 5m wide. In all cases where the driveway is flanked by a boundary structure (such as a wall, fence or hedge) the driveway should be widened by 0.5m or 1m if there is a boundary structure on both sides.

Pedestrian Inter-visibility Splay. Where the driveway emerges onto a footway a 2m x 2m x 45 degrees visibility splay shall be provided on either side of the access at the back of the footway. This splay shall be maintained clear of any object greater than 0.6m in height relative to the adjacent access level.

Figure 3.

On side turning for domestic vehicles shall be provided for accesses emerging onto classified roads, busier estate streets (local distributor roads) or where the driveway serves multiple dwellings.

Appendix 2 (Recommended Conditions and Advisory Notes)

- **New or Modified Access to Highway**

The proposed access to (insert street name) shall be formed/modified (delete as appropriate) in accordance with the submitted application drawings (insert drawing number) laid out and constructed and provided with visibility splays (insert visibility splay dimensions), the area in advance of the sightlines being maintained clear of any object greater than 1m in height relative to adjoining nearside carriageway channel level (0.6m in the case of vegetation or pedestrian inter-visibility splays) throughout the life of the development.

- **On-site Parking and Turning Space**

The premises, the subject of the application shall not be taken into use until space has been provided, laid out and constructed in accordance with the application drawings (insert drawing numbers) for the parking (and turning) of residents and visitors vehicles and thereafter maintained throughout the life of the development free from any impediment to its designated use.

- **On-site Parking (Garages)**

The garage(s) indicated on the approved plan shall be retained for the parking or motor vehicles and cycles. At no time should a garage be converted to living accommodation without the prior express permission of the Local Planning Authority.

- **Gates Set Back from Highway Boundary**

Any gate, barrier or bollard across an approved access shall be set back a minimum of 5m from the nearside highway boundary and shall not open outwards.

- **Footway Crossover Note**

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1990, before any works are commenced to construct a dropped crossover of a footway or verge a licence will be required from Derbyshire County Council. Details can be obtained from the Council's website or Highways Hub and the applicant is advised to allow at least six weeks in any programme of works to obtain the necessary permission to undertake the works.

- **Surface Water Run-Off Note**

Pursuant to Section 163 of the Highways Act 1980, it is an offence to allow surface water run-off from private curtilages to discharge across the footway. Where driveways and hardstanding slope down towards the highway measures shall be taken to ensure that surface water is captured by a channel or gulley and discharged to a sewer or soakaway within the site.

- **Mud on the Highway Note.**

Pursuant to sections 149 and 151 of the Highways Act 1980 it is an offence to allow mud or other extraneous material to be carried from a development site and deposited on the highway. Measures shall be put in place to ensure that this does not occur or if it does that appropriate measures are taken to cleanse the highway. The Highway Authority reserves the right to undertake street cleansing where the developer fails to do so and to recover the costs from them.

- **Driveway Surfacing Note.**

Driveways shall be surfaced with a solid, bound material (not loose chippings) for a minimum distance of 5m measured back from the nearside highway boundary (back of footway or verge).

- **Gates Note**

Gates or other barriers shall open inwards only and not open outwards over the highway (including a footway or verge).

Agenda Item No. 4(d)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Report of the Executive Director – Economy, Transport and Environment

**HIGHWAYS DEVELOPMENT CONTROL - STANDING TECHNICAL
ADVICE FOR HGV OPERATORS LICENCES**

(1) **Purpose of Report** To seek the Cabinet Member's approval for the Highway Authority to provide Standing Advice for use by Driver and Vehicle Standards Agency (DVSA) and operators when considering or submitting applications for goods vehicle operating centres.

(2) **Information and Analysis** In its role as Highway Authority, the County Council is a consultee to the Driver and Vehicle Licencing Authority when it receives applications by goods vehicle operators to operate from new premises or extend the scale of existing operating centres.

Historically, the Council has been consulted in connection with between 100 and 150 license applications each year. However, the DVSA's method of consultation places extremely onerous resource implications upon the Highway Authority in dealing with these applications. This requires the Council's officers to interrogate the Licensing Authority's periodic regional bulletins for operating centres within Derbyshire and also search for newspaper advertisements for them.

The bulletin and advertisements provide no meaningful information regarding the site or the vehicles being applied for and it has been left to the Highway Authority to write to the applicants at its own expense in an effort to obtain this information, with limited success. Even when information is received, there are very limited prospects for imposing conditions or restrictions upon applicants without the (rare) recourse of a public hearing by the Traffic Commissioner. The Highway Authority is not able to take into consideration the nature of the highway leading to the site in its assessment and, more often than not, has found its advice disregarded.

In recent years, the Council has reluctantly based its handling of these licenses on the available resource and outcome limitations, and currently only responds to those proposals which receive complaints or notifications via the planning system.

In an effort to address and manage this situation more meaningfully, it is proposed to publish a Standing Advice note which will be provided to the Licensing Authority to allow its own officers to make a proper assessment of the operating centre without requiring the Highway Authority to spend time, resource and money in obtaining consultation material to limited effect.

It is also proposed to make the information available via the Council's website to assist applicants before they apply for an HGV operator's license from their premises.

(3) **Financial Considerations** As well as saving officer time, printing and postal costs, there will also be a reduction in the need to inspect operating centre sites with a consequential reduction in travel costs and environmental impact and more productive time spent in the office.

(4) **Legal Considerations** The Highway Authority will continue to fulfill its obligations as a consultee to the DVSA using a combination of the proposed Standing Advice and individual assessment of other applications where the Licensing Authority or applicant provides suitable quality consultation material.

(5) **Social Value Considerations** Adoption of this advice will allow officers to devote more time and energy to those applications which have a more significant impact upon the community and assist in maintaining the quality and efficiency of service to the public and developers.

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.

(7) **Key Decision** No.

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

(9) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(10) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the adoption and publication of the attached Standing Advice in connection with Heavy Goods Vehicle Operators' licence applications.

Mike Ashworth
Executive Director – Economy, Transport and Environment

Derbyshire County Council

Economic Regeneration

Highways Development Control Advice Note

Heavy Goods Vehicle Operators Licence Applications

In its capacity as Highway Authority, the County Council seeks to offer advice to applicants and the Driver and Vehicle Standards Agency (DVSA) regarding highway matters which should be taken into account when considering whether to authorise premises as an operating centre for goods vehicles.

Historically, the Council sought to identify each individual application site and provide tailored advice for it. However, the method of advertising applications, the limited information made available to the Council as a consultee and the resources required to provide a consultation response no longer make this form of assessment tenable.

The Highway Authority therefore provides the following Standing Advice for use by applicants and the DVSA in connection with all HGV 'O' Licence applications. Where either the applicant or the DVSA requires more detailed advice regarding highways matters, specific technical queries, accompanied by adequate supporting information, should be submitted to the Council using the contact details at the end of this advice note.

Matters which the Highway Authority is able to take into Account

Under the terms of the consultation process, the Highway Authority is not able to give consideration to the suitability of the highways leading to or from the operating centre, either in terms of width, geometry, design, safety or capacity.

The only matters which can be considered by the Highway Authority are:

- The access between the site and the highway in terms of emerging visibility for drivers and width/geometry to cater for the turning movements of the vehicles proposed to use the site.
- The space within the site to accommodate parking and manoeuvring of the vehicles and trailers the subject of the licence application.

Where the creation of an operating centre involves the change of use of premises under planning legislation, this will be a matter for consideration by the Local Planning Authority. In the event that planning permission is required for a change of use, the Highway Authority will be consulted separately about this by the Local Planning Authority. It should be noted that this Standing Advice does not mean that objections will not be raised at the planning application stage.

Access Visibility

Access visibility is normally measured in compliance with the criteria contained in the Department for Transport's publication Manual for Streets and companion guidance Manual for Streets II. Applicants and the DVSA should refer to these documents to determine whether the operating centre access can be provided with appropriate visibility.

This criteria is based upon a driver position (minor road distance) measured 2.4m back from the nearside carriageway edge of the highway along the centreline of the access. The standard driver's eye height is measured as being 1.05m above the surface of the access. Where the driver's position in terms of bonnet length and height of seating for the specific vehicle being applied for under the licence is different to the above dimensions, these should be substituted for assessment purposes.

From the emerging driver's position, it should be possible to have an unobstructed view along the approach road in both directions commensurate with the imposed speed limit or where it is known, the 85th percentile measured speed of vehicles approaching the access.

This 'major road distance' is measured along the nearside carriageway edge in both directions from the centreline of the access. Connecting the major and minor road distances with a straight line (sightline) provides the visibility splays for the access. The area in advance of the sightline needs to be maintained clear of any object which would impede driver visibility either from the access or along the highway.

The following major road distances are generally applicable for the following speed restrictions:

30mph – 43m in either direction.
40mph – 103m in either direction.
50mph – 149m in either direction.
60mph – 203m in either direction.

Access Geometry

Generally speaking, an access width of 6m with 6m radii on either side of the road should be able to accommodate the swept path of most goods vehicles.

However, this may need to be customised to particular combinations or vehicles and trailers and, depending upon the scale of the operating centre and the status of the highway, it may be necessary to assess the access for simultaneous two-way movement of vehicles and avoid the need for entering and emerging traffic to breach the centreline of the major road.

Where the applicant or DVSA is in any doubt as to these requirements, swept path analysis for the vehicles concerned should be obtained and the Highway Authority consulted.

Where it is proposed that the operating centre access is to be gated or secured by some form of barrier, this should be set back a sufficient distance to allow the proposed vehicles to draw in clear of the public highway when the gate is closed.

Where any changes are proposed to be made to a vehicle access within highway limits, the applicant will be required to obtain permission from a vehicle crossover licence from the Highway Authority, pursuant to Section 184 of the Highways Act 1980.

On-site Parking and Turning Provision

As part of the application, the applicant should clearly indicate the dedicated space available for existing and proposed vehicles and trailers operating from the premises.

Parking bay sizes should be based upon the manufacturers' external dimensions for the vehicles concerned, plus allowance for cab and trailer door opening and 10% contingency for access around the vehicle by drivers and other operatives.

Advice regarding turning characteristics for various types of goods vehicles may be obtained from the Freight Transport Association's publication 'Designing for Deliveries'. It should be possible for all goods vehicles to be able to enter and leave the operating centre access in forward gears without the need for excessive forward and reverse turning manoeuvres.

Further Advice and Assessment

Where the applicant or DVSA requires further detailed assessment by the Highway Authority, this should be submitted in writing to the postal or e-mail address below.

Requests should be supported by full details of the application, operating centre and vehicles being applied for, including scale plans of the site and access, criteria of the vehicles being applied for and any supplementary information, such as speed surveys and swept path analysis, where appropriate. Without such information, it will not be possible to provide a meaningful consultation response.

Author: David Arnold
Ext: 39772

Public

By post to:

Derbyshire County Council
Economy, Transport and Environment Department
Highways Development Control
County Hall
Matlock
Derbyshire DE4 3AG

By e-mail to:

ETE.DevControl@derbyshire.gov.uk

DRAFT

Goods Vehicle Licencing Authority

Dear Sirs,

**HGV Operators Licences
Highway Authority Consultation Process**

You will no doubt be aware that, in its capacity as Highway Authority, the County Council offers a consultee service providing your Authority with comment in connection with the highways impact of applications for new or modified Operators Licences for premises within Derbyshire.

The current arrangements have become increasingly resource hungry for the Highway Authority, requiring the Council to interrogate the Bulletins to identify those applications within the County, a procedure which at best could be construed as notification rather than consultation.

The information provided on the application Bulletin gives no meaningful data regarding the precise site location, its size, point of access or land controlled by the applicant. This frequently makes it impossible to undertake any assessment of the premises from a highway viewpoint and the level of information provided is simply not considered reasonable or fit for purpose. Historically, the Highway Authority has taken it upon itself to write to applicants with a plan asking for them to provide the necessary information, with mixed results. Resourcing this level of service is no longer tenable and the Highway Authority subsequently finds itself unable to provide you with a consultation service due to the inadequate levels of supporting information provided.

The inability to give any consideration to the local highway network as part of the assessment is a frequent frustration for local communities and one which the Highway Authority finds itself having to explain on many occasions to the incredulity of the local populace. Furthermore, even having obtained the above information at its own time and expense, where access assessments are carried out using recognised National criteria, these are often disregarded as being inapplicable to the exact vehicle for which the licence is being applied - again information which is not available to the Highway Authority as part of the Bulletin publication.

It is therefore considered that, as a consequence of the process, the outcomes for the Highway Authority do not merit the level of resource currently being applied to this activity.

I therefore regrettably have no option but to provide you with standing advice based upon the criteria the Highway Authority's officers would use if they had the necessary and reasonable level of consultation material to carry out an assessment. I would therefore refer your licencing officers to the access visibility criteria contained in sections 7.5 – 7.7 of the Department for Transport's Manual for Streets and Section 10 of its companion document Manual for Streets 2. In terms of vehicle swept paths, turning characteristics and parking bay sizes, the Freight Transport Association's publication Designing for Deliveries has always provided a useful indicator as to the adequacy of an operating centre's dimensions.

Yours Faithfully

Agenda Item No. 5(a)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Joint Report of the Executive Director – Economy, Transport and Environment
and the Director of Finance & ICT

**FUNDING OF THE DIGITAL DERBYSHIRE TEAM AND FUTURE
DELIVERY OF DIGITAL INFRASTRUCTURE**

(1) **Purpose of Report** To seek approval to fund the revenue costs of the Digital Derbyshire Team from financial year 2021-22. The budget is required to cover the salary costs of the three temporary posts which were created at the outset of the project back in 2013 but have been required to continue due to the ongoing national deployment of fibre broadband technology.

(2) **Information and Analysis**

Background

In 2013, the Council entered into a contract with BT to facilitate the delivery of superfast fibre broadband throughout the County. The award followed a procurement exercise which utilised the Department for Digital, Culture, Media and Sport (DCMS) national framework. The Digital Derbyshire broadband programme was established to manage delivery throughout Derbyshire.

The programme remains a key deliverable for “A Prosperous Derbyshire” set out in the current Council Plan and underpins other priorities around “Empowered and Self-Sufficient Communities” and “High Performing Council Services”.

Progress and Delivery

Since 2013, Digital Derbyshire has delivered faster broadband to over 103,000 premises, of which over 97,000 have access to superfast (in excess of 24Mbps) broadband. The current deployment phase is due to continue until December 2020, by which time it is anticipated that over 112,000 premises will have access to faster broadband and of which, over 104,000 premises will have access to superfast broadband. At present, the take up of fibre services for enabled premises is approximately 56% and is expected to increase due to the targeted efforts with local communities.

Government and BT have built a reward mechanism into the delivery programme and performance targets (gainshare/clawback mechanism) which essentially returns a level of investment back into the local pot based on achievement of take-up above 30%. Section 3 and Appendix A of this report outline the current level of gainshare that can be expected based on a number of scenarios.

The roll-out of digital infrastructure continues to be a key enabler in helping ensure all Derbyshire's communities and businesses are fit for the 21st Century. Effective digital infrastructure directly supports business competitiveness, boosts productivity, creates employment and allows business to explore and access new markets; of equal importance is its role in helping tackle climate as a critical means of transporting and widening access to services and reducing the need to travel.

The pace of technological advancement is unprecedented and its impact is recognised in the Government's Industrial Strategy. The recent Queen's speech highlighted the continuing ambition to "*accelerate the delivery of fast, reliable and secure broadband networks to millions of homes*". The roll-out of gigabit capable broadband will rely on the infrastructure the Council is currently delivering and will require major local input into providing the blend of technologies required to achieve this aim, as well as implementing 5G (the fifth generation mobile network).

Through Digital Derbyshire, the Council is committed to building on the investment already made in digital infrastructure and exploring emerging technologies to ensure Derbyshire continues to be a great place to live, learn, work, invest and visit. This is made possible through the rollout of full fibre which will provide the necessary infrastructure to support 5G and 'smart cities' initiatives. In addition, the Government is committed to providing this infrastructure and has outlined its objectives in the Future Telecoms Infrastructure Review (FTIR), a copy of which can be found at: <https://www.gov.uk/government/publications/future-telecoms-infrastructure-review> .

As part of the arrangements with DCMS, the Council is responsible for ensuring satisfactory resource is in place to continue the roll-out of the Building Digital UK (BDUK) programme in Derbyshire, especially Contract 2. However, the reward from increasing the level of take-up, and subsequent gainshare/clawback amount, is considerable and resourcing the team should, therefore, be viewed as more than just meeting responsibilities as managing body but also as an invest to save initiative.

(3) Financial Considerations The contract with BT (which is fundamentally a capital investment contract) does not allow the Council to capitalise associated revenue costs such as salaries against the programme.

As a result, the Council has been required to allocate revenue funding from other salary budgets in Economic Development to cover delivery of the Digital Derbyshire programme up to 31 March 2021. Although this arrangement was considered appropriate at the time (as the programme was only due to run for 4 years from 2013), the continued extension and expansion of the programme by Government has placed great revenue (salary) strain on the service.

The contract with BT does, however, include a gainshare/clawback mechanism whereby funding is returned to the investment pot. It is expected this be used for: further reinvestment in fibre technology until such time as there is no money left in the investment pot; no further deployment of infrastructure is required; or until it becomes too expensive to deliver any remaining premises with fibre technology (furthest from the grid). After the term of the contract, any remaining funding within the investment pot is returned to the Council by BT. The gainshare mechanism is calculated by actual take-up figures of fibre services and is reviewed at regular periods throughout the term of the contract. Basically, the higher the take-up, the more funding is returned by BT to the investment pot.

As a clear 'invest to generate model', retention of the Digital Derbyshire team is fundamental to ensuring take-up of fibre services and delivery of the Council Plan priority. The targeted activity of the team will also help maximise the level of gainshare which will be returned to the Council.

It is proposed to fund the Team by the use of General Reserve for the four years from 1 April 2021 until 31 March 2025. Reimbursement of staff salary costs will be returned to General Reserves through the gainshare mechanism as described above. Therefore, the Revenue budget can be reduced by £150,000 in accordance with the five year savings plan.

The Digital Derbyshire Core Team currently costs £130, 000 (with attributable on-costs such as pension and National Insurance (NI) contributions) and consists of:

- Programme Manager - (G13) – Permanent.
- Project Officer (Engagement) - (G9) – Fixed term until 31 March 2021.
- Project Officer (Contracts) - (G9) – Fixed term until 31 March 2021.

An additional £20,000 per annum is requested to support marketing, design and community engagement activity – critical to increasing premises take up and ultimately feeding the investment pot. The total revenue cost of the team therefore is £150,000 per annum.

Using a projected gainshare/clawback calculator, a number of scenarios have been produced to detail the potential funding amounts that could be available. These scenarios are listed in Appendix A.

The information listed in Appendix A is based on the projected gainshare from the first contract with BT. It is anticipated that additional gainshare funding will be made available through the 2nd contract over the coming years. The level of risk in funding the team through the General Reserve in the interim is therefore considered low.

(4) **Social Value Considerations** The impact of improved digital infrastructure on access to services, access to procurement and wider economic growth for both residents and businesses cannot be underestimated. Without an active and dynamic investment programme that secures faster speeds and adopts modern infrastructure, the County could be left behind as a place in which to live, learn and invest.

(5) **Transport Considerations** Faster and smarter digital technology will significantly aid the drive to tackle climate change by helping reduce the need for travel, supporting remote working and the electronic movement of goods and services.

Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health and property considerations.

(6) **Key Decision** No.

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

(8) **Background Papers** Held on file within the Economy, Transport and Environment Department.

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

9.1 Notes the importance the Council plays in enabling the delivery of an effective digital infrastructure through the Digital Derbyshire in delivering Council Plan priorities.

9.2 Approves the funding for the Digital Derbyshire Team of £150,000 per annum from the General Reserve for the four years from 1 April 2021 until 31 March 2025.

Mike Ashworth
Executive Director – Economy,
Transport and Environment

Peter Handford
Director of Finance & ICT

Appendix 1 – Gainshare/Clawback Scenarios

Gainshare/Clawback scenarios (Increase)	1st Review Point (Sept 2019) – Provided early and remodelled in new CR	2nd Review Point (Sept 2021)	3rd Review Point (Sept 2023)	4th Review Point (Sept 2024)	Total Gainshare over term:
Based on actual take-up to Q2 2019 of 56%, and then increases by 1% per quarter to 60%, and remains at 60% for the remaining term.	*£2,410,976	£2,559,068	£2,841,861	£1,420,930	£9,371,893
Based on actual take-up to Q2 2019 of 56%, and then increases by 1% per quarter to 65% and remains at 65% for the remaining term.	*£2,410,976	£2,559,068	£3,098,946	£1,592,320	£9,800,368
Based on actual take-up to Q2 2019 of 56%, and then increases by 1% per quarter to 70% and remains at 70% for the remaining term.	*£2,410,976	£2,559,068	£3,150,363	£1,755,140	£10,014,605
Based on actual take-up to Q2 2019 of 56%, and then increases by 1% per quarter to 60% and drop by 5% per quarter to 20% for the remaining term.	*£2,410,976	£2,559,068	£1,299,353	£49,813	£6,458,267

*Gainshare/Clawback amount already included within Change Request CR007 in March 2018.

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Agenda Item No. 5(b)

DERBYSHIRE COUNTY COUNCIL

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

21 November 2019

Joint Report of the Executive Director - Economy, Transport and Environment
Department and the Director of Finance & ICT

BUDGET MONITORING 2019-20 – PERIOD 5

(1) **Purpose of Report** To provide the Cabinet Member with an update of the Revenue Budget position for 2019-20 up to the end of 31 August 2019 - Period 5.

(2) **Information and Analysis**

Forecast Summary

The net controllable budget for the Highways, Transport and Infrastructure portfolio is £77.316m.

The Revenue Budget Monitoring Statement prepared at Period 5 indicates that there is a projected year-end overspend of £1.151m.

The overspend will be supported by the use of £2.000m from the Budget Management earmarked reserve, as agreed in the Revenue Budget report 2019-20 which was reported to Council on 6 February 2019 (Minute No.12/19 refers). Use of this reserve has enabled the Highway Maintenance budget to remain at the same level as the previous financial year. After the use of this reserve, the forecast is an underspend of £0.849m.

The significant areas which make up this projection are shown in the table below:

	Controllable Budget £m	Projected Actuals £m	Forecast Over/(Under) Spend £m
Waste Management	44.081	42.762	(1.319)
Public and Community Transport	14.742	14.421	(0.321)
Highways Maintenance	13.484	11.995	(1.489)
Winter Maintenance	1.473	3.250	1.777
Highway Management and Land Reclamation	2.210	2.008	(0.202)

Road Safety	0.176	0.452	0.276
Resources and Improvement	2.340	2.037	(0.303)
Countryside Services	2.440	2.393	(0.047)
Council Fleet Services	(0.562)	(0.810)	(0.248)
Planning and Development	0.651	(1.535)	(2.186)
Flood Risk Management	0.453	0.334	(0.119)
Digital Derbyshire	0.156	0.288	0.132
Management Team	0.599	0.563	(0.036)
Pension Back Funding	0.323	0.309	(0.014)
Unallocated Savings	(5.250)	0.000	5.250
Total	77.316	78.467	1.151
Use of Budget Management Earmarked Reserve	2.000	0.000	(2.000)
Total After Use of Reserves	79.316	78.467	(0.849)

Key Variances

Waste Management underspend £1.319m.

The underspend is due to lower waste tonnages than originally forecast and additional savings under the new service continuity arrangements.

Highway Maintenance underspend £1.489m.

The underspend is due to salaries being allocated to capital budgets, as opposed to revenue, and vacancies. Posts in the new Highway Structure are currently being filled, which will reduce the underspend.

Winter Maintenance overspend £1.777m.

The budget for winter maintenance is £1.473m. At Period 5, £0.976m of this had been spent. The forecast for the year is £3.250m, giving a projected overspend of £1.777m.

Planning and Development underspend £2.186m.

An increase in sections 38 and 278 (Highways Act 1980) agreements income are the main contributors to this underspend.

Budget Savings

Budget reductions totalling £2.609m were allocated for the year. Further reductions allocated in prior years, totalling £3.321m, had not been achieved and were brought forward to the current year. This has resulted in total reductions to be achieved of £5.930m at the start of the year.

The value of the savings initiatives which have been identified for implementation in the current year is £0.680m. In addition, there are £0.494m of savings initiatives identified in the previous year which have not been achieved at the start of the year, but are still expected to be achieved within the year.

The shortfall between the total reductions expected to be achieved and the identified savings initiatives at the start of the year is £5.250m, shown in the table above as "Unallocated Savings".

It is forecast that £0.680m of savings will have been achieved by the year-end. The table below shows performance against the target.

Identified Savings Initiatives	Budget Reduction Amount £m	Forecast to be Achieved by the End of 2019-20 £m	(Shortfall)/ Additional Savings Achieved £m
Gold Card	0.250	0.250	0.000
Safe and Active Travel	0.240	0.240	0.000
Countryside	0.100	0.100	0.000
Parking management	0.090	0.090	0.000
Total of Identified Savings Initiatives	0.680	0.680	0.000
Shortfall/(Surplus) of Identified Savings	5.250	0.000	5.250
Total Savings Target	5.930	0.680	5.250

Budget Reductions	£m
Prior Year Brought Forward	3.321
Current Year	2.609
Total Savings Target	5.930

Growth Items and One-Off Funding

The portfolio received the following additional budget allocations in 2019-20:

Waste Treatment and Disposal - £1.500m ongoing.

Increases in the cost of delivering the main waste treatment and disposal contracts across Derbyshire, and the increased cost of recycling credits.

Highways Maintenance - £1.000m one-off.

To provide a co-ordinated, cyclical maintenance programme and maintenance improvements.

Public Transport - £0.500m ongoing.

To enable reasonable levels of public transport accessibility to be maintained across Derbyshire.

Water Body - £0.100m one-off.

Ext: 38730

Changes to regulations have given rise to additional project management responsibilities, in respect of the Council's obligations to managing its water bodies.

HS2 Co-ordination Officer - £0.064m one-off.

To provide support in representing the Council's interest as the HS2 route is developed.

Street Lighting - £0.048m one-off.

To meet the inflationary costs of street-lighting energy.

Risks

There is a risk that the following issues could negatively impact on the portfolio's forecast outturn position reported in the Forecast Summary above:

Service	Risk	Sensitivity £m	Likelihood (1 = Low, 5 = High)
Department General	Failure of assets including roads, pavements, bridges, retaining walls, street lighting columns, safety fencing, gullies, countryside assets, canals, reservoirs, etc.	1.500	4
Winter Maintenance	Impact of a severe winter.	1.500	4
Street Lighting Energy and Maintenance	Further energy price increases, or further slippage in implementation of the LED programme.	0.300	2
Flooding and/or extreme weather	Emergency response procedures are in place to minimise the impacts of these emergencies, however have to deal with retrospectively.	1.000	3
Waste Management	Costs associated with resolving the future of the Waste Treatment Plant at Sinfen*, including the possibility that some of these costs may not be able to be capitalised.	3.000	5

*If additional borrowing is required to purchase the Waste Treatment Plant, this will negatively impact on the Council's debt charges budget. When the plant is brought into operation, this may reduce the overall cost of waste management, which would offset the future impacts on these budgets to some extent.

Earmarked Reserves

Earmarked reserves totalling £16.851m are currently held to support future expenditure. Details of these reserves are as follows:

Reserve Description	Amount £m
Grants	1.369
Committed Liabilities – Revenue	0.600
Committed Liabilities – Capital	1.085
Winter Maintenance	2.000
Money Held on Behalf of Other Councils and Partnerships	0.301
Renewal Funds regarding Laboratory and Fleet Equipment	0.056
Waste Recycling Initiatives	0.598
Derby and Derbyshire Road Safety Partnership	0.202
ETE Underspend Reserve (committed to specific projects)	2.999
ETE Underspend Reserve (to assist with managing the Department's savings programme)	7.641
Total Earmarked Reserves	16.851

Debt Position

The profile of the debt raised, relating to income receivable by services within the Economy, Transport and Environment Department is as follows:

0 – 30 Days £m	31 – 365 Days £m	1 – 2 Years £m	2 – 3 Years £m	3 – 4 Years £m	Over 4 Years £m	Total £m
0.634	3.871	0.642	0.051	0.023	0.010	5.231
12.11%	74.00%	12.28%	0.98%	0.44%	0.19%	100%

In the year up to the end of 31 August 2019, the value of debt that has been written off totals £0.014m.

(3) **Financial Considerations** As detailed in the report.

Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

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

(6) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(7) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes the report.

Mike Ashworth
Executive Director – Economy,
Transport and Environment

Peter Handford
Director of Finance & ICT