

# Public Document Pack



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Ask for Anne Barrett

PUBLIC

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

Wednesday, 1 April 2020

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Highways, Transport and Infrastructure** to be held at **10.00 am** on **Thursday, 9 April 2020** in Meeting to take place via Skype, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S Hobbs', written over a light blue horizontal line.

**Simon Hobbs**  
**Director of Legal and Democratic Services**

## **AGENDA**

### **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 - 6)  
  
      To confirm the non-exempt minutes of the meeting of the Cabinet Member

– Highways, Transport and Infrastructure held on 16 March 2020

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

- 4 (a) Petition - Duke Street, Whitwell - Request for the Introduction of a Residents Parking Scheme (Pages 7 - 10)
- 4 (b) Petition - A6 Ambergate - Request for a Pedestrian Crossing (Pages 11 - 16)
- 4 (c) Request for the Use of Anti-Idling Signs at Dronfield (Pages 17 - 22)
- 4 (d) Statements of Common Ground - Doncaster Council (Pages 23 - 28)
- 4 (e) Water Abstraction and Impounding (Exemptions) Regulations 2017 Funding - Request for Creation of Reserve Fund (copy to follow)

**DERBYSHIRE COUNTY COUNCIL**

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

**9 APRIL 2020**

**Report of the Director of Legal and Democratic 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>
Duffield, Melbourn Close - Request for Repairs to Pavement	28	Councillor C Short

**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**  
**Director of Legal and Democratic Services**

PUBLIC

**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 16 March 2020

**PRESENT**

Cabinet Member - Councillor B Lewis

Also in attendance – Councillor T Ainsworth

**16/20**      **PETITIONS**      **RESOLVED** (1) to receive the under-mentioned petition:-

<b>Location/Subject</b>	<b>Signatures</b>	<b>Local Member</b>
Whitwell Woods – Request for Improved Access and Safety	219 (paper petition) 155 (Epetition)	Councillor D McGregor
Ilkeston, Queens Drive – Overgrown Trees – Safety Concern	50	Councillor T King
Breaston, Longmoor Lane – Request for Urgent Investigation and a Long Term Solution in respect of Flooding on the Lane	51	Councillor R A Parkinson
Cressbrook - Request for Speed Management Measures to Address Road Safety Issues	79	Councillor J Twigg

(2) that the Executive Director – Economy, Transport and Environment investigates and considers the matters raised in the petitions.

**17/20**      **MINUTES**      **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 13 February 2020 be confirmed as a correct record and signed by the Cabinet Member.

**18/20**      **PETITION - BRADWELL – ALLEGED PARTIAL BLOCKAGE OF THE HIGHWAY**      Following receipt of a petition requesting that consideration be given to activities associated with partial blockage of the highway in Bradwell, investigations have been undertaken.

The County Council was alerted to the construction of a wall along what the adjacent property considered to be the boundary between private property and public highway at Bradwell. A letter was forwarded to the occupier requesting information of the work proposed, and advised that the work should cease until further investigation has been undertaken to establish the boundary. However, work continued and the wall was now built.

Surveys have been undertaken and the extent of publicly maintainable highway clarified which indicated that encroachment appeared to have occurred.

Three options were available:-

Option 1 - Require the removal of the obstruction to the highway by serving a notice under Section 143 of the Highways Act 1980.

Option 2 - If the Council considered stopping-up to be an option, the occupier would need to request the County Council to make an application to the Court under Section 116 of the Highways Act 1980 and meet Derbyshire County Council's costs. However, the County Council would be required to carry out statutory consultation with the District and Parish Councils for the area and, if they objected, the application could not proceed.

Option 3 - Use powers under Section 256 of the Highways Act 1980 to exchange land to adjust the boundaries of the highway.

Any costs would be met from the Highways Maintenance Revenue budgets, however, should enforcement action be undertaken, the County Council would seek to recover its reasonable costs.

The Cabinet Member allowed Andrew Judge, Lead petitioner and resident of Bradwell to address the meeting. He stated that his mother had owned the private property and when she sold it there was nothing legally that indicated the encroached area was the boundary

**RESOLVED** (1) to note the information contained within the report relating to the obstruction on the highway in Bradwell;

(2) to remove the obstruction to the highway by serving a notice under Section 143 of the Highways Act 1980; and

(3) the Local Member, head petitioner and all interested parties be notified accordingly.

**19/20 PETITION REGARDING ROAD SAFETY CONCERNS - A6 BUXTON ROAD, FURNESS VALE**

Following the receipt of a petition requesting measures to provide speed cameras and evaluation of volume of traffic and the condition of the A6 Buxton Road, Furness Vale, investigations have been undertaken.

The section of the A6 through Furness Vale was subject to a 30mph speed limit. The County Council has already invested considerably in this stretch of road, having installed electronic vehicle activated signs (VAS) and a system of central hatching and pedestrian refuges. It was also identified as a Casualty Reduction Enforcement Support Team (CREST) mobile speed camera enforcement site.

A permanent traffic counter on the A6, just north of Furness Vale, has given readings of between 15,500 and 17,500 vehicles a day over the last three months, which were below the Department for Transport's average daily flow figures for 'A' class roads. Speed surveys carried out near the school in May 2019 gave an 85th percentile speed of 36mph.

On the section of the A6 from Bridgemont to Newtown, approximately 2 miles in length, there have been seven recorded injury collisions over the latest three year period. One has been categorised as serious in severity, with the other six being categorised as being slight.

The strategic nature of the road and the level of HGV usage ruled out certain engineering measures and taking into account the measures already implemented, it was not recommended to consider further speed intervention measures on this section of the network at present. The introduction of fixed safety cameras was the responsibility of the Derby and Derbyshire Road Safety Partnership, however currently sites with three injury related collisions involving people getting killed or seriously injured (KSI) over a 1km length during the latest 36 month period would be considered.

Any defects, including ironwork grids in the road, should be reported to the County Council, via its website, to enable inspections to be carried out and any appropriate remedial works to take place. This section of the A6 was subject to monthly inspections to identify any issues with road safety and condition, and residents were also encouraged to contact Derbyshire CREST for continued speed enforcement.

**RESOLVED** that (1) the conditions on the A6 Buxton Road, Furness Vale, will continue to be monitored through the highway inspection process;

(2) the Casualty Reduction Enforcement Support Team (CREST) will continue to enforce the current speed limit; and

(3) the lead petitioner be informed accordingly.

**20/20**      **REPORT ON THE DELIVERY OF THE SECTION 19 FLOODING INVESTIGATION**      The flooding event between 7 and 16 November 2019, which affected large parts of the County, has triggered the requirement for the County Council, as the "Lead Local Flood Authority", to undertake a Section 19 Flooding Investigation. The draft report was expected to be completed by the end of March 2020.

The statutory requirement of the output of a formal Flooding Investigation was to identify which risk management authorities have relevant flood risk management functions; to establish if those functions have been exercised or are intended to be and to publish the results and notify relevant risk management authorities.

The investigation included distributing a questionnaire to approximately 2,000 properties and businesses to obtain more detailed information from those affected by the flooding, site visits to the flood affected communities and liaising with all of the relevant authorities (Environment Agency, water authorities, district/borough councils, etc), all of which will inform this Section 19 Flooding Investigation.

**RESOLVED** to note and welcome the progress being made on delivering the Section 19 Flooding Investigation following the November 2019 flooding events.

**21/20**      **BUDGET MONITORING 2019-20 – PERIOD 9**      The net controllable budget for the Highways, Transport and Infrastructure portfolio was £77.639m. The Revenue Budget Monitoring Statement, prepared at Period 9, indicated that there was a projected year-end overspend of £1.519m. The portfolio incurred additional costs of almost £0.547m due to the Toddbrook Reservoir Whaley Bridge incident which has been funded from General Reserve. The rest of the overspend would be supported by the use of £2.000m from the Budget Management earmarked reserves. After the use of this reserve, the forecast was an underspend of £0.481m.

The key variances included Waste Management (underspend £2.734m), Public Transport (underspend £0.480m), Highway Maintenance (overspend £0.509m), Winter Maintenance (overspend £1.527m) and Planning and Development (underspend £1.820m).

Budget reductions totalling £2.593m were allocated for the year, with a brought forward figure from previous years of £3.321m. This has resulted in total reductions to be achieved of £5.914m at the start of the year. The short fall between the total reductions expected to be achieved and the identified savings initiative at the start of the year was £5.250m. It was forecast that £0.680m of savings would have been achieved by the year-end.

Growth items and one-off funding in the 2019-20 budget included Waste Treatment and Disposal (£1.500m ongoing), Highways Maintenance (£1.000m one-off), Public Transport (£0.500m ongoing), Water Body (£0.100m one-off), HS2 Co-ordination Officer (£0.064m one-off) and Street Lighting (£0.048m one off).

Earmarked reserves relating to this portfolio, totalling £16.882m, were currently held to support future expenditure. Risks and the debt position were also detailed in the report.

**RESOLVED** to note the report.

**Agenda Item No. 4(a)**

**DERBYSHIRE COUNTY COUNCIL**

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

**9 April 2020**

Report of the Executive Director – Economy, Transport and Environment

**PETITION – DUKE STREET, WHITWELL – REQUEST FOR THE  
INTRODUCTION OF A RESIDENTS’ PARKING SCHEME**

(1) **Purpose of Report** To inform the Cabinet Member of a petition requesting that the Council introduces a Residents’ Parking Scheme (RPS) for Duke Street in Whitwell.

(2) **Information and Analysis**

**Background**

At the meeting on 13 February 2020, the Cabinet Member acknowledged receipt of a petition (Minute No. 11/20 refers). It contained 22 signatures with a covering letter from a local Bolsover District Councillor requesting that the Council revisits a previous request for the introduction of a RPS on Duke Street, Whitwell which was refused.

**Officer Comment**

Duke Street is a residential street in Whitwell where most of the dwellings consist of terraced and semi-detached type properties that have very little access to off-street parking. The width of Duke Street varies from approximately 6.8 metres (m) to 7.5m, which means it can accommodate parked vehicles on both sides of the road without causing an obstruction to through vehicles. Welbeck Street is situated at the southern end of Duke Street with Mill Crescent at the northern end. There are parking restrictions at the end of Duke Street extending from its junction with Welbeck Street to facilitate the movement of large vehicles and on Welbeck Street itself, which help with the unobstructed movement of vehicles, such as buses and refuse vehicles. Welbeck Street is also subject to some 30 minute short stay parking restrictions that operate Monday to Saturday between 8am to 6pm. Mill Crescent has an extremely narrow width of approximately 3.8m which means that vehicles tend to park partly on the footway to allow room on the carriageway for vehicles to pass.

RPSs are considered by the Council from time to time at locations that form part of a large urban area with long term on-street parking taking place by non-residents. This prevents residents from parking near to their properties for the majority of the working day (the working day is taken to be 8am to 6pm, Monday to Friday).

An example of this parking issue is in the town centre in Chesterfield, where shop workers parked up on the residential streets close to the town centre for the duration of the day, rather than using appropriate town centre car parking facilities.

Parking schemes need to be considered on an area basis rather than for an individual street, such as Duke Street. This is to ensure that any scheme which is introduced complies with the requirement of being 'zero finance'. The initial set up costs and the running costs of the scheme in the form of regular visits by Civil Parking Enforcement staff must be covered by the fees obtained from issuing the annual permits to residents so that no additional costs fall to the County Council. Unfortunately, experience shows that single streets do not provide sufficient income to cover these costs.

The area wide approach also ensures that the risk of displacement parking from one street to an adjoining one is lessened. Duke Street does not suffer from significant outside parking, with the majority of the parked vehicles most likely to be residential parking from both Duke Street and surrounding streets, such as Welbeck Street. Motorists probably choose to park on Duke Street as it is a reasonably wide, unrestricted road, capable of parking taking place on both sides of the road without causing an obstruction problem.

As stated previously, the Council only considers a zone containing several streets to be considered for a RPS. In the case of Duke Street, vehicles are more likely to come from neighbouring streets and would therefore be entitled to a RPS permit for the zone, with the result that levels of on-street parking on Duke Street remaining unchanged. Residents would therefore be paying an annual fee for a permit which still does not guarantee them a parking space on their road, let alone outside their property.

Taking the above into account, it is recommended that a RPS is not suitable for Duke Street, Whitwell and the request is declined.

### **Local Member Comment**

Councillor Duncan McGregor was consulted on the matter and was in support of the residents' request for a RPS.

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

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984 states that it shall be the duty of every Local Authority exercising the functions in that Act (so far as practicable having regard to the matters listed below) to secure the expedition, convenient and safe movement of vehicular and other traffic (including pedestrian) 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 locally affected and (without prejudice to the generality of this paragraph) the importance of regulatory and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the area 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.

### **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 request for a Residents' Parking Scheme on Duke Street, Whitwell be refused.

8.2 The Local Member and lead petitioner be informed accordingly.

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



Whitwell

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**DERBYSHIRE**  
 County Council

**MIKE ASHWORTH**  
 Executive Director  
 Economy, Transport and Environment

KEY:

	AREA PROPOSED BY RESIDENTS TO BE INCLUDED IN REQUESTED RESIDENTS PARK SCHEME
	EXISTING DOUBLE YELLOW LINES
	EXISTING LIMITED WAITING BAY - 30MINS, NO RETURN WITHIN 1 HOUR, MON-SAT 8AM-6PM
	EXISTING BUS STOP CLEARWAYS

<b>PROJECT TITLE</b>	<b>DUKE STREET, WHITWELL</b>		
<b>DRAWN</b>	<b>PHIL BRAISBY</b>	<b>CHECKED</b>	<b>STEVE DUNGWORTH</b>
<b>Date</b>	20/02/20	<b>Date</b>	20/02/20
<b>APPROVED</b>	<b>STEVE DUNGWORTH</b>		<b>Date</b>
			20/02/20
<b>DRAWING TITLE</b>	<b>APPENDIX</b>		<b>SCALE</b>
			<b>NTS</b>
<b>Project / Confirm Reference No.</b>	<b>PROJECT/CONFIRM_REF</b>		
<b>Drawing Number</b>	<b>HMT/PB/132/20</b>		
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**Agenda Item No. 4(b)**

**DERBYSHIRE COUNTY COUNCIL**

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

**9 April 2020**

Report of the Executive Director – Economy, Transport and Environment

**PETITION – A6 AMBERGATE – REQUEST FOR A PEDESTRIAN  
CROSSING**

(1) **Purpose of Report** To consider a petition received from a resident, on behalf of their local community of Ambergate, requesting a pedestrian controlled crossing to be provided on the A6 Derby Road, Ambergate.

(2) **Information and Analysis** At the meeting on 20 December 2018, the Cabinet Member acknowledged receipt of a petition containing 707 signatures (Minute No. 100/18 refers), requesting Derbyshire County Council considers installing a pedestrian controlled crossing:

*“The A6 that runs through the village of Ambergate is a fast and dangerous road. We have a lot of speeding vehicles and large articulated vehicles pass through.*

*There are many reasons to campaign for a pedestrian crossing near to the church in Ambergate.*

*The village has most of its amenities, the garage and local shop, the church and our local public house the Hurt Arms located on the other side of the A6 to the houses in Ambergate. Making even a short walk for a pint of milk is a dangerous task.”*

**Background**

Ambergate is a village in Derbyshire, situated where the River Amber joins the River Derwent, and where the A610 road from Ripley and Nottingham joins the A6.

Ambergate has an active community life, particularly centred on the school, public houses, churches, sports clubs, and the annual village carnival which is relatively large and consistent locally with popular associated events in carnival week and throughout the year.

### **Officer Comment**

Following receipt of the petition, the Council carried out a survey using the nationally-recognised  $PV^2$  formula as a guide, which helps establish pedestrian activity (P) against the volume of traffic (V). To be sure that a new crossing will be well used, the Council would be looking for numbers in the region of 1,000 vehicles, with 100 crossing pedestrians, for each of any four hours in a 24-hour period.

The results of the survey did not meet the criteria for consideration of a pedestrian crossing. Whilst the volume of traffic along this route may well meet the parameters outlined above, it is not considered that there are a sufficient number of pedestrians crossing to justify consideration of a pedestrian crossing at this time.

It is acknowledged that there is a desire to provide a suitable crossing facility that provides the connectivity for the community, including the residents, community groups and the school, along with access to the local amenities, which are currently divided by the A6. A proposed re-development on the former Firs Works site at Nether Heage into residential dwellings, does, however, have the potential to create a further increase in footfall demand from Newbridge Road to access the aforementioned facilities off the A6 (see *Appendix 1*), that would still require pedestrians to cross the A6.

With regard to this location, the Council acknowledges that there can be congestion at the junction of the A6 with the A610 and that there is a personal injury collision history which shows there have been four injury collisions within the last five years. Taking both these factors into account, it may be possible to signalise the junction and include pedestrian crossing phases within the traffic signal arrangements.

Therefore, it is the opinion of officers that the signalisation of the junction of the A6 with the A610, with pedestrian crossing phases, would be the most effective scheme of work to address the concerns of the petition and improve the traffic flows at this busy arterial road junction. The scheme will be put forward for consideration as part of a future Works Programme funded by the Local Transport Plan. Alternatively, should any other funding opportunities arise, the scheme could be implemented subject to the necessary funding approval.

### **Local Member Comment**

Councillor Trevor Ainsworth made the following comments:

*"I am extremely pleased with this initial outcome, I am also aware that a lot of local people will be too."*

*This will enable parents and carers to use the travel plan adopted by the school more safely, as it is not used now, due to the lack of a safe crossing point.*

*I would also ask that when the designs are prepared for the signalised junction we consider reducing the speed on the approach to the proposed lights to 30 mph which would bring it into line with national thinking that all villages should have a 30 mph speed limit.*

*And that we look at extending the existing reduction in speed in all directions to the curtilages of the settlement.”*

(3) **Financial Considerations** The cost of a scheme to install traffic signals at the junction of the A6 and A610, will be in the region of £200,000, and would be subject to future capital or alternative funding being made available.

(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.

### **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 supports the proposal for the consideration of a scheme to signalise the junction of the A6 with the A610, Ambergate and to include pedestrian crossing phases within the scheme, subject to future availability of a relevant capital budget.
- 8.2 The Local Member and lead petitioner be informed of the decision.

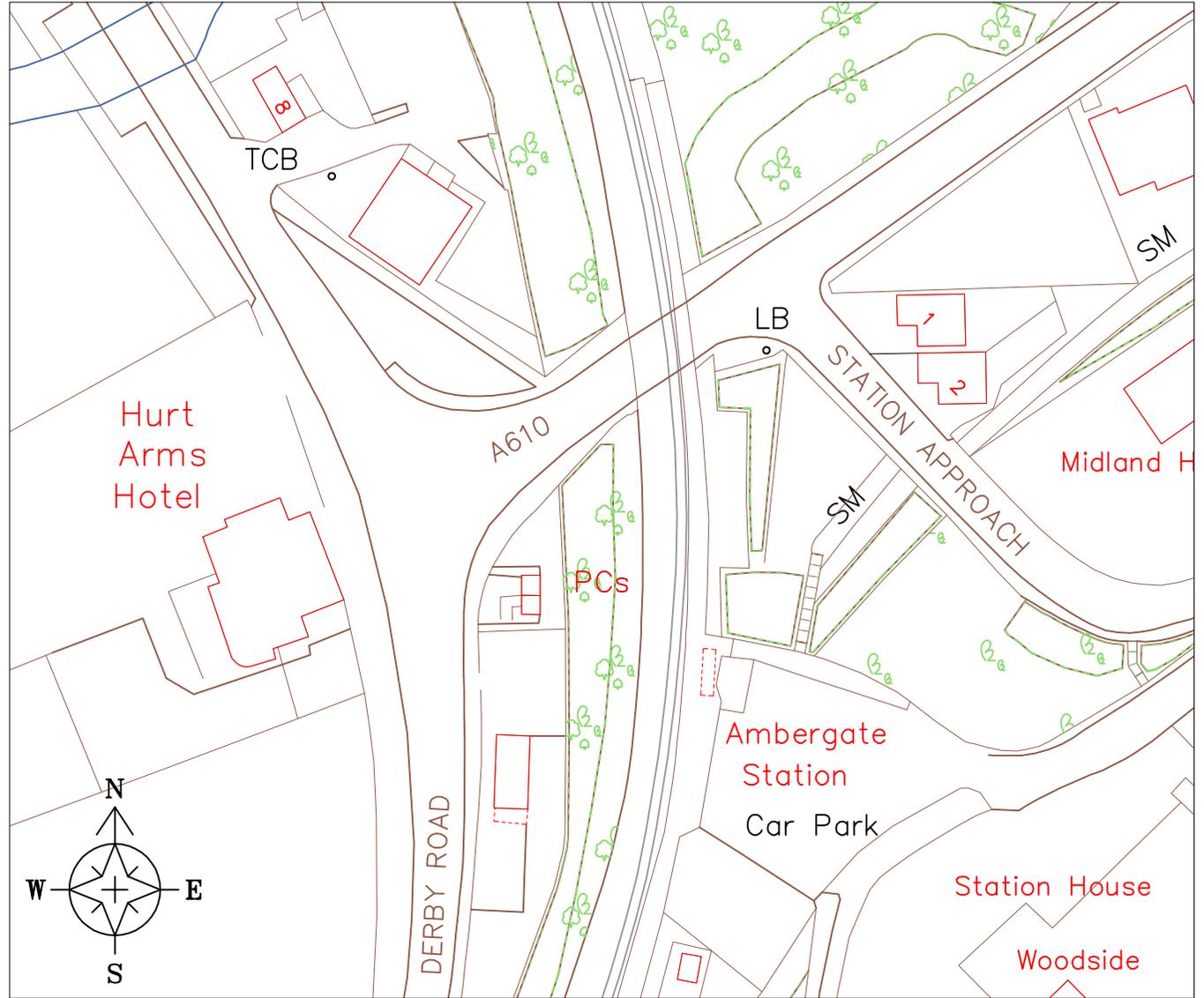
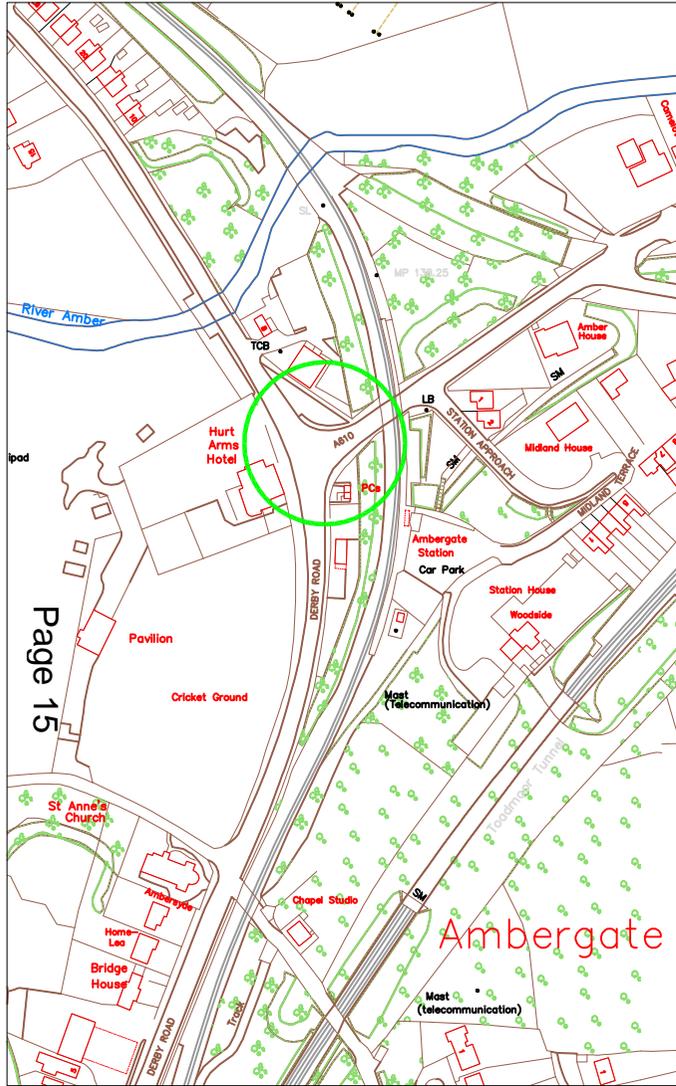
**Mike Ashworth**  
**Executive Director – Economy, Transport and Environment**

Location Plan

Not to Scale

General Layout

Scale 1:1000



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**MIKE ASHWORTH**  
Executive Director  
Economy, Transport and Environment

AMENDMENT DETAILS

BY	CHKD	APVD	DATE	NO.

PROJECT TITLE  
**A610 junction with the A6, Ambergate**

DRAWING TITLE  
**Location Plan**

DRAWN <b>SMP</b>	CHECKED <b>RH</b>	APPROVED <b>RH</b>
Date <b>17/02/2020</b>	Date <b>17/02/2020</b>	Date <b>17/02/2020</b>

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**Agenda Item No. 4(c)**

**DERBYSHIRE COUNTY COUNCIL**

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

**9 April 2020**

Report of the Executive Director – Economy, Transport and Environment

**REQUEST FOR THE USE OF ANTI-IDLING SIGNS AT DRONFIELD**

(1) **Purpose of Report** To consider a request for anti-idling signs to be used outside Dronfield Infant and Junior Schools, and to consider a pilot project to measure the impacts of various air quality initiatives at school sites.

(2) **Information and Analysis**

**Background**

Dronfield Town Council has recently approached the Council seeking permission to erect anti-idling signs on lighting columns close to Dronfield Infant and Junior Schools. The request is on the basis of an initiative Sheffield City Council is promoting over the County boundary in South Yorkshire.

Air pollution is the biggest environmental health risk, contributing to an estimated 530 deaths and 5,400 life years lost in Derby and Derbyshire. The economic cost to the UK is in the order of £20 billion a year.

Studies demonstrate long-term exposure to air pollution (over years) can reduce life expectancy, mainly due to cardiovascular and respiratory diseases and lung cancer. Short-term exposure (over hours or days) to high levels of air pollution can also cause a range of health impacts, including exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and mortality.

Reductions in air pollution require both global, national and local action and a multifaceted approach. The impact of air pollution often disproportionately affects the young, older people, those with underlying health conditions and the most disadvantaged within Derbyshire's communities.

Children are particularly vulnerable to the effects of air pollution. Exposure to air pollution in early life can have a long-lasting effect on lung function and, therefore, it is appropriate to take a particularly focused approach on reducing the impact of air pollution on children. The most effective way to improve air quality is to reduce sources of pollution. The greatest social, health and

economic gains can be achieved where interventions also facilitate modal shift. These can also provide benefits in increasing physical activity and long term climate change benefits.

The County Council already has a statutory duty under the Education and Inspections Act 2006 to promote sustainable travel to school. In particular, the promotion of sustainable travel and transport modes on the journey to, from and between schools and other institutions. The Council's Local Transport Plan seeks to encourage healthier and more sustainable travel options for local journeys, including encouraging more sustainable travel to school.

The vision is to encourage parents and children to choose more active, healthier and environmentally friendly ways of travelling to school as an alternative to driving.

Dronfield Town Council has demonstrated a commitment to proactively reduce exposure to air pollution outside schools in the area. Anti-idling, where engines are turned off while the vehicle is stationary, provides one possible option. However, in order to be effective in reducing air pollution exposure and providing the most effective solution, it is felt a series of other measures would be required to complement.

The Council's Sustainable Modes of Travel Strategy sets out a vision to encourage parents and children to choose more active, healthier and environmentally friendly ways of travelling to school as alternative to driving. Its key objectives are:

- to contribute towards the immediate and long-term health and well-being of children and young people through active travel;
- to reduce road traffic, ease congestion and reduce carbon emissions, especially on routes to schools through active travel and the use of public transport and car sharing;
- to allocate resources, where these are available, that create, sustain and maintain a transport infrastructure that is conducive to active, healthy, safe and environmentally friendly ways of travelling to school; and
- to use travel planning to create a culture of active and sustainable travel among children and parents that has a long-term impact on future travel choices.

The County Council has various programmes and initiatives, including Travel and Scooter Smart programmes, cycle and public transport promotions and Modeshift Stars which encourages participation in the National Sustainable Travel Accreditation and Recognition for schools awards scheme, which has been established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable travel.

District and borough councils have the responsibility for monitoring air quality levels and working with parents to agree an Action Plan where nationally

agreed thresholds are exceeded. Some areas, such as Sheffield City Council, have introduced Anti-idling projects to tackle areas around major roads where concentrations of nitrogen dioxide emissions have exceeded the agreed thresholds. Areas with poor air quality around schools have been prioritised first and also required schools to undertake publicity and education campaigns about turning engines off prior to the authority carrying out enforcement and issuing fixed penalty notices. Signs were erected showing that the areas were patrolled and contraventions enforceable.

Following on from Sheffield's Anti-idling projects to reduce air pollution in its most affected regions, Dronfield Town Council has subsequently approached the County Council with a view to erecting its own Anti-idling signs outside Dronfield Infant and Junior Schools. The signs suggested are approximately A3 in size (300mm x 400mm).

### **Officer Comment**

Behaviour change is key to improving air quality around schools and the County Council's School Travel Planners work closely with all schools, particularly with Modeshift Stars Active Travel Plans, to encourage cycling, walking and scooting to schools, and this should form the basis of any Anti-idling engines campaign. Signage for Anti-idling alone would be unlikely to support behaviour change unless this was supported by wider education, alternative travel options or peer enforcement. There are a number of free toolkits available to support education around clean air and Anti-idling, specifically designed for use in schools. These include posters, lesson plans, pledges for parents and children, as well as resources for schools to recruit peer enforcement volunteers.

Unlike the schemes introduced in Sheffield, which are legally enforced and patrolled by the Civil Parking Enforcement Officers, it is felt that the initial approach in Derbyshire should be on a purely advisory basis as a pilot similar to other temporary poster campaigns sanctioned by the Council. The impact of this would then be monitored to determine whether it should continue annually or perhaps whether measures should be considered similar to those in Sheffield and subject to availability of the cost of legal enforcement.

The following is a link to information which could be used in promoting 'Clean Air Day' on 18 June 2020: <https://www.cleanairday.org.uk/no-idling-toolkit-download>.

It is anticipated that there will be many schools, in addition to those in the Dronfield area, interested in installing Anti-idling schemes. In the short-term, it is recommended that work is concentrated in Dronfield as a pilot project. It is recommended that terms of reference are agreed for the Dronfield area pilot and future requests.

The County Council would:

- Offer the support of the County Council's School Travel Plan Co-Ordinator to assist the schools to prepare and implement Modeshift Stars Active Travel Plans.
- Advise the schools of free toolkits available and encourage them to promote a campaign to improve air quality on routes to schools and surrounding the schools.
- Consider the installation of Anti-idling signs where the schools have a Modeshift Stars active Travel Plan adopted and has shown commitment to carrying out additional promotion of ways to reduce pollution.

At the present time, there are no schools in Dronfield with a Modeshift Stars Active Travel Plan. It is therefore recommended that Dronfield schools be approached to commence preparation of a Modeshift Stars Active Travel Plan in the first instance, to encourage more sustainable travel modes. The schools can also be advised of the available toolkits to support wider campaign to improve air quality. Once these measures are in place, the Council can then work with the schools to develop a pilot scheme project for the installation of Anti-idling signs.

Schools own designs or ones that are promoted in the toolkits can be used by the schools as promotional tools only. Any signage must be in accordance with the Traffic Signs and General Directions 2016. This prohibits the use of permanent signing unless special authorisation is gained from the Department of Transport. It is felt, therefore, in this case, the best approach is to grant permission for a poster type campaign for several months on a temporary basis. Any temporary signing would be of a purely advisory nature with no civil parking enforcement carried out and the signs would have no enforceable status. These must therefore face away from oncoming traffic and not be located in prohibited parking zones. A period of three months is suggested for any promotional campaign, this will allow enough time for any behaviour change to occur and be sustained, prevent apathy and provide opportunity for evaluation.

For the County Council to demonstrate the success of any anti-idling campaign, monitoring and evaluation of the sites also needs to take place. This may include qualitative measures (parent and student feedback) and quantitative measures (observed idling patterns, travel surveys, any before and after air quality data collected). The schools will be encouraged to carry out monitoring to help evaluate outcomes and lessons learnt for any future projects across the County. Toolkits are available to support schools to undertake such evaluation in conjunction with the Council's Data Collection Team.

Alongside measures to reduce idling of parent/carer vehicles, it is important that any campaign also includes measures to reduce contributions of

emissions from wider school transport, including buses and taxis, which often emit higher levels of pollution close to school entrances. Consideration should therefore be made to ensuring variation to existing contracts or amendments to future contracts with bus and taxi providers to prohibit the use of idling.

Road Safety Officers are prepared to support in advice upon air quality management by offering Dronfield Infant and Junior Schools Road Safety Officer led workshops which support the messages around travelling to school safer, if walking and cycling.

To summarise, the County Council, in principle, is supportive of Dronfield Town Council's proposal to pilot a temporary Anti-idling scheme outside Dronfield Infant and Junior Schools for a period of three months. The signing would be of a purely advisory status with no civil enforcement being carried out, but it is hoped that, due to the temporary nature of the signing, public awareness will be heightened during the months it is in place. Engagement, however, has to be made with the County Council's School Travel Plan Co-ordinator first to ensure they are on board with a Modeshift Stars Active Travel Plan. At the same time, they need to develop a campaign using the toolkits for a Clean Air Strategy around the schools.

Once this has taken place, and the County Council is satisfied that the schools are fully on board with promoting clean air around their schools, the County Council will then provide and erect the associated signs with an Anti-idling campaign.

### **Local Member Comment**

Councillor Alex Dale, Dronfield East and Councillor Angelique Foster, Dronfield West have been consulted, and they are both strongly supportive of any measures to support air quality initiatives outside school sites and would like to see the Council prioritise the pilot scheme requested by Dronfield Town Council outside Dronfield Infant and Junior Schools.

(3) **Financial Considerations** The cost associated with the supply and erection of approved Anti-idling Engines signs and the monitoring of the pilot site will be approximately £1,000 which will be funded through the Highways Maintenance Revenue budget dedicated to Traffic Management.

(4) **Legal Considerations** Any signs used would be on a temporary and advisory basis and would have no legal status.

### **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 approves a temporary Anti-idling signs pilot scheme at Dronfield Infant and Junior Schools, providing that the school engages in Modeshift Stars Active Travel Plans and adopts a Clean Air Strategy with the free toolkits available.
- 8.2 The Local Members and Dronfield Town Council be notified accordingly.

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

**DERBYSHIRE COUNTY COUNCIL**

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

**9 April 2020**

Report of the Executive Director – Economy, Transport and Environment

**STATEMENTS OF COMMON GROUND – DONCASTER COUNCIL**

(1) **Purpose of Report** To seek the Cabinet Member's approval 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.

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

The National Planning Policy Framework (NPPF), February 2019, sets out national policy in respect of this duty. Paragraph 25 of the NPPF expects strategic policy-making authorities, including county councils, to collaborate and identify the relevant strategic matters which they need to address in their development plans.

Paragraph 26 of the NPPF emphasises that effective and ongoing joint working in this regard is integral to the production of '*positively prepared and justified development strategies*.' In particular, joint working should help to determine where additional infrastructure is necessary, and where development needs that cannot be met wholly within a particular area could be met elsewhere.

In order to demonstrate effective and ongoing joint working, Paragraph 27 of the NPPF expects strategic policy-making authorities to prepare and maintain one or more SoCG to document the cross-boundary matters being addressed and progress made in cooperating to address these matters.

National Planning Guidance advises that SoCG should be prepared and maintained throughout the plan-making process. By the time of draft local plan publication, SoCGs should be available on the websites of each of the

responsible local planning authorities to provide transparent documentation that the collaboration has taken place.

Derbyshire County Council is the minerals and waste planning authority for the County (outside the Peak District National Park) and has a statutory duty to prepare minerals and waste local plans, which it is carrying out in collaboration with Derby City Council to provide new, joint minerals and waste local plans. It is therefore required to provide SoCG in respect of these local plans.

Derbyshire County Council is also a statutory consultee on mineral and waste local plans prepared by other mineral and waste planning authorities and on general development plans prepared by district and borough councils, both within and adjoining Derbyshire. Therefore, it has a duty to co-operate with these councils on the strategic, cross-boundary matters affecting these plans and is expected similarly to enter into SoCG with the relevant authorities and prescribed parties.

Requests for SoCG in which the County Council is expected to enter/be signatories to have been received from the following local authorities/organisations:

<b>Local Authority /Organisation</b>	<b>Title/Nature of Statement of Common Ground</b>	<b>Date Received</b>
Doncaster Council	Doncaster Local Plan SoCG (February 2020)	27 February 2020

Specific details about the draft SoCG, including a summary of the strategic matters proposed to be agreed to as common ground, on behalf of Derbyshire County Council, and any significant issues on which there appears to be an absence of common ground, are provided in the appendix attached.

The draft SoCG is considered to provide an appropriate acceptance or confirmation of common ground between the County Council and Doncaster Council on matters of strategic planning which affect Derbyshire.

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

(4) **Legal Considerations** The recommendation in this report is made having full regard to the County Council's responsibilities and services under the provisions of the Localism Act 2011, Planning and Compulsory Purchase Act 2004, Town and Country Planning Act 1990 and NPPF.

(5) **Social Value Considerations** The relevance of social value, in terms of social, economic and environmental wellbeing, is considered in the

preparation of local plans. Meeting the current and future needs of communities and the management of scarce resources (i.e. sustainable development) is central to the role of local and county planning authorities in preparing and implementing their local plans. Where social value considerations are particularly significant in co-operation under the duty to co-operate under Section 33, this can be expected to be reflected in the content of any corresponding SoCG.

### **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 RECOMMENDATION** That the Cabinet Member approves for Derbyshire County Council to enter into a Statement of Common Ground referred to in the appendix to this report with Doncaster Council.

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

Appendix

**Statement of Common Ground – Doncaster Council**

<b>Name of Local Authority(s)/Organisation (s) with whom SoCG is to be signed.</b>	Doncaster Council
<b>Officer contact:</b>	Michelle Spence, Development Plans Manager

**Summary of strategic [cross-boundary] matters proposed to be documented as common ground in the SoCG:**

Minerals move around the country to meet requirements of supply and demand, especially in areas where supplies are limited. Although Doncaster has some of its own mineral resources, as is the case with most areas, aggregate minerals from a number of other surrounding areas are still required to meet demand from the Doncaster area. None of Derbyshire's sand and gravel resource is used in this area so, in respect of Derbyshire, this agreement only applies to aggregate crushed rock.

There are currently no problems with supply in relation to crushed rock aggregate in Doncaster; the market is meeting the current demand for aggregate mineral in the area. In 2018, 1.85 million tonnes of Derbyshire's aggregate crushed rock (20% of Derbyshire's total aggregate crushed rock production) was exported for use in the Yorkshire and Humber Region. No specific figures are available for the proportion of this which was used in Doncaster, but there is clearly a demand from this area which should continue to be met. This agreement seeks to ensure that this will continue in the future. Doncaster Council will continue to undertake annual monitoring of mineral supply and demand. This will indicate any issues with supply and demand which need to be addressed.

There is likely to be increasing demand for mineral in Doncaster because all authorities within the Yorkshire and Humber Region are currently experiencing an increase in Local Plan housing requirements. In addition, the prospect of HS2 in the medium term will increase the demand for mineral in the area.

As a result, Doncaster Council is seeking to ensure sufficient supply of mineral to provide for infrastructure and other development proposals. Each producing area identified in the SoCG (which includes Derbyshire) is, therefore, requested to agree to continue to supply (should conditions allow) aggregate to meet future demand within the Doncaster area.

Officer discussions have concluded that, as a result of the scale of its landbank of permitted aggregate crushed rock reserves, currently anticipated to last around 80 years, Derbyshire will be in a position to continue to provide the Doncaster area with this resource. However, the demand and supply of aggregate crushed rock will be monitored on an annual basis through its Local Aggregate Assessment and any significant issues that arise in relation to supply and demand of aggregate crushed rock will be addressed accordingly.

**Outline of projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG which reflect previous authorisations by the Cabinet Member:**

None identified.

**Outline of other projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG by the Cabinet Member:**

The main purpose of the SoCG is for Derbyshire to agree to continue to supply Doncaster with aggregate crushed rock to meet its future requirements. Based on the scale of the existing landbank of permitted reserves, Derbyshire is in a position to enable the continuation of this supply but the situation will be kept under review.

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**Agenda Item No. 4(e)**

**DERBYSHIRE COUNTY COUNCIL**

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

**9 April 2020**

Report of the Executive Director – Economy, Transport and Environment

**WATER ABSTRACTION AND IMPOUNDING (EXEMPTIONS)  
REGULATIONS 2017 FUNDING – REQUEST FOR CREATION OF  
RESERVE FUND**

(1) **Purpose of Report** To update the Cabinet Member on the current situation with regard to work currently being carried out on behalf of the County Council, under the Water Abstraction and Impounding (Exemptions) Regulations 2017 (the '2017 Regulations'), and to request that outstanding funds be moved into a reserve to enable officers to draw down funds to spend on this crucial work in 2020-21.

(2) **Information and Analysis**

**Background**

A Revenue Pressure Bid was submitted in early 2019, as a result of the Environment Agency's sudden decision to implement changes to the abstraction and impounding licensing regime introduced by the Water Resources Act 2003 ("WRA 2003") and implemented by the 2017 Regulations, which brought the canals into the licencing regime. Until 1 January 2019, canals had been exempt. At that time, it was not clear how many licences the County Council would be liable for. Initially, it appeared that the County Council could require around 60 licences in respect of abstraction/impounding of water, at a cost of £1,500 per application. This pressure bid secured £100,000 of revenue funding to carry out this work. The funds were placed in the Waterways Project cost centre for the 2019-20 financial year.

In addition, the Environment Agency indicated that measures may need to be undertaken for compliance reasons, however, the details of these would not be known until parts A and B of the licences had been submitted and reviewed.

During 2019, the County Council sort a Barrister's opinion to establish whether the County Council is the lawful Navigation Authority for the five canal

sections in Countryside Service portfolio. The requirement for licences would depend on whether or not the Council was a Navigation Authority for a particular section of canal. The Waterways Project Officer engaged intensively with the Environment Agency, locally and nationally, and with the support of the Association of Inland Navigation Authorities, to clarify many of the 'small print' and contradictory elements of the guidance. These efforts were successful in reducing the County Council's liability to four licences for the canals.

The four licence applications were submitted in January 2020 and are currently in the hands of the Environment Agency and have not yet been reviewed. The Case Officer has been unable to confirm when this will happen, but has indicated that it will be sometime in 2020-21. Once reviewed, discussions about compliance measures can commence.

### **Reasons for underspend**

Work to establish Navigation Authority status, negotiate with the Environment Agency and commission a Water Resource Study for the Chesterfield Canal (one was already in place for the Cromford Canal) all had to be completed before the applications could be made. This background work took ten months to complete. The Environment Agency has taken longer than anticipated to review applications.

As outlined above, the Environment Agency is currently reviewing the four licence applications submitted in January 2020 and a response is expected sometime in 2020-21. Discussions on compliance measures will commence once the Environment Agency's review is completed.

The compliance measures are at this stage still unknown, however, it is very clear that these measures will not be delivered until the 2020-21 financial year. These measures would most likely include flow measurement equipment at points where water enters the canal and at key potential flooding locations, as well as much-needed design and construction work to lock by-washes to allow greater flow capacity. These works are essential to comply with the 2017 Regulations, and therefore it is crucial that these pressure bid funds are retained within a Reserve Fund to ensure these necessary works can be carried out.

(3) **Financial Considerations** This pressure bid secured £100,000 of revenue funding to carry out this work. The funds were placed in the Waterways Project Revenue cost centre for 2019-20. Current spend on this area of work amounts to £18,000: consisting of £12,000 relating to a water resource study, and £6,000 for the application fees to the Environment Agency. A request is therefore made that £82,000, the remainder of the £100,000 pressure bid funding, be moved into a reserve to enable the Waterways Project Officer to draw it down and spend the funds on compliance

projects in 2020-21, once these have been agreed with the Environment Agency.

(4) **Legal Considerations** As stated in the body of the report, the effect of the amendments implemented by the 2017 Regulations is to narrow the exemption from licensing available to navigation authorities. Previously, the exemption for navigation authorities applied to all transfers of water from one area of inland waters to another. The only condition was that the transfer of water by the navigation authority was in the course of its functions as a navigation authority. Under the new regime, the exemption is only available for transfers within an authority's water system and certain transfers out of an authority's system. This can lead to an increase in requirements for licences unless it can be demonstrated that the Council is a 'Navigation Authority' for a particular section of canal.

### **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 ongoing work to complete the County Council's Water Transfer Regulations responsibilities is noted.

8.2 A Reserve Fund to hold the remaining pressure bid funds as detailed in the report is created to safeguard them for essential compliance works in 2020-21.

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

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