

Public Document Pack



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Director of Legal and
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Ask for Anne Barrett

PUBLIC

To: Members of Cabinet Member - Highways Assets and Transport

Wednesday, 9 June 2021

Dear Councillor,

Please attend a meeting of the **Cabinet Member - Highways Assets and Transport** to be held at **1.00 pm** on **Thursday, 17 June 2021** in Members Room, County Hall, Matlock, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink that reads 'Helen E. Barrington'.

Helen Barrington
Director of Legal and Democratic Services

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Declarations of Interest

 To receive declarations of interest (if any)
2. Petitions (Pages 1 - 6)

 To receive Petitions
3. Minutes (Pages 7 - 12)

To receive the non-exempt minutes of the meeting of the Cabinet Member – Highways, Transport and Infrastructure held on 11 March 2021

To consider the non-exempt reports of the Executive Director - Place on:

- 4 (a) Section 38 and Section 278 Agreement - Sandy Lane/Thorpe Avenue, Whitwell (Pages 13 - 16)
- 4 (b) Petition Requesting the Introduction of Traffic Calming Measures on Smedley Street, Matlock (Pages 17 - 40)
- 4 (c) Objections to Traffic Calming Proposals for Swallow House Lane, Hayfield (Pages 41 - 44)
- 4 (d) Objections to the Doles Lane, Clifton Prohibition of Motor Vehicles Order 2021 (Pages 45 - 56)
- 4 (e) Report on the Submission of the Flood Risk Management Plan 2nd Cycle (Pages 57 - 60)
- 5. Exclusion of the Public

To move “That under Regulation 4 (2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that in view of the nature of the items of business, that if members of the public were present, exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 would be disclosed to them.”

PART II - EXEMPT ITEMS

- 6. Declarations of Interest

To receive declarations of interest (if any)

- 7. Minutes (Pages 61 - 62)

To receive the exempt minutes of the meeting of the Cabinet Member – Highways, Transport and Infrastructure held on 11 March 2021

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER MEETING – HIGHWAY ASSETS AND TRANSPORT

17 JUNE 2021

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 Highway Assets and Transport.

2. Information and Analysis In compliance with the Council's Petition Scheme, the following petition is presented for receipt, investigation and formal response by the Executive Director – Place:-

<u>LOCATION/SUBJECT</u>	<u>SIGNATURES</u>	<u>LOCAL MEMBER</u>
Stoney Middleton and Calver A623 – Request for Review of the Speed Limits	244	Councillor S Hobson
Wingerworth, Nethermoor Road – Traffic Calming Measures	23	Councillor B Lewis

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 in Democratic Services.

7. OFFICER'S RECOMMENDATION

- (1) that the petition listed above be received and noted;
- (2) that the Executive Director – Place be asked to investigate and consider the matters raised in the Stoney Middleton petition; and
- (3) that the response provided to Lee Rowley, MP (Appendix) in respect of the Nethermoor Road, Wingerworth petition be forwarded to the lead Petitioner and Local Member.

Helen Barrington
Director of Legal and Democratic Services

Lee Rowley MP
House of Commons
London
SW1A 0AA

Office:

Email: [REDACTED]

Our Ref: 82011291 & 35955769

Your Ref: LR24214 & 24217

Date 07 May 2021

Dear Mr. Rowley,

Vehicle Speeds – Nethermoor Road, Wingerworth

Thank you for your enquiries dated 31st March and 1st April, 2021 regarding the above. I would first of all like to apologise for the delay in responding to you.

Please be assured that the concerns as expressed by your constituents in relation to vehicle speeds and associated road safety are fully acknowledged. As you will appreciate, this issue is a concern that residents and indeed road users across the County commonly report to us.

Nethermoor Road is subject to a 30mph speed limit from its junction with the A61 roundabout to a point just beyond where the frontage development terminates to the north-west. The speed limit then changes to 40mph to reflect the change in road character to a more open aspect. It then returns to 30mph where frontage development again commences

The 30mph signing from this latter approach is highlighted with a length of 'Dragon's Teeth' road markings and a speed limit roundel on the carriageway adjacent to the road signs to create a "gateway" effect into the 30mph zone. This section of road is then subject to a system of traffic calming by means of road humps.

It is noted that mention is made of the road humps being ineffective by one of your constituents whilst another mentions a 'thud' to their property when a large vehicle passes over the one nearest to their property. This reflects one of the difficulties in introducing such schemes though it can be confirmed that all these features have been installed and constructed very carefully in accordance with national guidance and regulations.

In terms of highway intervention measures, national research indicates that road humps are the most effective means of reducing vehicle speeds which is a major contributory factor in reducing the severity of collisions. The collision history of this stretch of road does reflect this which seems to indicate that the existing traffic calming measures are achieving their aim.

In considering the provision of additional traffic calming measures, as you will appreciate, Derbyshire County Council receive many requests for safety measures and highway improvements from across the County. The sheer number of requests far outweighs the resources available. Given this demand, a system of prioritisation must be employed using information, including the number and severity of collisions. This helps ensure that the resources available are firstly used in those locations where there is the greatest need and where most benefits can be achieved.

The limited funds that are available must therefore predominantly be directed to those locations where there is a history of reported injury collisions and where a highway improvement scheme can effectively reduce the number of injury collisions. The use of identifiable known hard facts and figures provides a robust basis and justification for the expenditure of the funds that are available.

Due to the good injury collision history along this route and the presence of an existing traffic calming scheme, no further measures could be justified at present.

On a more positive note, general speeding concerns can be made to CREST (Casualty Reduction Enforcement Support Team) who are part of the Derby and Derbyshire Road Safety Partnership via their website here:

<https://www.crestderbyshire.org/>

This website provides an opportunity for people to report their speeding concerns for the consideration of enforcement. The site is also a useful tool in providing supplementary information relating to speed cameras and enforcement.

This link enables residents to make direct contact so as to avoid the issues surrounding the permissions required with passing personal details due to associated Information Governance Regulations.

In terms of the weight restriction on Nethermoor Road being contravened as mentioned by one of your constituents, Derbyshire County Council's Trading Standards team can take action in respect of heavy goods vehicles (HGVs) illegally using weight-restricted roads and bridges across the county. Information relating to this along with access to our weight restriction monitoring form can be found on our website here:

<https://www.derbyshire.gov.uk/business/trading-standards/weight-restrictions/weight-restrictions.aspx>

The form enables incident details to be logged in terms of dates and times, vehicle registration, location and operator details (along with customer details) to assist our Trading Standards officers in pursuing action.

In conclusion, whilst I appreciate my response may be a disappointment to your constituents, I hope this information is of some assistance and that I have been able to clarify how we approach requests of the type you make and also how we ensure we direct our limited resources to addressing locations having an evidenced personal injury accident history.

If you require any further information or clarification regarding the details of this letter, please contact [REDACTED] directly by email: [REDACTED]

Yours sincerely

[REDACTED]

Principal Engineer
Traffic & Safety

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MINUTES of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held on 11 March 2021**PRESENT**

Cabinet Member - Councillor S Spencer

Also in attendance – Councillors T Ainsworth, G Hickton and M Wall

16/21 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 11 February 2021 be confirmed as a correct record.

17/21 **PETITION: CRESSBROOK – REQUEST FOR SPEED MANAGEMENT MEASURES TO ADDRESS ROAD SAFETY ISSUES** Following the receipt of a petition requesting the consideration of speed management measures for Cressbrook investigations have been undertaken.

The County Council's limited funding for traffic calming measures targeted areas with a history of speed-related collisions resulting in personal injury, and prioritised to those locations with the greatest number of collisions, with pattern and severity also taken into account.

Speed limits were set in accordance with the County Council's Speed Management Protocol and the criteria laid down by the Department of Transport (DfT). DfT guidance for a 30mph speed limit was based on a simple criteria relating to the density of frontage development and distance, 20 or more houses on one or both sides of the road, over a length of around 600m. The Police database for Recorded Injury Collisions in the latest three year period, 1 August 2017 to 31 July 2020, recorded one serious collision on Bottomhill Road prior to its junction with Middle Row.

Cressbrook did not meet the criteria for the introduction of traffic calming measures as detailed in the County Council's Speed Management Protocol and did not meet the criteria for a 30mph speed limit outside the existing 30mph zone.

An improvement to the village entrance signs could be considered, such as a village gateway, might be beneficial to residents by helping to highlighting the extents of the village to passing motorists.

An email had been received from the lead petition following publication of the report and this was considered at the meeting.

Taking into account the comments made in the email the Cabinet member requested that officers undertake further speed monitoring in this location and that the Casualty Reduction Enforcement Support Team (CREST) be informed of the reports of excessive vehicle speeds and requested to undertake enforcement action.

RESOLVED that (1) a reduction to a 30mph speed limit on Bottomhill Road and surrounding Streets, Cressbrook is not justified at this time;

(2) officers liaise with the Parish Council with regard to the potential to introduce village gateway signing;

(3) officers arrange for speed monitoring to be undertaken;

(4) the reports of excessive vehicle speeds be reported to the Police/CREST (Casualty Reduction Enforcement Support Team) and enforcement be requested; and

(5) the Local Member and lead petitioner be informed of the decision.

18/21 PETITION: BOUGHTON LANE, CLOWNE – CONTROLLED CROSSING FACILITY Investigations have been carried out following the receipt of a petition requesting the provision of a controlled crossing facility on Boughton Lane, Clowne adjacent to Heritage High School.

The section of Boughton Lane, outside of Heritage High School where the crossing has been requested, was a straight road with a clear line of sight and no major obstructions to pedestrian visibility in either direction. A 30mph speed restriction was in place on Boughton Lane with traffic calming features located outside the school to further reduce the speed of traffic. The traffic calming was complemented by two school safety zone warning signs with flashing amber warning lights which illuminated at school drop off/pick up times. Due to the location of the school bus bay and the direction of the foot traffic, only a small percentage of the pupils experience a need to cross the road.

The PV² formula, a nationally recognised assessment tool), was used to assess the many requests received by the County Council for the provision of controlled crossing facilities. A vehicle/pedestrian count was carried out on Boughton Lane adjacent to the school in October 2020 with the survey results showing a factor of 10 below that which would satisfy the PV² formula.

RESOLVED that (1) the request for the provision of a controlled crossing on Boughton Lane, Clowne adjacent to Heritage High School be refused; and

(2) the Local Member and lead petition be informed of the decision.

19/21 GRASSMOOR COUNTRY PARK – NATIONAL FLOOD MANAGEMENT SCHEME Restoration of the Grassmoor Lagoons area, adjacent to the Grassmoor Country Park, was nearing completion and would soon be opened for public recreation as part of the country park.

As part of early improvements to the publicly accessible parts of the country park, the Don Catchment Rivers Trust (DCRT), supported by the Countryside Service and the Flood Risk Management Team, has developed a natural flood management (NFM) scheme which proposed the creation of a sustainable drainage system formed by a series of bunds and shallow depressions that would restrict surface water and create permanent and semi-permanent water storage areas. The Grassmoor Country Park NFM scheme would be a key piece in a wider programme of NFM activities throughout the catchment, aiming to reduce flood risk in downstream Chesterfield.

DCRT was the lead organisation of the NFM scheme and was the sole applicant on all funding applications. Contractors would be appointed and managed by DCRT to deliver the works. The Council would provide land to deliver the scheme and would maintain the newly formed habitat. Due to funding criteria, the timescales for delivery were tight and the scheme must commence by July 2021.

Consultation has taken place with Derbyshire Wildlife Trust and the Friends of Grassmoor Country Park, who were both supportive of the NFM scheme. A community engagement event would be arranged should the scheme be given approval to proceed. DCRT was awaiting confirmation from North East Derbyshire District Council's Planning Team as to whether the scheme may progress as permitted development, or if planning consent was required.

The Director of Legal and Democratic Services has advised that a collaboration agreement should be used to determine key principles of the project that would best minimise any risk to the Council throughout and after project delivery.

RESOLVED to (1) to note the proposed developments at Grassmoor Country Park;

(2) approve Don Catchment Rivers Trust to deliver a natural flood management (NFM) and habitat creation scheme within Grassmoor Country Park as detailed in the report; and

(3) that the Director - Economy, Transport and Environment, in conjunction with the Director of Legal and Democratic Services, be delegated authority to agree the terms of and enter into an agreement that documents the delivery of the NFM scheme as detailed in the report.

20/21 INITIATING FEASIBILITY STUDIES FROM CHALLENGE FUND RESERVES

It was proposed to undertake feasibility studies for the Potential Derwent Valley Cycle Route; and improving access to Shirebrook; drawing down funding from the Challenge Fund Reserves to commission the studies.

The potential Derwent Valley Cycle route offered significant 'active travel' and sustainable development potential for local people and tourists to the area. This route has potential to connect Derby to the Peak District cycle network, the start of the Monsal Trail and an extensive and developing network of routes for cycle tourism,

including Routes 6 and 54 of the National Cycle Network. It would also showcase industrial heritage and natural beauty, as well as offering significant economic potential by opening up cycle/pedestrian access to local housing and employment sites. It was proposed to commission an appropriate feasibility study to help understand the size and scale of the routes challenges, assess how they could be addressed and prepare a range of fully costed proposals to help assess overall viability of the route. Initial scoping of the feasibility study would suggest a two phase approach.

Highway connectivity in and around Shirebrook was a long-standing issue. Consideration has been given to new highway connections to Shirebrook in association with a bypass of Glapwell in some form, however such a project remains feasible in principle, although it faces substantial environmental challenges. Whilst this remained an option, it was proposed that a review was undertaken to confirm the issues and opportunities apparent in the locality. A first phase of work would encompass assessment of regeneration potential and barriers; access to employment and skills for Shirebrook residents and current challenges facing bus services. These would largely be carried out by a partnership team of officers with no immediate requirement to draw upon the Challenge Fund budget. The potential second phase would take place if access was identified as a critical constraint to growth. It was proposed that the 'gateway review' after Phase one be carried out through a further report to the Cabinet Member.

It is estimated a maximum of £100,000 from Challenge Fund reserves will be required to undertake the work described above on the Potential Derwent Valley Cycle Route and £150,000 for Improving Access to Shirebrook. The Derbyshire Challenge Fund was established initially to focus on 'invest to save' initiatives but which could provide one-off support for potential projects.

RESOLVED to approve (1) the release of funding, up to a maximum of £100,000, from Challenge Fund Reserves to commission and undertake a feasibility study on the potential Derwent Valley Cycle Route; and

(2) the release of funding from the Challenge Fund Reserves, up to a maximum of £150,000, to undertake studies into Improving Access to Shirebrook, to be released subject to a gateway review of the first phase of work and a further report to the Cabinet Member.

21/21 CONSULTATION BY MINISTRY OF HOUSING COMMUNITIES AND LOCAL GOVERNMENT ON THE RIGHT TO REGENERATE: REFORM OF THE RIGHT TO CONTEST

The Ministry of Housing, Communities and Local Government (MHCLG) has published a consultation entitled, 'Right to Regenerate: Reform of the Right to Contest' which sets out proposals to provide greater rights and powers for the public, businesses and other organisations to purchase local authority owned land.

Strand 1 of the Right to Contest applied to Central Government land and was administered by the Cabinet Office; and Strand 2 powers, were administered and exercised by the Secretary of State for Housing, Communities and Local Government. The consultation paper sets out a number of questions relating to the effectiveness of Strand 2 based on increasing the usefulness and effectiveness of the right; making it clearer when land is unused or underused; extending the scope of the right; land where a public body has an intended use; a greater role for local authorities; presumption in favour of disposal; publicity and reporting; right of first refusal; and conditions attached to disposals.

The key implications for the County Council in its role and responsibilities as owner of public sector land were detailed in the report and included the following comments.

It should be acknowledged that the Right to Contest has not been a significant issue or problem for Derbyshire County Council. The County Council has a well-established 'Non-Operational Asset' review process involving consultation by the Director of Property with relevant Council departments, to establish why property was acquired, the reasons for retaining it, what future uses may be either planned or considered acceptable and whether or not any constraints on the use may exist. The system was used to assess requests to purchase land or property received from the public or businesses and was efficient and transparent.

The County Council also worked collaboratively with its district and borough councils through the Local Plan process to identify land in the Council's ownership that it was necessary to retain or safeguard for future development, particularly longer-term development; and the Council also acquired and retained land for long-term projects, for example the White Peak Loop, a multi user trail. One Public Estate partnerships across the country have shown the value of working together across the public sector and taking a strategic approach to asset management.

Proposals in the consultation which would effectively give the Secretary of State powers to order sales of 'underused' land in such circumstances, could dis-incentivise local authorities from taking a strategic longer-term view for major projects and schemes and potentially, could render such proposals almost impossible to deliver. There were concerns that the principal challenge was likely to come from developers and other profit making organisations. If the proposals were introduced, it was considered important that where there was intervention from the Secretary of State to force land to be sold, there needs to be a 'test of certainty' of the proposed future use, preventing purely speculative purchase of land from local authorities.

The consultation narrowly focused on publicly owned land and should be widened to include land held by the private sector. There should be a recognition that privately held land could also undermine regeneration.

The Council's proposed responses to the 11 questions were set out in the Appendix to the report and are framed in the context of the issues reported.

Concern was expressed by the Cabinet member at the proposals in this consultation which could affect the ability of the Council to have a long strategic vision and affect the delivery of long term strategic plans; and requested that a separate letter expanding on the consultation questionnaire be forwarded, on his behalf, to the Secretary of State.

RESOLVED to (1) agree the draft response to the consultation as set out in the summary in the report and in detail in the Appendix to the report; and

(2) authorise the Director – Economy, Transport and Environment to take account of any further comments and considerations (in consultation with the Cabinet Member) prior to submitting a response to Government on the Right to Regenerate: Reform of the Right to Consent.

22/21 EXCLUSION OF THE PUBLIC RESOLVED that under Regulation 4 (2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that in view of the nature of the items of business, that if members of the public were present, exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 would be disclosed to them.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 11 February 2021
2. To consider the exempt Report of the Director – Economy Transport and Environment on Award of Contract for Heat-Strengthening Repairs to Shire Lane Bridge, Heath, Chesterfield
(contains information relating to the financial or business affairs of a particular company (including the Authority holding that information))

Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

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

17 June 2021

Report of the Executive Director - Place

**SECTION 38 AND SECTION 278 AGREEMENT - SANDY LANE/THORPE
AVENUE, WHITWELL**

(1) **Purpose of Report** To seek the Cabinet Member's approval to waive the requirement for a Guarantee Bond with regard to proposed works at Sandy Lane/Thorpe Avenue, Whitwell which are to be undertaken by Bolsover District Council under Section 278 and Section 38 Agreements of the Highways Act 1980.

(2) **Information and Analysis** Bolsover District Council (BDC) has secured planning permission to develop 11 new homes at Thorpe Avenue, Whitwell. The works include a new junction at Thorpe Avenue, including its realignment and the redesign of a footway on the eastern side of Sandy Lane. An agreement under Section 38 of the Highways Act 1980 will be entered into with the County Council, as Highways Authority, to adopt the new road off Thorpe Avenue. These highway works are required to enable BDC to construct the new dwellings.

The scope and nature of planned work is shown on drawing numbers 11870 WMS 22 ZZ XX DR C39501-S8-P5-S38 and 11870 WMS ZZ XX DR C39501-S8-P2-278 (Appendix 1) and would normally attract a bond value of £186,268 for the Section 38 (£122,050) and Section 278 (£64,218) works. (NB: a Bond is normally secured to ensure the works can be completed by the Highway Authority should the developer not be able to do so).

BDC is aware that it needs the County Council's formal permission as Highway Authority to fund or carry out works in the public highway by entering into agreements under Section 278 and Section 38 of the Highways Act 1980.

BDC has confirmed in writing that it will underwrite the works and complete them to an adoptable standard as detailed by the County Council.

(3). **Financial Considerations** It is normal policy and practice for the County Council to require commercial developers to provide financial security

prior to commencing work in order to indemnify the County Council against the cost of having to complete the work in the event that the developer defaults or ceases to trade.

In this instance, as the developer is a local authority, the County Council consider the risks of default or financial insolvency are negligible and are therefore able to waive the requirement for a Guarantee.

(4) **Legal Considerations** Section 278 of the Highways Act 1980, empowers the County Council to allow third parties to fund or carry out highway improvement works. In this case, BDC will be obliged to enter into a Section 278 Agreement for the Sandy Lane/Thorpe Avenue highway works and to pay Derbyshire County Council's legal and inspection fees. Similarly, BDC will be obliged to enter into a Section 38 Agreement with the County Council to enable upgraded areas of Thorpe Avenue to be adopted and maintained as public highway, and to pay Derbyshire County Council's Legal and Inspection fees.

(5) **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.

(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.

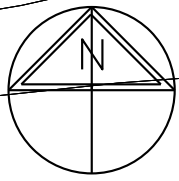
(8) **Background Papers** Held on file within Highways Development Control in the Place Department.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves to waive the requirement for a Guarantee Bond regarding proposed works at Sandy Lane Thorpe Avenue, Whitwell which are to be undertaken by Bolsover District Council under Section 278 and Section 38 Agreements of the Highways Act 1980.

Chris Henning
Executive Director - Place


- Key:
- Site Boundary
 - S38 Boundary
 - S278 Boundary (see S278 Application)
 - Not included in site
 - Adoptable tarmac footway
 - Adoptable macadam carriageway
 - Highway Gully & Connection

Appendix 1



Notes:

- Drawing to be read in conjunction with all other relevant S38, Engineers and Architects details.
- All works within the Public Highway must comply with the current Health and Safety standards and all signing to comply with Chapter 8 traffic safety measures and signs for roadwork's and temporary situations of the traffic manual.
- All works to be constructed in accordance with the requirements of the 'Delivering Streets and Places' (DSP) document.
- It is the contractors responsibility to locate existing utilities where they may be affected by the works.
- All connections to road gullies to be 150mm diameter.
- All trenches within adoptable highways to be back filled with Type 1 granular material.
- Gully tops to be heavy duty ductile iron grade D400 to BS EN 124 with captive hinges.

S38 drawing updated in accordance with DCC Comments.		CM	AG	22/02/21
5	S278 boundary updated.	CM	AG	10/12/20
4	Highway drainage amended to achieve connection to MH6103	CM	AG	07/08/20
3	Highway drainage amended and layout tweaked slightly at turning head.	CM	AG	22/04/20
2	Initial Issue for Information	SE	CM	02/09/19
Rev	Description	Drm	VFd	Date
<div>As outlined in section 2.3 of the CIB Industry Guidance to Designers, insignificant risks can usually be ignored, as can risks arising from routine construction activities, unless the design compounds or significantly alters these risks. In accordance with CDM Regulations 8, 9 and 11, any significant risks relating to the design features shown on this drawing have been identified and are annotated thus: </div> <div><input checked="" type="checkbox"/> No significant risks have been identified.</div> <div><input type="checkbox"/> Significant risks have been identified - refer to notes on drawing for information on residual risks and any control measures to be employed.</div> <div>Refer to the current Designer's Risk Assessment sheets for further details.</div>				
Designer's Signature		SE	Date	08/19

Drawing Status
FOR APPROVAL

williamsaunders
architecture: engineering: building consultancy
Sheppard Lockton House
Cafferata Way
Newark-on-Trent
Nottinghamshire, NG24 2TN
Tel: 01636 704361
Fax: 01636 702809
W: wsm-saunders.co.uk

Also at Leeds, Lincoln, Wirsbworth

Project
**BOLSOVER DISTRICT COUNCIL
HOUSING SCHEME
SANDY LANE & THORPE AVENUE
WHITWELL,
WORKSOP**

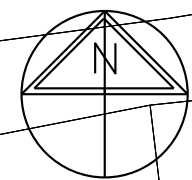
Client
ROBERT WOODHEAD LTD

Title
S38 LAYOUT

WmS Project Ref.	Drawn	Date	Scale	@ A1				
11870	SE	14/08/19	1:250					
Drawing/Document Reference								
Project	Originator	Zone	Level	Type	Role	Number	Status	Rev.
11870 - WMS - ZZ - XX - DR - C - 39501 - S8 - P5								

- Key:
- Site Boundary
 - S38 Boundary
 - S278 Boundary
 - Not included in site
 - Adoptable tarmac footway
 - Adoptable macadam carriageway

Appendix 1




William Saunders is the trading name of Wm Saunders Partnership LLP. Wm Saunders Partnership Limited Liability Partnership is registered in England and Wales with the Registration number OC 38823. The Registered Office is Sheppard Lockton House, Cafferata Way, Newark on Trent, Notts, NG24 2TN.


This drawing & any design thereon is the copyright of Wm Saunders Partnership LLP and must not be reproduced without their written consent.

Contractors must verify all dimensions, levels and co-ordinates of the site before commencing any work or making any shop drawings: no dimensions to be taken from drawing.

Notes:

1. Drawing to be read in conjunction with all other relevant S38, Engineers and Architects details.
2. All works within the Public Highway must comply with the current Health and Safety standards and all signing to comply with Chapter 8 traffic safety measures and signs for roadwork's and temporary situations of the traffic manual.
3. All works to be constructed in accordance with the requirements of the 'Delivering Streets and Places' (DSP) document.
4. It is the contractors responsibility to locate existing utilities where they may be affected by the works.
5. All connections to road gullies to be 150mm diameter.
6. All trenches within adoptable highways to be back filled with Type 1 granular material.
7. Gully tops to be heavy duty ductile iron grade D400 to BS EN 124 with captive hinges.

P2	Drawing updated in accordance with DCC comments.	CM		22/02/21
P1	Issued for S278 application.	CM	AG	07/12/20
Rev	Description	Dm	Vfd	Date

As outlined in section 2.3 of the CIB Industry Guidance to Designers, insignificant risks can usually be ignored, as can risks arising from routine construction activities, unless the design compounds or significantly alters these risks. In accordance with CDM Regulations 8, 9 and 11, any significant risks relating to the design features shown on this drawing have been identified and are annotated thus: 

☒ No significant risks have been identified.

☐ Significant risks have been identified - refer to notes on drawing for information on residual risks and any control measures to be employed.

Refer to the current Designer's Risk Assessment sheets for further details.

Designer's Signature	CM	Date	12/20
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Drawing Status
APPROVAL

williamsaunders
architecture: engineering: building consultancy

Sheppard Lockton House
Cafferata Way
Newark-on-Trent
Nottinghamshire, NG24 2TN

Tel: 01636 704361
Fax: 01636 702809
W: wms-saunders.co.uk

Also at Leeds, Lincoln, Wlrskworth

Project
Bolsover District Council
Housing Scheme
Sandy Lane & Thorpe Avenue,
Whitwell,
Worsop

Client
Robert Woodhead Ltd

Title
S278 Layout

WmS Project Ref.	Drawn	Date	Scale	@ A1
11870	CM	07/12/20	1:250	

Project	Originator	Zone	Level	Type	Role	Number	Status	Rev.
11870	WMS	ZZ	XX	DR	C	39511	S8	P2

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER - HIGHWAYS, ASSET AND
TRANSPORT**

17 June 2021

Report of the Executive Director – Place

**PETITION REQUESTING THE INTRODUCTION OF TRAFFIC CALMING
MEASURES ON SMEDLEY STREET, MATLOCK**

(1) **Purpose of Report** To inform the Cabinet Member of the investigations carried out following the receipt of a petition requesting the consideration of traffic calming measures, Smedley Street, Matlock, Derbyshire.

(2) **Information and Analysis** Receipt of the petition was acknowledged by the Cabinet Member on 9 July 2020 (Minute No. 29/20 refers). The petition contains 50 signatures and reads as follows:

“We the undersigned, are residents or frequent visitors to Smedley Street, Matlock. We are increasingly concerned about the speed of traffic passing through the area, often in excess of 30mph. Both sides of the road have parked cars, which makes visibility difficult and given the number of children either walking to School or visiting All Saints Church, we believe it is only a matter of time before there is a serious accident. We therefore call upon the County Council to urgently consider the situation and introduce traffic calming measures in order to reduce the risks.”

Officer Comment

Smedley Street, Matlock is subject to a 30mph speed limit and runs from Rutland Street/Bank Road to Far Green. Smedley Street to the east of Far Green has a mixture of business, residential properties, All Saints Church and County Hall. Limited waiting parking bays are in place, on both sides of the road. As mentioned in the petition, the main area of interest is Smedley Street to the east of Far Green and to its junction with Wellington Street. For location details please see Appendix A.

There are two tactile crossing places, one either side of the junction with Far Green to assist pedestrians crossing the road.

To help protect junctions, double yellow lines are provided on Smedley Street at the junction with Far Green/Dimple Road. A single yellow line is also provided at the junction with Malvern Gardens, Smith Road and Wellington Street.

School Safety Zone signs, with the legend 20mph when lights flash, are provided outside No155/157 Smedley Street and No168 Smedley Street West, which help to provide a warning to motorists of pedestrians accessing All Saints Primary School located on Dimple Road.

Derbyshire County Council receives many requests for safety measures and highway improvements from across the County. To ensure that requests for traffic calming schemes from across the County are treated on a consistent basis, a speed management protocol document has been developed which amongst other factors, highlights the required injury collision record to justify the expenditure of our resource (See Appendix B). The use of identifiable known hard facts and figures provides a robust basis and justification.

The basic criteria for the introduction of engineering measures, such as road markings and signs, are three personal injury collisions over the last three years. For the introduction of more extensive engineering measures, such as road humps or buildouts, the criteria are seven personal injury collisions over the last three years.

There has been no injury collision recorded on Smedley Street from its junction with Far Green to its junction with Wellington Street over the last three years (Latest data 1 August 2017 to 31 July 2020). Officers have also looked at the triangle of roads in the vicinity of All Saints Infant School, including Sycamore Road, Dimple Road and Smedley Street West and can report that there have been no injury collisions recorded over this same period.

Local Member Comments

Councillor Burfoot has made the following comments:

"As County Councillor for Matlock and Tansley, I fully support the petitioners in their request for the County Council, as Highway Authority, to introduce traffic calming measures in this area to slow down the traffic and reduce risk to all users.

In 'normal' non-Covid times, this area is a very busy street, given its close proximity to County Hall, All Saints Church and Church Hall, local schools and a nursery.

Residents and users signing this petition and I myself, know from experience that many motorists clearly exceed the speed limit despite the dangers posed by their actions. There are no safe crossing points. There is evidence of wing mirrors being torn off and near misses to pedestrians as a result of speeding

motorists. Such near misses and damage to parked vehicles will not of course show up in any statistics.

Pedestrian use of this area is increased of course twice a day when there are large numbers of pupils/parents walking to and from school, including to the nursery and Highfields Upper site. Traffic flows at these times are also great especially in the morning.

We all agree that road safety is a priority to reduce risk, and perceived risk and fear of accidents caused by speeding vehicles.

Speeding motorists has made walking or cycling in this area dangerous at a time when we should be encouraging this by providing safer routes and by reducing vehicle speeds and introducing traffic calming measures.

Traffic calming, as I understand it, is using physical measures to calm down and slow down traffic so that pedestrians/cyclists are not dominated by traffic, and our streets are made safer for all. All users benefit including pedestrians, cyclists, parents with buggies, people in wheelchairs, etc, and indeed motorists themselves.

The Traffic Calming Act 1992 which amended the Highways Act 1980 permits the introduction of various forms of traffic calming for the purpose of promoting safety and preserving or improving the environment. The Department of Transport encourages walking and cycling.

A traffic calming scheme and measures to reduce speed can provide an opportunity for the local community to get involved.

I realise that there are many possible traffic calming measures and speed reduction methods and our professional officers can of course use their expertise to recommend the most appropriate ones. I would assume that speed humps 'sleeping policemen' are not appropriate in this vicinity as properties are so close to the street and would cause noise nuisance. I have always supported the National campaign for 20mph to become the national default speed limit on residential and urban streets. I would support a 20mph zone in this area and indeed the wider area.

Finally, volume of traffic and pedestrian use is reduced during the Covid pandemic especially as many County Hall staff are working from home, many of the shops on Smedley Street are closed and all schools are closed except for children of key workers and vulnerable children.

Any data therefore undertaken at this time would not give a true picture of the problem.

I have been reliably informed that speeding continues to be an issue even when it is less busy as there are less opportunities for cars to slow down because of parked cars. A resident's car was written off in October 2020 whilst parked outside his own house on this part of Smedley Street by an alleged speeding, drunk driver who was arrested by the Police."

Bearing in mind the collision history at this location, the request for the installation of traffic calming measures, such as road humps at this location, is to be refused at this time.

It must be remembered that speed limits are the maximum speed at which vehicles may legally travel, they are not target speeds: Motorists should always reduce their speed, when, for example:

- the road layout presents hazards, such as bends;
- you are sharing the road with pedestrians and;
- there are adverse weather conditions; or
- you are driving at night – as it is harder to see other road users and possible obstructions.

The report of excessive speeds is a matter for the Police/CREST (Casualty Reduction Enforcement Support Team) who are responsible for the enforcement of speed limits. CREST is the enforcement arm of the Derby and Derbyshire Road Safety Partnership and contributes to the operations Derbyshire Constabulary perform. Officers have reported the alleged abuse of the speed limit to CREST for investigation.

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

(4) **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.

(5) **Key Decision** No.

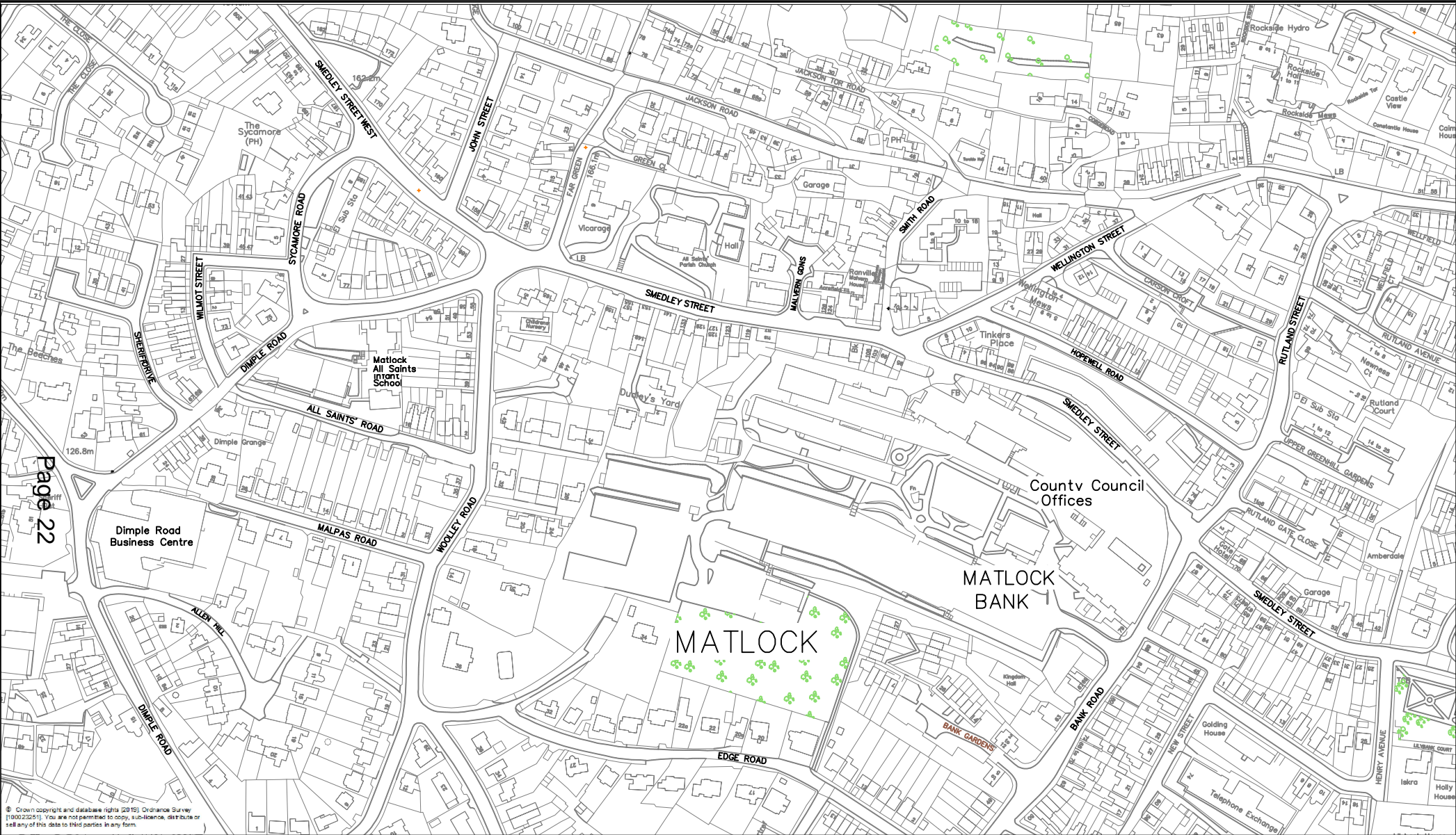
(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.



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

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

- 8.1 In accordance with the County Council's Speed Management Protocol, the introduction of Traffic Calming measures is not justified on Smedley Street, Matlock at this time.
- 8.2 The Local Member and lead petitioner be informed accordingly.

Chris Henning
Executive Director – Place



 Chris Henning Executive Director - Place	 FM641223 / FM641224							PROJECT TITLE		DRAWN J.HARRISON	CHECKED L.WRIGHT	APPROVED L.WRIGHT
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Agenda Item No. 6(e)

DERBYSHIRE COUNTY COUNCIL

CABINET

16 November 2017

Report of the Strategic Director – Economy, Transport and Environment

**DERBY AND DERBYSHIRE ROAD SAFETY PARTNERSHIP - APPROVAL
OF SPEED MANAGEMENT PROTOCOL ENGINEERING TECHNICAL ANNEX
(HIGHWAYS, TRANSPORT AND INFRASTRUCTURE)**

- (1) **Purpose of Report** To seek Cabinet approval of the Derby and Derbyshire Road Safety Partnership Engineering Technical Annexes to the proposed Speed Management Protocol (SMP).
- (2) **Information and Analysis** In order to progress the development of the proposed Derby and Derbyshire Road Safety Partnership SMP, policies and procedures for all partner organisations, i.e. Derbyshire Constabulary, Casualty Reduction Enforcement Support Team (CREST) and Derby City Council, need to be reviewed and compiled into a series of technical annexes. The annexes need to reflect the current practice and priorities of each of the partner organisations in dealing with speed related matters.

The demands upon the Council's highway service and its budgets are high and it is important that requests for improvements are dealt with in a consistent manner with regard to delivering the most cost effective way of continuing and maintaining road safety on the network.

The intention of the Derby and Derbyshire Road Safety Partnership, Engineering Technical Annex will therefore be to categorise all engineering measures available and to identify the circumstances where such measures will and will not be used.

In order to facilitate this, it has been necessary to combine and update all existing technical policies in relation to any engineering measures that may be deployed in resolving speed related matters, as well as defining the conditions or criteria that will be applied for each type of measure.

The measures employed to help resolve speed related matters, with accompanying description and criteria that are covered within the Technical Annex, are:

- Speed Limits (urban and rural)

- 20mph Speed Limits and Zones
- Traffic Regulation Orders
- Speed Limit Changes
- Vehicle Activated Signs
- Horizontal Traffic Calming (build-outs, chicanes and priority narrowing)
- Vertical Traffic Calming (road humps, speed cushions, speed tables, plateau)

The approval of the Derby and Derbyshire Road Safety Partnership, Engineering Technical Annexes will provide a clear step to a more consistent and transparent approach to Economy, Transport and Communities Highways Traffic and Safety Engineering at this early stage of the development of the SMP.

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

(4) **Social Value Considerations** The purpose of the SMP is to provide a consistent approach to the management of speed and concerns about speeding vehicles on the roads of Derbyshire. It aims to reduce casualties, improve the safety and quality of life for residents and those who travel through, whilst involving local communities in decisions affecting their local area. The associated technical annexes are a key aspect in supporting the SMP.

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 and transport considerations.

(5) **Key Decision** No.

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

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Neill Bennett, extension 38659.

(8) **OFFICER'S RECOMMENDATION** That Cabinet approves the Derby and Derbyshire Road Safety Partnership, Engineering Technical Annexes to the proposed Speed Management Protocol.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Derby and Derbyshire Road Safety Partnership - Speed Management Protocol

Engineering Technical Annex

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1 SPEED LIMITS

Derbyshire County Council is responsible for setting speed limits on all roads in the County, and Derby City is responsible for those in its jurisdiction, and motorways and trunk roads – the M1, A38, A50, A52 (east of Derby), A5111, parts of the A6 and the A628 – which are the responsibility of Highways England. Any queries about speed limits on these routes can be directed via e-mail to info@highwaysengland.co.uk or by calling 0300 123 5000.

Speed limits are introduced to ensure greater road safety and should seek to balance this with accessibility and environmental objectives, improving the quality of life for local communities. Any changes we make to speed limits must adhere to criteria as set out by the Department for Transport (DfT).

Speed limits are the maximum speed at which vehicles may legally travel – they are not target speeds: You should always reduce your speed when:

- the road layout presents hazards, such as bends;
- you are sharing the road with pedestrians and;
- there are adverse weather conditions; or
- you are driving at night – as it is harder to see other road users and possible obstructions.

Balancing the need to travel and overcoming social exclusion and strengthening rural communities are also key, but must be carefully assessed against reducing road traffic collision. The promotion and education of safe and considerate driving and encouraging road users to adopt appropriate speeds on our roads is also important to the success of speed limits. The responsibility for the enforcement of speed limits lies solely with the Police and instances of speeding can be reported to your local Police officers by dialling their 101 non-emergency number. In future the development of an area on the partnership website with appropriate links will facilitate the reporting of all speed related matters.

In January 2006, the DfT published guidance circular 01/2006 on ‘Setting Local Speed Limits’* which sought a common national approach on the setting of limits, highlighting the need to manage speed in a way that is appropriate for the road function and local characteristics. Following release of this guidance, routes in Derbyshire were reviewed and changes to speed limits implemented where appropriate - [* circular 01/2006 has now been replaced by circular 01/2013 – see link below]:

<https://www.gov.uk/government/publications/setting-local-speed-limits>

1.1 Speed limits in urban areas

DfT guidance states:

“Urban roads by their nature are complex as they need to provide for safe travel on foot, bicycle and by motorised traffic. Lower speeds benefit all urban road

users, and setting appropriate speed limits is therefore an important factor in improving urban safety.”

On roads where a recognised system of street lighting is present (where there are 3 or more lighting columns not more than 183m apart) the default speed limit will be **30mph**, unless there are signs in place indicating a different limit, and will be signed accordingly where the street lights start. Such roads will have a significant degree of frontage development with pedestrian activity and the presence of driveways, junctions, traffic signals and crossings. By law we cannot put in additional 30mph (repeater) signs where street lighting is present.

A **40mph** speed limit is generally appropriate on higher quality suburban roads away with less frontage development but with side roads, some bends and traffic signals or pedestrian crossings. Repeater signs are required.

In exceptional circumstances, **50mph** speed limits may be introduced on roads where the environment and characteristics allow this speed to be achieved safely – e.g. dual carriageways, radial routes or bypasses. Higher speed limits encourages urban through traffic to use routes of this nature rather than less suitable residential streets.

Where roads do not have a speed limit and are unlit, the national limit applies and drivers are expected to drive to the conditions. The following link provides a summary of national speed limits with reference to vehicle type:-

<https://www.gov.uk/speed-limits>

1.2 Speed limits in rural areas

DfT guidance stipulates that **30mph** is considered the norm in villages, based on a simple criteria relating to the density of frontage development and distance:

- There should be **20** or more houses on one or both sides of the road, over a length of around 600m. This can be less if the level and density of development exceeds the 20 or more houses criterion. In instances where there are less than 20 houses, an extra allowance can be given for key buildings – i.e. churches, community centres, schools, etc.
- A preferred length of 600m is desirable to avoid too many changes of speed limit along the route, which could lead to motorists disregarding the changes.

In the absence of street lighting, 30mph repeater signs will be required.

70mph is the maximum speed limit for cars on dual carriageways and motorways.

The national speed limit applies to single carriageway roads (maximum of 60mph) that have very sparse development, are of a high quality, and have a strategic function.

Lowering the speed limit to **50mph** can be considered where there are a high number of bends, junctions or accesses and a high level of injury collisions.

A speed limit of **40mph** may be considered in very exceptional circumstances in an area of outstanding national beauty or across, or adjacent to, unenclosed common land; or if they form part of a recommended route for vulnerable road users. Such a special application would need, however, to be done in association with the DfT and in discussion with a national park authority.

Speed limits on single carriageway rural roads should take into account: the collision history, the road's function, existing average traffic speed, level of use by vulnerable road users, the road's geometry and engineering, and the environment, including the level of road-side development.

Terminal signs (at the start of a speed limit) must be positioned as close as practicable to the start of a built-up area. Where forward visibility is restricted, signs may be extended outwards to meet standard forward visibility requirements.

1.3 20mph Speed Limits and Zones

These can be differentiated as follows:-

- 20mph limits, which consist of just a speed limit change to 20mph which is indicated by the speed limit (and repeater) signs, and
- 20mph zones, are designed to be “self-enforcing” due to traffic calming measures that are introduced along with the change in the speed limit.

Note – refer to Table 1 in section 4 for consideration criteria

20mph speed limits/zones are introduced sparingly, with casualty reduction being a priority for the selection of such schemes.

A number of 20mph zones are in operation in Derbyshire. They should be self-enforcing and so are usually only appropriate in areas where speeds are already naturally low or where a suitable package of traffic calming measures can be used to ensure compliance with the speed limit.

1.4 Traffic Regulation Orders

The imposition of any new speed limit, or amendment to an existing speed limit, requires a Traffic Regulation Order to be made. This is a legal process which includes a statutory consultation with public bodies such as the Police, Borough/District and Parish/Town Councils. A public notice period is also required – where details are advertised both on site and in the local press - to give local residents and road users the opportunity to comment on the proposal. Any representations need to be considered that in turn may

result in changes to the original proposal. Where powers are delegated, representations can be dealt with by a delegated senior officer.

Once a proposal has been approved, the necessary signs are ordered and arrangements made for them to be in place on a certain date to coincide with the date the Order comes into force; the Order is then enforceable by the Police.

This entire process – from investigation to implementation – can take between 6 and 12 months to complete.

Introducing a Traffic Regulation Order is both a time consuming and costly process. We receive many requests for speed limits and therefore apply a points-based scoring system to allow such requests to be prioritised. This allows resources to be better targeted at those areas which highlight an issue with collisions. The ranking scheme is included below.

1.4.1 Speed limit ranking scheme

Subject	Parameters	Points range	Points scored
Collisions	Serious and Fatal Slight Non-Injury Sub-total score Divided by crash exposure value: (volume (volume per day) x length (m) x 365) x 2 Total collision component score	10 5 1 = =	
Capital scheme or developer funded	Yes No	5 0	
Road hierarchy	A road B road C road Unclassified	5 4 3 2	
Enforceability (based upon 85 percentile speed)	New limit self-enforcing Supporting engineering features required Regular Police enforcement	5 0 -5	
Benefits of scheme to vulnerable road users	Possible improvement No change Deterioration	2 0 -2	

Subject	Parameters	Points range	Points scored
Benefits to schools	Possible improvement No change Deterioration	2 0 -2	
Benefits to elderly/mobility impaired	Possible improvement No change Deterioration	2 0 -2	
Benefits to local facilities/businesses	Possible improvement No change Deterioration	2 0 -2	
Effect on emergency services response times	Possible improvement No change Deterioration	2 0 -2	
Support from residents	Yes No overall support Residents not in support	2 0 -2	
Support from community and/or special interest groups	Yes No support forthcoming Against proposals	2 0 -2	
Cost of speed limit, including advertisements and associated works	<£5,000 £5,000 to £7,500 £7,500 to £10,000 £10,000 to £15,000 > £15,000	10 8 6 3 1	
		Total	

1.5 Speed limit change

Excess speeds alone are unlikely to justify the lowering of an existing speed limit. The speed limit will have been implemented according to DfT guidance and will be appropriate for the character of the road and level of built-up development. The vast majority of drivers will choose to drive at speeds they feel are appropriate and unnaturally low speed limits will be ignored. Compliance could be achieved by introducing a package of traffic calming measures but, in the absence of a speed-related injury collision history, the expenditure would be difficult to justify.

1.6 Community speed watch

Community Speed Watch is administered by the Police and will be an option in dealing with speed related matters. In future, the development of an area on the partnership website with appropriate links will facilitate the reporting of all speed related matters

2 VEHICLE ACTIVATED SIGNS (VAS)

2.1 Introduction

This guidance puts in place detailed procedures to be followed in considering the installation of permanent, temporary or mobile VAS.

VAS have become a popular, effective, less intrusive form of speed-reduction which can be used as an alternative to more physical measures. These are electronic signs which display a symbol and/or message when triggered by a vehicle travelling at a specific pre-set speed – the threshold speed usually being set at 10% + 2mph above the posted speed limit (e.g. 35mph in a 30mph limit). They are often introduced to supplement rather than replace traditional signing and lining, and are aimed at addressing specific road safety problems. However, note that those displaying a speed limit sign only should be set at speed limit +2mph, see criteria 2.2(b) below).

Note – refer to Table 1 in section 4 for consideration criteria

Both **permanent** and **temporary** VAS measures have been used in Derbyshire and Derby City. Research has shown that the effectiveness of permanent VAS reduces as motorists become familiar with them. The advantages of a temporary VAS is that it can be moved around between a number of sites; remaining at one site for a number of months before being moved to another site before motorists become familiar with it. The sign can then be redeployed to the same site several months later to retain its effectiveness.

VAS have been developed in Derbyshire and Derby City to address not only problems of exceeding speed limits, but also to encourage drivers to approach hazards – such as bends or junctions – at a safe speed, and to provide hazard warnings where conventional signing alone has not been effective. Analysis of existing sites has shown that, where these signs have been introduced in response to injury collision problems, they have resulted in immediate and ongoing improvements to the casualty record. There are still relatively few signs of this nature in Derbyshire and Derby City but there are concerns that to introduce them on a widespread basis would cause drivers to become used to them and their effect would diminish. In response to these concerns we apply a stringent set of criteria to each application we receive, to guard against over-proliferation and to ensure that signs are introduced where they are most needed. This allows the Councils to determine their priorities for investment in VAS and to inform other bodies about where signs will be deployed and where installation is likely to be refused.

The protocol dictates that all of the following criteria must be met for VAS:

- 2.1(a) VAS should be considered at sites that have a **collision history associated with inappropriate speed**, or a hazard, that has not been satisfactorily remedied by standard signing. Other signing means must have been tried and have failed; the site must have been subject to a recent speed survey to determine justification for a VAS installation.

- 2.1(b) VAS displaying a speed limit should be located at sites which have a history of a **minimum of 6 injury collisions within 1km over the previous 3 years** and where speed has been a factor in some, if not all the collisions.
- 2.1(c) VAS displaying a speed limit should be located at sites where the results of traffic surveys show the 85th percentile speed is at least 10% over the speed limit +2mph, measured over a 7-day period. [The 85th percentile is the speed at which up to 85% of the traffic is travelling].
- 2.1(d) Hazard warning VAS should be located at sites which have a history of a **minimum of 6 injury collisions within 1km over the previous 3 years**, and where the hazard has been the cause.
- 2.1(e) Requests for VAS that meet these criteria should be prioritised on the basis of a calculated estimate of casualty reduction benefits.
- 2.1(f) The flexibility of temporary VAS means they are the preferred option but the decision on which type of VAS to be used should be made on a case by case basis. To retain effectiveness, temporary VAS should remain on site for **no longer than 3 months and should not be redeployed at the same site within 6 months**.

2.2 Installation and Monitoring Criteria

- 2.2(a) VAS warning of a hazard should be set to operate at the 50th percentile speed measured before installation. However, discretion may be used to change this depending on the road conditions.
- 2.2(b) VAS displaying a speed limit should normally be set to operate at 10% + 2mph above the posted speed limit (e.g. 35mph in a 30mph limit). However, discretion may be used to change this depending on the road conditions.
- 2.2(c) The section of road in advance of the VAS must be straight over a reasonable distance to maximise visibility to the sign.
- 2.2(d) There should be little or no vegetation or street furniture that will block the view of the sign or affect the working of the radar equipment.
- 2.2(e) There must be sufficient footway or roadside verge to install the sign. There must also be reasonable access to a power supply.
- 2.2(f) The sign should, wherever possible, not be intrusive to nearby residential properties and early consultation should be sought to establish residents' views. If the sign is proposed within the Peak District National Park, early consultation with the National Park Authority should be sought.
- 2.2(g) VAS displaying a speed limit should be located between 100 metres and 200 metres beyond the start of the posted speed limit sign, except in

urban areas with street lighting where a 30mph speed limit operates and where repeater signs are not allowed.

- 2.2(h) VAS warning of a hazard should be located between 50 metres and 100 metres in advance of that hazard.
- 2.2(i) Permanent VAS should be routinely inspected every six months and provided with regular maintenance, such as cleaning the sign face, removing any obstructing foliage and ensuring that the vehicle detection system is functioning correctly.
- 2.2(j) All VAS installations should be monitored for effectiveness by regular analysis of speed data and collision records. Any that are considered ineffective should be removed.

2.3 Permanent and Temporary VAS - Funding by Borough, District or Parish/Town Councils

Where a local council has requested a VAS, which meets criteria for inclusion in the County Council's programmes but is a low priority for installation at the County Council's expense, then the local council may fund the installation. The Funder must undertake to be responsible for all costs, including long-term maintenance for the life of the installation, and removal if required. All selection, installation and monitoring criteria above will apply, with the exception of criteria 2.1(e).

2.4 Mobile VAS

Mobile VAS differ from temporary VAS as they are completely mobile and do not require pre-prepared sites, and may be deployed in locations which would not meet the criteria for permanent or temporary sites. Currently, there are no mobile VAS operating, but are included as they may be employed in the future. Decisions on where they may be deployed, and the length of deployment, should be taken through established selection and consultation procedures of the sign's owner, either the County Council, Derby City or Derby and Derbyshire Road Safety Partnership. The owner may seek contributions to costs from the local council requesting the installation. In no circumstances should mobile VAS be deployed for longer than the three month limit applying to temporary installations.

3 TRAFFIC CALMING/SPEED REDUCTION MEASURES

Derbyshire County Council and Derby City, as local Highway Authorities, are committed to the reduction of casualties on their highway networks. There are a number of traffic calming measures available to help reduce traffic speeds, and discourage inappropriate through traffic, in order to achieve casualty reduction on our roads.

We receive many requests for traffic calming measures which far outweigh the limited funding available for such schemes. Our funds must therefore be targeted at areas with a history of speed-related collisions resulting in **personal injury**; prioritised to those locations with the greatest number of collisions, with pattern and severity also taken into account. Sites of concern are identified either from data analysis (speed surveys and collision history) or from members of the public, in person or via their parish/town council/County Council Member. Measures can only be introduced at locations where there is an identifiable problem (e.g. trend in collisions) and will be chosen based on the likelihood of an improvement to the road safety record being achieved.

Note – refer to Table 1 in section 4 for consideration criteria

The responsibility for the enforcement of speed limits lies solely with the Police and instances of speeding can be reported to your local Police officers by dialling their 101 non-emergency number. In future the development of an area on the partnership website with appropriate links will facilitate the reporting of all speed related matters.

Below is a description of some of the speed-reduction measures we can consider, given the right circumstances. Physical calming measures - such as road humps or speed cushions (vertical deflection), build-outs and chicanes (horizontal deflection) – are costly and generally not well supported by the public and so we will tend to consider less intrusive measures wherever possible.

3.1 Road Humps

Perhaps the most recognisable form of traffic calming, **road humps** (commonly referred to as ‘sleeping policemen’), can be used to reduce traffic speeds and discourage inappropriate through-traffic on residential roads in order to lessen the risk of speed-related collisions occurring.

A road hump is rarely introduced in isolation and a scheme would normally include several humps, set at regular intervals, in order to reduce speeds consistently over the given route.

A variation on road humps are **speed cushions**. Unlike road humps, speed cushions form small plateaux across the width of the carriageway with gaps in between. Arguably not as effective as road humps, speed cushions do, however, allow easier passage for wider vehicles (such as those used by the emergency services) as they can straddle either side of the plateau; a useful alternative to road humps on busy bus routes and those heavily trafficked by heavy goods vehicles.

Speed Tables take the form of single, raised ‘table-top’ plateaux across the width of the carriageway. In addition to achieving reductions in speed, tables also provide a safe crossing place for pedestrians, across the top of the plateau, where traffic speeds will be at their lowest.

Measures of vertical deflection, as described above, can only be introduced on roads with a speed limit of 30mph or less, and where street lighting is present. We are also

governed by the Highways (Road Humps) Regulations 1999 which state that humps are to:

- be between 25mm and 100mm high;
- have a minimum length of 900mm;
- be either curved or flat topped, and
- be spaced at between 20m and 150m.

There will need to be very clear justification on grounds of road safety for any of these measures to be introduced as they are not well supported by the general public due to their detrimental effects. These measures will invariably create a level of noise/vibration pollution for local residents. The need for associated signage and street lighting can also be considered detrimental to the aesthetic of residential areas. Given the lack of support, less intrusive measures may be more appropriate in most situations where traffic calming is required.

3.2 Build-outs, Chicanes and Priority Narrowing

The benefit of horizontal deflection over vertical deflection is that vehicles do not have to travel over a physical feature and therefore problems of noise/vibration pollution are removed.

Such measures can often take the form of **chicanes** which uses features to either narrow the carriageway – allowing for two way traffic flow at slower speeds – or gives priority to drivers travelling in a certain direction, creating a break in traffic flow and reducing speeds.

Chicanes can be formed by creating **footway build-outs**; widening of the footway into the carriageway to provide improved visibility for pedestrians wishing to cross the road. This is of particular advantage on residential roads with high levels of parked cars. Build-outs introduced in isolation would not necessarily be used as a speed-reducing technique but the ‘narrowing’ of the carriageway will encourage some drivers to reduce speeds. A number of build-outs, introduced at strategic locations, will create a chicane effect and help to control traffic speeds along the route in question. Build-outs can be difficult to achieve where there are many private driveways restricting their positioning.

Priority narrowing is usually created through footway build-outs, extending into the carriageway to such a degree as to limit it to one-way traffic flow. The effect of this is that vehicles travelling in one direction have to give way to oncoming traffic, creating a break in traffic flow and subsequently reducing speeds. This measure does rely on oncoming traffic to be effective. A steady flow of traffic in either direction is needed and, if the balance is not right, can result in drivers speeding up to get through the gap first.

Footway build-outs and priority narrowing are often viewed as too intrusive by residents due to the associated kerbing required for the build-outs and signing/illumination of the priority system. An additional consequence of all forms of horizontal deflection is that it

invariably removes lengths of on-street parking, which is unfavourable in areas where such provision is in high demand.

Less intrusive measures will be considered wherever possible.

As with vertical measures, horizontal measures can only be introduced on roads with a speed limit of 30mph or less, and where street lighting is present.

3.3 Road Markings

Before using any of the above measures, we will normally consider whether road markings could be used at sites which suffer from a poor road safety record. The use of road markings can be a cost-effective measure in resolving certain speed-related injury problems.

An example of road markings we may consider are **rumble strips**. These would normally take the form of slightly raised strips, set across the entire width of the carriageway, and a different colour to the road surface. The strips cause vibration when driven over to alert drivers to reduce their speed and are typically used to draw attention to a change in speed limit – e.g. at the entrance to villages where there have been collision problems. Due to the noise generated by rumble strips, we are not recommended to introduce them within 200 metres of residential properties.

Another technique we may adopt is **visually narrowing road markings**, usually taking the form of white hatching placed down the centre of the carriageway. This creates a visual effect of narrow traffic lanes, reducing speeds and keeping opposing vehicle flows away from each other. They also encourage lower speeds when overtaking cyclists or parked vehicles. **'SLOW'** road markings can also be considered at problem locations.

4 TABLE 1: IDENTIFIED TREATMENTS AND THEIR CRITERIA FOR CONSIDERATION OF IMPLEMENTATION

Treatment Type	Treatment	Criteria	Considerations
Engineering	20mph zones.	<ul style="list-style-type: none"> • Only available for existing 30mph speed limit areas. • Not available for arterial/strategic routes. • 6 personal injury collisions over 1km (pro rata) in the latest 3 years. • Recorded mean speed and 85th percentile should be approximately 20mph. 	Traffic Regulation Order legal process required
Engineering	Speed Limit Change.	<ul style="list-style-type: none"> • Current speed limit assessed and not appropriate. • Procedure to rank and prioritise requests for speed limits is applied. • 	Traffic Regulation Order legal process which is subject to the public and statutory bodies opinion.
Engineering	Permanent Vehicle Activated Signs (VAS).	<ul style="list-style-type: none"> • 6 personal injury collisions over 1km in the latest 3 years, where either a trend can be identified or speed has been a factor in some of the collisions. • Site or Route Specific Road Markings and/or Traffic Signs methods have been evaluated and not worked • 85th percentile recorded speed has exceeded the threshold specified in Table 2. • Other traffic calming measures inappropriate due to strategic nature, hierarchy and importance of the route and to avoid the use of less appropriate routes. 	Speed or specific collision trend required. Road user can become familiar.
Engineering	Temporary VAS.	<ul style="list-style-type: none"> • 6 personal injury collisions over 1km in the latest 3 years, where either a trend can be identified or speed 	Road user less likely to become familiar and effectiveness is retained. VAS should remain in place for no longer than 3 months and not

Treatment Type	Treatment	Criteria	Considerations
		<p>has been a factor in some of the collisions.</p> <ul style="list-style-type: none"> • Site or Route Specific Road Markings, Traffic Signs and other engineering methods have been evaluated and not worked. • 85th percentile recorded speed has exceeded the threshold specified in Table 2. • Other traffic calming measures inappropriate due to strategic nature, hierarchy and importance of the route and to avoid the use of less appropriate routes. 	<p>redeployed at the same site within 6 months (subject to resourcing and funding).</p>
Engineering	Horizontal Traffic Calming Measures (build-outs, chicanes and priority narrowing).	<ul style="list-style-type: none"> • 7 personal injury collisions over 1km (pro-rata) in the latest 3 years in an area or. • Identified rat-running route. • Current speed limit is 30mph or less. • Street lighting must be present. 	<p>Limited noise and vibration issues.</p> <p>Difficult to implement where there are private driveways. Often viewed as intrusive by residents.</p> <p>Additional traffic signing and illumination is required which has an environmental impact.</p> <p>Amount of on-street parking provided will be reduced.</p>
Engineering	Vertical Traffic Calming Measures (road humps/speed cushions/speed tables/plateaux).	<ul style="list-style-type: none"> • 7 personal injury collisions over 1km (pro-rata) in the latest 3 years in an area or. • Identified rat-running route with more desirable alternative route available. • Current speed limit is 30mph or less. • Street lighting must be present. • Cannot be provided on the strategic road network where there is a high proportion of heavy goods vehicle traffic. 	<p>Size/height, etc, is prescribed by Highways (Road Humps) Regulations 1999.</p> <p>Can provide additional noise and vibration issues for residents.</p> <p>Additional traffic signing required which has an environmental impact.</p>
Engineering	Site Specific Road Markings (rumble strips).	<ul style="list-style-type: none"> • 3 personal injury collisions over 1 km in the latest 3 years 	<p>Noise impact upon nearby properties.</p>

Treatment Type	Treatment	Criteria	Considerations
		<ul style="list-style-type: none"> Cannot be located within 200m of a residential property. 	
Engineering	Site or Route Specific Road Markings (white hatching/narrow lanes/SLOW markings) and or Traffic Signs. Reductions in signs and markings where beneficial to safety.	<ul style="list-style-type: none"> 3 personal injury collisions over 1 km in the latest 3 years. 	Environmental considerations, where signs and markings have a little impact upon road safety. Asset reduction and consideration to energy costs.

5 TABLE 2: MEAN AND 85TH PERCENTILE SPEED THRESHOLDS

Speed Limit	Threshold (mean speeds)	Threshold (85th percentile speeds)
20mph	20mph	24mph
30mph	30mph	35mph
40mph	40mph	46mph
50mph	50mph	57mph
60mph	60mph	68mph

Agenda Item No.4(c)

DERBYSHIRE COUNTY COUNCIL

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

17 June 2021

Report of the Executive Director – Place

**OBJECTIONS TO TRAFFIC CALMING PROPOSALS FOR SWALLOW
HOUSE LANE, HAYFIELD**

(1) **Purpose of Report** To consider responses and objections following the public advertisement and consultation on proposals to introduce traffic calming measures on Swallow House Lane, Hayfield

(2) **Information and Analysis**

Background

As part of the planning permission for a residential development by Bloor Homes on land off Swallow House Lane, Hayfield, a payment of £17,850 has been made to the Council as a contribution towards off-site highway works and/or traffic calming measures to be carried out within one mile of the site to mitigate against the increased traffic movements resulting from the development. Therefore, the Council added this contribution to its Capital Works programme in order that an appropriate scheme could be designed and programmed.

Following site meetings with the Parish Council and representatives of the school, the proposal shown on the attached plan has been formulated (Drawing No S10606/CONS1A).

The proposed road hump scheme was advertised on site and in the local paper from 20 September 2018 to 12 October 2018. Following this statutory requirement, 23 responses have been received in support of the proposal, including the Police, the Peak District National Park Authority, the Parish Council and Hayfield Primary School (both the Head Teacher and the Governors). Twenty of those in favour reside on Swallow House Lane (including the school). Thirteen responses have been received expressing objection to the proposal, six of these have addresses on Swallow House Lane, one on Lea Road, one on Swallow House Crescent, two on Pike Close, one on Wood Gardens and one on Thornsett Lane, Birch Vale. Hayfield Civic Trust has also objected.

A summary of the objections are as follows:

- Speeding is not an issue on Swallow House Lane.
- Increased noise.
- Increased pollution.
- Waste of money.
- Will not address the issue of thoughtless parking at school opening and closing times.
- The school parking ensures that traffic speeds are kept to a minimum due to the congestion that this can cause.
- Hinders emergency vehicles.
- Long term damage to residents' vehicles that use the road on a regular basis.
- No evidence base to justify such intervention measures

Officer Comment

The financial contribution from the developer has made it possible to consider highway intervention measures on Swallow House Lane. Site meetings have taken place with the Parish Council and representatives of the school to discuss options and the draft proposal has been tailored to address the issues raised during these discussions.

The physical constraints of Swallow House Lane do limit the type of measures that could be deployed here. For instance, horizontal deflection, such as chicanes and build-outs, would not be practical due to the limited road width available and the effect that this would have on roadside parking. This is why road humps have been proposed as they do not affect the alignment of the carriageway and would not remove any roadside parking spaces.

Road humps on the public highway have to conform to national regulations and are not as severe as those encountered on private land, such as supermarket car parks. They are able to be passed over without having to slow virtually to a stop and have been designed to enable drivers to proceed at a consistent speed without harsh braking and accelerating. As such, engine noise and emissions should not be increased and could even decrease if drivers pass through at a lower speed. Heavy goods type vehicles can rattle when negotiating road humps and this is one of the reasons that they are rarely used on strategic routes, but Swallow House Lane's position within the road hierarchy means that it does not carry this type of through traffic.

The proposal also includes the erection of a School Safety Zone sign to accompany the existing flashing amber warning lights. This large yellow sign will also include a "Max speed 20 when lights flash" plate.

Bearing these points in mind, it is considered that the best use of the financial contribution from the developer would be to install the road hump scheme as

proposed, as this will permanently help to regulate vehicle speeds on this road.

Local Member Comment

The previous local Member, Councillor Beth Atkins, supported the proposed restrictions.

(3) **Financial Considerations** Following the completion of a housing development by Bloor Homes, the developer has submitted a sum of £17,850 to the Council as a contribution towards off-site highway works and/or traffic calming measures to be carried out within one mile of the site via a formal planning Agreement.

This contribution was added to the Council's 2017-18 Capital Programme of works.

(4) **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.

(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.

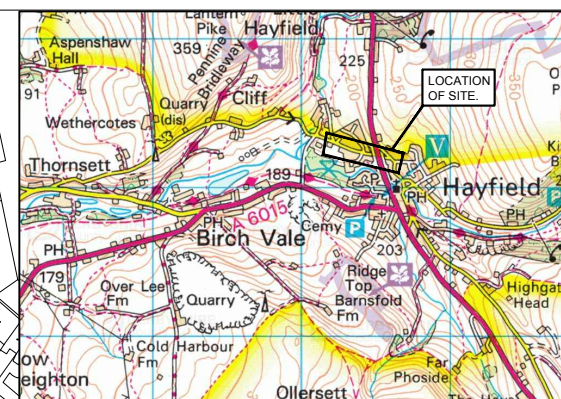
(7) **Background Papers** Held on file within the Place Department.

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

8.1 The Cabinet Member approves the introduction of the traffic calming scheme and associated signing on Swallow House Lane, Hayfield.

8.2 The Local Member and objectors be notified accordingly.

Chris Henning
Executive Director – Place



1. ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE STATED.
2. NO DIMENSIONS TO BE SCALED FROM THE DRAWING.

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SCHEME EXTENDED.			TRM	JW	JW	10/5/18	A
AMENDMENT DETAILS			By	Chkd	Appd	Date	N
DRAWN BY T.R. MATHER	CHECKED BY J.A. WATSON	APPROVED BY J.A. WATSON	SCALE				
Date 24/5/17	Date 24/5/17	Date 24/5/17	NTS				



Mike Ashworth
Strategic Director - Economy, Transport and Communities

HIGHWAY MANAGEMENT

HIGHWAY DESIGN



PROJECT TITLE

SWALLOW HOUSE LANE
HAYFIELD

DRAWING TITLE

TRAFFIC CALMING AND SCHOOL SAFETY ZONE CONSULTATION

DCE Project Reference Number	S10606
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Drawing Number S10606/CONS1A

<p> Title: Location: j:\Network-Management\Highways\C&C HIGHWAY DESIGN\2016-17\Scheme name and number\Hayfield - Swallow House Lane\04 - Design\S10606.CON\S1A.dwg File Created: Tue 10-Jan-2017 - 09:47AM Last Saved: Thu 10-May-2018 - 03:34PM </p>	<p> No. A </p>
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File Created: Tue 10-Jan-2017 - 09:47AM
Last Saved: Thu 10-May-2018 - 03:34PM

Agenda Item No. 4(d)

DERBYSHIRE COUNTY COUNCIL

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

17 June 2021

Report of the Executive Director – Place

**OBJECTIONS TO THE DOLES LANE, CLIFTON PROHIBITION OF MOTOR
VEHICLES ORDER 2021**

(1) **Purpose of Report** To inform the Cabinet Member of the objections received during the public advertisement of the proposals to the Prohibition of Motor Vehicles Order 2021, Doles Lane, Clifton.

(2) **Information and Analysis** There have been a few incidents at the ford on Doles Lane where vehicles have become trapped by unexpected large volumes of water and on one occasion, this has led to a loss of life. Warning signs on the approach to the ford have been in place for some years. As part of a series of measures throughout Derbyshire, each ford is to be numbered to assist the response from the emergency services. In the case of Doles Lane, it is also proposed to prevent motor vehicles from crossing the ford. Access across the ford can be maintained for pedestrians and cyclists via the existing footbridge. Access will be maintained for motor vehicles where required for adjacent landowners and for maintenance purposes. It is intended that the closure will be enforced by erecting gates at both ends. The extents of the proposals are shown on Appendix A.

The proposals were advertised from 18 February 2021 to 12 March 2021. Comments in support were received from the local Member, Parish Council and a member of the public. Objections were received from five individuals and two interest groups.

Objections

Three of the objections related to the need to keep Doles Lane open as it is both an important recreational and rural link. One objector considers the proposed Order is a drastic measure and asks the County Council to consider signing in the first instance. Another objector asks why trail riders are not allowed to use the route and considers that as they are small and have a rider, they should be able to exercise caution and use the route.

Objections were received from both the Trail Riders Fellowship and the Green Lane Association.

The Trail Riders Fellowship objection mainly relates to there being no incidents reported of either motorcycles or quad bikes having safety issues when crossing the ford. They consider that the Traffic Regulation Order (TRO) is flawed as it does not consider that, as those vehicles are ridden, the rider is more able to accurately judge the circumstances relating to the ford and whether they should proceed.

The objection is listed in full in Appendix B.

The Green Lane Association objected on the following grounds:

- Warning signs are required.
- An unauthorised sign is in place.
- The depth gauge provided looks amateurish.
- There is no regime for checking inspecting fords within Derbyshire.
- No case, no justification for the TRO

The full objection is listed in Appendix C.

Officer Comment

The proposed TRO has been supported by the Local Member and the Parish Council previously. Derbyshire Police and Derbyshire Fire and Rescue Service would prefer the road closed to motor vehicles.

There are already signs in place to warn of the ford on both approaches, with supplementary plates to say that the route is unsuitable for motor vehicles. The oldest of these signs are at the junctions of A515/Doles Lane and Watery Lane/Green Lane. These signs can be seen in place using a well-known internet search engine and can be shown in place from July 2009. An additional sign was installed at the Doles Lane/The Greenacre junction to reinforce the warning sign at the A515 junction. This sign can be seen using the internet and the earliest image is from May 2011. The signing in these circumstances has been placed at points of turn. The carriageway on Doles Lane from The Greenacre westwards to the ford is a single lane and the warning signs are in place where drivers turn around or proceed along the main road. On the western side of Watery Lane/Green Lane junction, the warning sign has been placed where drivers can proceed on the road network as again the carriageway is virtually a single lane from that point eastwards with no opportunity to turn.

The wording on the supplementary plate is that the route is unsuitable for motor vehicles has been consistent for over a decade. The definition of motor vehicles within the Order can be changed in line with the definition in the Road Traffic Act 1988.

A depth gauge was installed in the ford in 2018. Fords within Derbyshire are to be numbered to aid the emergency services. Sudden downpour events have become more regular which can change the conditions of local watercourse quickly which makes reactive signing of the risk at fords more difficult.

Notifications have been received from people local to Doles Lane to say that, on occasion, temporary measures put in place have been moved to facilitate access to the ford. Any signs that have been erected by private individuals on the highway will be removed.

In summary, drivers have continued to use the route regardless of the presence of warning signs on the approaches. The road concerned has been signed as unsuitable for motor vehicles for over ten years. Drivers have removed temporary signs to use the route. A numbering system is to be brought in to assist emergency services responding to incidents at fords within Derbyshire. These signs have been ordered and are to be installed soon.

Local Member Comments

The Local Member, Councillor Bull, supports the scheme.

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

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984 states that it shall be the duty of every Local Authority exercising the functions in that Act (so far as practicable having regard to the matters listed below) to secure the expeditious, convenient and safe movement of 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 prohibition of waiting. Notice of proposals must be given in accordance with Regulation 7 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and at least a minimum of 21 clear days for the receipt of written objections must be allowed. Objections can then be considered by the Local Authority. Regulation 14 of the 1996 Regulations enable an order making authority to modify an Order in consequence of any objections or otherwise, before it is made. Where substantial changes are to be made, the order making authority must notify those likely to be affected by the modifications and giving them an opportunity to make a representation which the authority shall consider. In this matter, it is considered that the modifications constitute a reduction and are therefore not a substantial change.

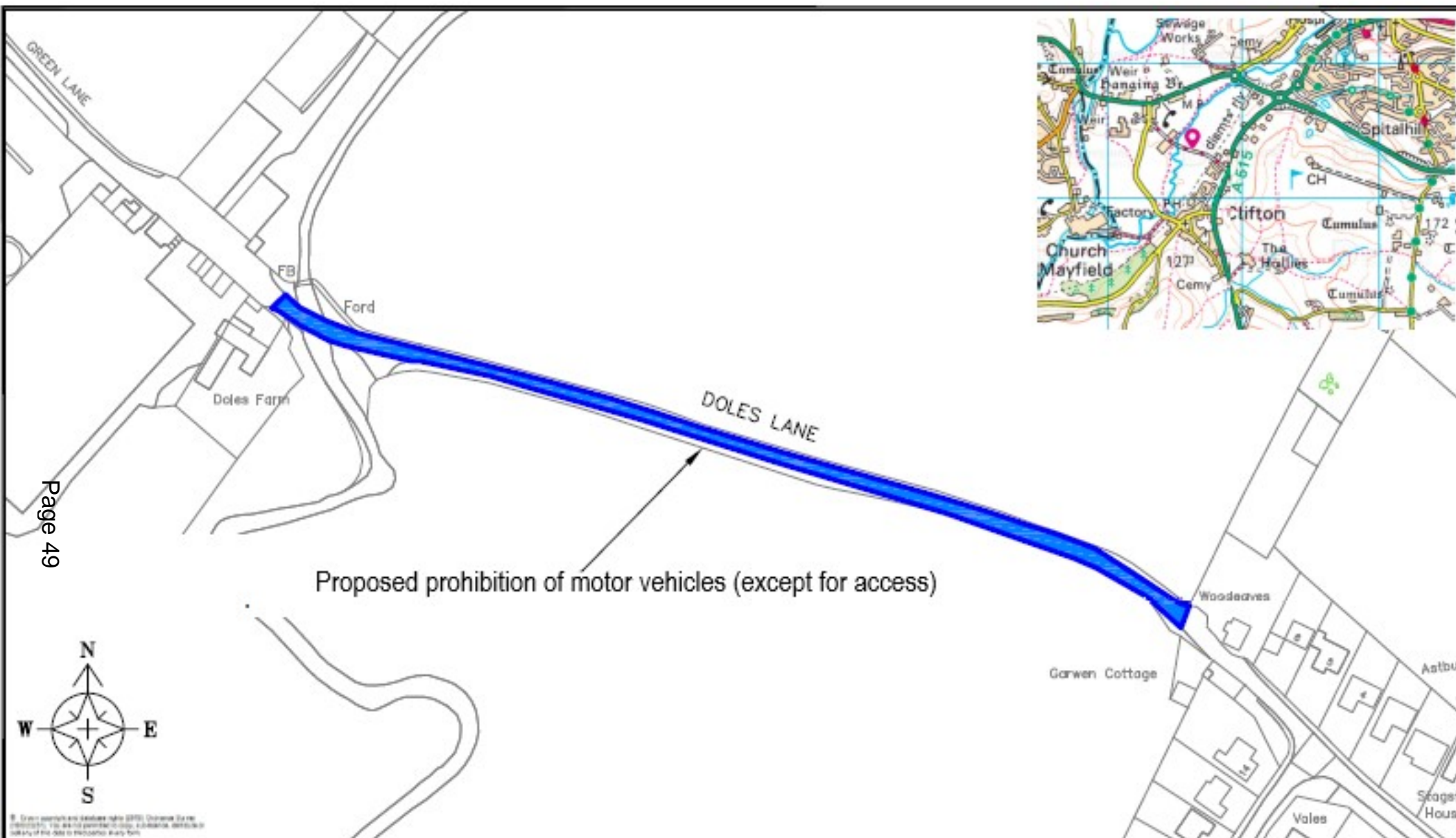
Having determined all objections, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected. An Order cannot be made until after the last date of publication of the notice of proposals. No part of a TRO can come into force before that date when it is intended to publish a notice of making it

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.

- (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 Place Department.
- (8) **OFFICER'S RECOMMENDATION** That the objections to the Prohibition of Motor Vehicles Order 2021, Doles Lane, Clifton be overruled and the Order, subject to amending the definition of motor vehicles, be made.

Chris Henning
Executive Director – Place



Proposed prohibition of motor vehicles (except for access)



Tim Gregory
Director
Economy, Transport and Environment

KEY:



EXTENTS OF PROPOSED RESTRICTIONS

PROJECT TITLE

Clifton, Doles Lane, Proposed
Prohibition of Motor Vehicles

DRAWING TITLE

CONSULTATION
DRAWING

DRAWN
JHARRISON

Date
18/01/2021

CHECKED
SALCOCK

Date
18/01/2021

APPROVED
SALCOCK

Date
19/01/2021

Project / Confirm
Reference No.

PROJECT/CONFIRM_REF

Drawing
Number

HMT/SA/764/21

SCALE

N.T.S



Trail Riders Fellowship
Third Floor, 218 The Strand
London WC2R 1AT

john.v@trf.org.uk

11th March 2021

Re: Z3256 THE DERBYSHIRE COUNTY COUNCIL ROAD TRAFFIC
REGULATION ACT 1984 (DOLES LANE/GREEN LANE, CLIFTON)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2021

Dear Sirs,

I write on behalf of the Trail Riders Fellowship ("TRF") to object to the proposed traffic regulation order ("TRO") insofar as it restricts access for motorcycles and quadricycles.

We have been unable to locate any decision records or background documents on the Derbyshire County Council ("DCC") website that relate to the decision to propose the TRO.

We are aware of media reports recording a fatality linked to use of the ford in 2018.

There does not appear to be any reports of motorcycles or quadricycles having safety issues crossing the ford. Neither the statement of reasons, draft order, or consultation letter acknowledge the existence of motorcycle or quadricycle traffic. Rather, the term "motorised vehicle" and "vehicle" is used as a catch-all.

We say this is unfair and incorrectly attributes report of incidents involving cars, to motorcycles and quadricycles.

Cars are a class of traffic that are distinct from motorcycles and quadricycles, just as cars are distinct from horse drawn carriages, pedal cycles, and mobility scooters. The aforementioned are all vehicles, and some are motorised vehicles, but only cars appear to be subject of reports of becoming stuck in the ford.

The TRO process appears to be infected with a fundamental mistake of confusing "car" and "vehicle" as being one and the same thing as all the many classes of "motor vehicle".

The restriction proposed is overly restrictive in that it prohibits classes of traffic that are not likely to become stuck in the ford.

Motorcycles and quadricycles are ridden as opposed to driven. That inherently sets them apart from cars in the manner that they use a ford. Riders have a better view of the ford than drivers. Further, the rider is inherently more cautious by virtue of not being enclosed as the driver is. Exposure to the environment is a factor that prompts caution. A rider is no more likely to venture into a deep fast flowing ford than a pedal cyclist or pedestrian.

1



Use of a ford with a standard car presents greater hazard than use of a ford by motorcycle or quadricycle. Standard cars are prone to trapping their drivers, floating and overturning, and stalling in water.

Being ridden, motorcycles and quadricycles are not prone to trapping riders. The construction does not float as a car does. The wheels of a motorcycle/quadricycle maintain contact, drive, and steering where a standard car floats and the wheels lose effective traction.

The proposed restriction does not prevent electrically assisted pedal cycles and pedal cycles from crossing the ford. Neither does it prevent horse drawn vehicles from crossing the ford. A wide range of motorised vehicles are exempt from restriction for purposes of access. The order and statement of reasons contemplates a wide range of traffic using the road safely.

The statement of reasons relies on the alternative of a footbridge for pedestrians and cyclists. That alternative is also available to motorcyclists who are pushing their motorcycle with the engine switched off.

Cyclists are not permitted to cycle on the footway/footbridge and would have to push their bikes to avoid contravening s.72 Highway Act 1835. Cyclists are considered to be foot-passengers on the highway when pushing their bikes. What applies to a pedal bicycle also applies to a motorcycle.

Pushing a motorcycle is not riding or driving it.

The alternative of a footbridge does not translate into a restriction on use of the ford.

Pedestrians and cyclists are not prohibited from using the ford – even where it may be deep and fast flowing – by the existence of the alternative.

But motorcycle and quadricycle riders encountering the ford when it is deep and fast flowing are likely to use alternative tarmac routes rather than use the footbridge.

2

The draft order does not restrict horse drawn vehicles. It follows that any physical barriers used to enforce the TRO must allow for horse drawn vehicles to pass (so that they might use the ford). Providing a gap sufficient for horse drawn vehicles to pass the barrier would defeat the effectiveness of the barrier to prevent cars from passing. We recommend that the Council contact Mark Weston of the British Horse Society to explore the issue.

We are concerned that the draft order has departed from the definition of “motor vehicle” as provided by s.185 of the Road Traffic Act 1988. The definition used in the draft order omits reference to section 20 of the Chronically Sick and Disabled Persons Act 1970. The effect may be that the restriction would bite on mobility scooters. We respectfully suggest that the Council should prefer the statutory definition of “motor vehicle”.

A depth gauge can be provided at the ford. Depth gauges are a traffic sign and must be authorised as appropriate. We understand that the Traffic Signs Regulations and General Directions does not prescribe a depth gauge sign. There is a risk that unauthorised depth gauges may be dangerously inaccurate. We are concerned by reports that suggest the unauthorised use of traffic signs, including depth gauges. In particular, the Clifton Parish Council minutes dated 25th July 2018 record:

“The gauge has now been marked with the levels – but it was a bit concerning it did not show the metre depth points it could have been more clearly marked. It was agreed it would be appropriate to put up a separate small sign to warn people of the marker been in metres.”



Minutes date 16th May 2018 record:

“The signs warning of the potential danger of following sat nav instructions to the ford have been erected and generally observed, although the depth gauge has yet to be finished. The cost to the council so far has been £180.”

Minutes 16th January 2019 record:

“FORD - Regarding the recent very sad accident at the ford Cllr J Harrison is following up the enquiry with the relevant authorities both as a landowner and councillor – updates will follow”

TRF sympathises with the Parish Councils concerns about the ford and desire to make the road safer. We say that the road can be made safer, and the amenity of the road improved without a total and permanent restriction of public use of the road with motorcycles and quadricycles.

In the event that DCC decides to modify the Order, we ask that we are consulted on any modifications or otherwise provided with a reasoned explanation as to why we are not going to be consulted.

The road provides a valued amenity to members of the Trail Riders Fellowship, who enjoy riding it on motorcycles and quadricycles.

We ask that DCC modify the TRO so as not to restrict motorcycle and quadricycle traffic.

Alternatively, we ask that DCC provide an exemption within the TRO to permit members of the Trail Riders Fellowship to use the road with motorcycles and quadricycles. As riders with an interest in riding green roads, our members are especially familiar with riding fords, generally ride motorcycles and quadricycles that have good fording capabilities, and this sets them apart as more proficient users of fords than the wider public. Further, our members agree to abide by the TRF's Code of Conduct as a condition of membership and are recognised as responsible users of highways.

Yours sincerely,

John Vannuffel

Technical Director

Trail Riders Fellowship

3

(By Email)

04/03/2021

Dear Sir/Madam

Proposed Traffic Regulation Order – Doles Lane/Green Lane – Clifton – Derbyshire – Ref Z3256

I am writing to you on behalf of the Green Lane Association (GLASS) in respect of the above proposed Traffic Regulation Order (TRO), to which we are making a formal objection. We are aware that there was a fatality at the ford in 2018 and that over the previous 11 years it has been reported that there had been 4 incidents involving vehicles being caught in flood water at the ford. Whilst the loss of a life in such circumstances is tragic, both our objection to the proposed closure of the highway, and the highway authority's reasons for closing the highway, must avoid emotion and be entirely based on an objective analysis of all of the available evidence.

Due to the short timescale to respond to the proposed TRO I have been unable to ascertain from Derbyshire County Council (DCC) directly as to what their inspection regime for highways that feature fords may be. However, I have examined several published DCC documents including the Highways Inspection and Maintenance Procedures Review, dated 11th March 2015, the Resilient Network Plan and the Highways Infrastructure Assets Safety Inspection Manual, both dated June 2018, the latter has been subject to a number of reviews the last being dated 1st February 2020. None of these documents make any specific reference to fords, namely how and when they will be inspected. Of all of the published documents I have discovered, only 2 mention fords, the Highway Infrastructure Asset Management Strategy & Plan, dated June 2018, which on page 16 briefly mentions fords under public rights of way, although this is omitted from the revised version, dated 10th July 2020, which makes no reference to fords. There is also a reference to fords in the Data Management Strategy 2018, revised July 2020, at page 8, Figure 3, Asset Owners Organogram, which simply identifies who, within DCC, is responsible for them.

It may be that there exists somewhere a document defining how and when fords located on DCC's highway network are inspected, but I have not been able to discover it. Should it transpire that DCC has not provided such information to its highway inspectors, or that it does not have a regime for the inspection of fords within its network of highways, then that may be considered, at best, remiss on its part. By comparison it is relatively easy to discover how other HA's deal with the inspection of fords on their own highway networks. For example, Cornwall Council have published a document entitled "Cornwall Rural Highways Best Practice", fords and their management are specifically dealt with at chapter 8.2. In addition, their "Highway Maintenance Manual 2020", page 89, deals specifically with the inspection of fords, "C18 Specialist Inspection of Fords" which in respect of Cornwall's maintenance regime are, with the exception of tracks, inspected at least annually, inspections relate to the examination of signage, depth gauges, scour (damage to river bed or apron caused by water flow) and the condition of the river bed itself. In Shropshire and Dorset, fords are inspected at the same frequency as the highway on which it is located and include a check that a depth gauge is present.

The Traffic Signs Manual 2018 states at chapter 10.1 that the 'Ford' sign should be used at all fords, including those that dry up in the summer. It further states that additional signs should be placed at the entry to the road leading to the ford and should be accompanied by a distance plate. Although no longer prescribed, highway authorities are nevertheless encouraged to continue to provide depth gauges, particularly so where the ford may become impassable due to flood. At chapter 10.1.5 the document states that depth gauges should be provided at fords or locations where flooding is known to be a persistent problem. Section 103(1) of the Highways Act 1980 states that *"it shall be the duty of a highway authority to provide, in connection with any highway for which they are the highway authority and which is subject to flooding to any considerable depth, graduated posts or stones in any case where they consider the provision thereof necessary or desirable for the purpose of indicating the depth of water covering the highway"*.

To the best of my knowledge DCC has not put in place any warning signs nor has it ever had any warning signs in place at the ford itself, nor have they provided a depth gauge, although it may be the case that the Parish Council took it upon themselves to provide one, which a local resident stated did not work and described as looking something akin to what his kids may have constructed. Signs have been erected at the entry roads, one at the Watery Lane – Green Lane junction, some 230 metres to the north west of the ford, the other one being located at the junction of Doles Lane and the A515, some 430 metres south east of the ford, neither of which have any distance plates or arrows on them. With respect to warning signs, an additional sign appears to have been erected at or close to the junction of Doles Lane and The Greenacre. I have no information to confirm whether this sign was erected by the highway authority or by an authorised third party. There is no record of a TRO prohibiting vehicles from using this highway and yet this sign advises users that vehicles are prohibited. Consequently, this sign is misleading nor does it comply with the appropriate sign to use in such circumstances, should they actually exist, as advised in the Traffic Signs Manual (2018) published by the Department for Transport.

Warning signs are an important means of providing the 'user' with information as to any potential hazards that may lie ahead of them, in this instance signs with distance plates at the 'entry' road would provide an early warning. This is of particular use to those unfamiliar with the road as well as providing a reminder to those who are, and from which, especially in inclement weather conditions, they are able to make informed choices as to whether it would be appropriate to use the ford or to use a different route. This is not to say that everyone would choose another route, which is why warning signs at the ford itself, along with a depth gauge should it be known that the ford is subject to flooding, are additional and essential safety requirements and would provide all the relevant information to enable a user to make up their own mind.

DCC's 'statement of reasons' refers to 'regular concerns' having been raised in respect of vehicles becoming stuck in the ford. It provides no other details such as the timescale over which these concerns have been raised. If the information in respect of the other incidents, which are said to have occurred over a period of some 11 years, is correct, it raises the question that if DCC were aware that the ford could become hazardous during times of flood, and had been so aware since at least 2007, and in reality probably well before that time, why they did not consider complying with their duty under Section 103(1) of the Highways Act 1980 and provide a depth gauge along with additional warning signs at the ford itself? This in itself raises a further question, if such warning signs and a depth gauge, to the prescribed designs, had been provided, would the unfortunate victim have had sufficient information by which they may have chosen not to attempt to cross the ford and instead retrace their steps?

Unfortunately, in the circumstances, that is a question that cannot be answered other than to say it may have prevented the incident from occurring. As it stands, without sufficient warning signs any potential user may be lulled into a false sense of security, they may take the view that the ford holds

no particular hazards as if that were the case then there would surely be warning signs to that effect. A survey conducted by the AA revealed that a significant number of drivers would risk driving through 2 feet of standing water (up to their knees), whilst 36% of those who responded would seek an alternative route. I can only surmise, but if such drivers were met at a ford with a gauge indicating that the water was 1 or 2 metres deep then even those more 'adventurous' drivers may well decide to abandon any attempt to proceed. Running water, especially in flood, is far more hazardous, but without the information that a depth gauge would provide many people may have been led to assume that it was safe to proceed.

There is no 'getting away' from the fact that highways in the UK contain many potential hazards, bends, narrow bridges, low bridges, trees, lamp posts, telegraph poles, pot-holes, other road users and fords to name but a few. There is also no escaping the fact that accidents involving the loss of life occur on UK highways on a daily basis. For example, in 2020 a motorcyclist was killed on the A515 at Biggin, the Coroner concluded that it was a tragic accident resulting from a momentary lapse of judgement. In November 2018, two people died following an accident on the A515 at Clifton. However, despite these examples of the tragic loss of 3 lives no one has called for the A515 to be closed, and DCC have never proposed such a thing by means of a TRO. However, it is not the case that following such an accident that the only solution to be found is to permanently close a road to the public, if that were the case most, if not all, highways would be permanently closed. Generally speaking, there would be a short closure to allow an investigation of the circumstances surrounding the incident, following which there may be a further closure in order to allow for any identified defects or improvements to be repaired or carried out. Whilst I do not have the data to confirm it, it would appear that under normal conditions this road and its associated ford provide no greater hazard to normal road users than any other highway in Derbyshire.

Consequently, there is no case, no justification has been provided, for the proposed TRO. The tragic death of an individual and the other recorded incidents at this ford serve only too well to emphasise the need for what DCC already knew and that which has been clearly identified. Namely that there always was and there remains a need for the highway authority to provide proper signage and a depth gauge at the ford itself, as well as conducting appropriate repairs to the road surface at the entry points either side of the ford. At the time of the fatal incident DCC is on record as stating "As always, drivers have to take personal responsibility for their actions". Whilst that is not an unreasonable statement to make, it would carry much more weight had DCC ensured that the ford had been provided with such equipment and signage that would have provided users with sufficient information to enable them to reasonably determine whether or not it was safe for them to proceed. This conclusion is further supported, if indeed further support is necessary, by the fact that this proposed TRO does not include the prohibition of equestrian use or use with horse drawn vehicles.

Yours faithfully

Green Lane Association

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Agenda Item No. 4(e)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER - HIGHWAYS, ASSET AND
TRANSPORT**

17 June 2021

Report of the Executive Director – Place

**REPORT ON THE SUBMISSION OF THE FLOOD RISK MANAGEMENT
PLAN - 2nd CYCLE**

(1) **Purpose of Report** To seek approval from the Cabinet Member on the measures identified within the Flood Risk Management Plan 2nd Cycle (FRMP).

(2) **Information and Analysis** The FRMP describes how risk management authorities (Derbyshire County Council is a Risk Management Authority as the Lead Local Flood Authority) are working with stakeholders and communities to manage flood risk in the places where they live work and play. The FRMP is important as it will identify measures (actions) that will reduce the likelihood and consequence of flooding. It is embedded in legislation (Flood Risk Regulations 2009) and must be reported on every six years. The FRMP is one of the steps used to improve strategic planning, in line with the ambitions of the Environment Agency's (EA) National Flood and Coastal Erosion Risk Management Strategy and also in line with the Government's 25 Year Environment Plan.

The Council identified and submitted a number of draft high level strategic measures to reduce the likelihood of flooding in Derbyshire to the EA in December 2020. Although no formal approval was required at the time, the then Director of Economy, Transport and Environment was consulted and approval was given to submit the draft measures. The proposed measures are identified in Appendix A, attached to this report.

It is worth noting that the measures identified in the FRMP sit alongside the current EA's Flood Risk Management Capital Programme (2021-2027), of which the Council has a number of flood risk management schemes within it. The FRMP will not affect the delivery of any of the schemes that sit within this programme, or future ones.

As part of the FRMP, Flood Risk Areas have been identified by the EA, where the risk of flooding is deemed to be significant. In Derbyshire, only one Flood

Risk Area has been identified, which is Chesterfield, and therefore some of the measures identified within the FRMP, are a reflection of this Flood Risk Area in Chesterfield.

The FRMP is very much led and delivered by the EA, and the EA is currently in the final stages of completing and submitting this draft plan, in readiness for consultation in the summer of 2021. The FRMP will then be formally published in December 2021.

(3) **Financial Considerations** All of the work carried out as part of this FRMP, has been undertaken by the Council's Flood Risk Management Team, so therefore no additional resource or funding has been required.

(4) **Legal Considerations** The Council has a duty (as a key stakeholder) in the preparation of the FRMP under the Flood Risk Regulations 2009.

(5) **Environmental Considerations** Flooding has a significant environmental impact in terms of damage to flora and fauna, and flood risk mitigation measures can contribute towards reducing this effect. Flood Risk Management is also an opportunity to enhance and create areas of environmental benefit.

(6) **Social Value Considerations** Flooding can have a significant impact on the health and wellbeing of the communities affected. Working with local communities to increase their understanding, preparedness and ownership of flood risk in Derbyshire, can produce an intangible social value to health and wellbeing, simply by reducing the fear of flooding, of loss of property and of the long term misery caused by flooding of homes and businesses.

(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 Place Department.

(10) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the measures identified within the Flood Risk Management Plan – 2nd Cycle, attached in Appendix A.

Chris Henning
Executive Director – Place

Appendix A – List of Measures to be included in the Flood Risk Management Plan

Timetable	Responsible Authority	Other Responsible Authorities	Measure Description	Measure Outcome	Measure
2021 to 2027	Derbyshire County Council	Severn Trent Water and South Derbyshire District Council	Investigate options to develop potential flood risk management scheme	Reduce flood risk to people, properties and businesses	Between 2021 and 2027, Derbyshire County Council and Severn Trent Water and South Derbyshire District Council will investigate options to develop potential flood risk management scheme in Ilkeston and Melbourne to reduce flood risk to people, properties and businesses in the Lower Trent and Erewash Management Catchment.
2021 to 2027	Derbyshire County Council	Derby City Council	Introduce a real time surface water flood alert system	Provide a greater level of resilience to communities and asset owners	Between 2021 and 2027, Derbyshire County Council and Derby City Council will introduce a real time surface water flood alert system in Derbyshire to provide a greater level of resilience to communities and asset owners in the Derwent Derbyshire Management Catchment.
2021 to 2027	Derbyshire County Council	Chesterfield Borough Council	Incorporate upstream storage and natural flood risk management measures along the River Hipper corridor	Reduce flood risk to people, properties and businesses	Between 2021 and 2027, Derbyshire County Council and Chesterfield Borough Council will incorporate upstream storage and natural flood risk management measures along the River Hipper corridor in Derbyshire to reduce flood risk to people, properties and businesses in the Chesterfield, Humber Flood Risk Area.

Timetable	Responsible Authority	Other Responsible Authorities	Measure Description	Measure Outcome	Measure
2021 to 2027	Derbyshire County Council		Continue to work with local communities to increase understanding, preparedness and ownership of flood risk	Reduce the impact of flooding	Between 2021 and 2027, Derbyshire County Council will continue to work with local communities to increase understanding, preparedness and ownership of flood risk in Derbyshire to reduce the impact of flooding in the Derwent Derbyshire Management Catchment.
2021 to 2017 Page 60	Derbyshire County Council	Environment Agency	Investigate options to develop potential flood risk management scheme	Reduce flood risk to people, properties and businesses	Between 2021 and 2027, Derbyshire County Council and the Environment Agency will investigate options to develop potential flood risk management scheme in Matlock to reduce flood risk to people, properties and businesses in the Derwent Derbyshire Management Catchment.

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