

**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 19 June 2019

**PRESENT**

Cabinet Member - Councillor S A Spencer

Also in attendance - Councillor T Ainsworth and G Hickton.

**33/19** **MINUTES** **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 9 May 2019 be confirmed as a correct record and signed by the Cabinet Member.

**34/19** **PROPOSED TRAFFIC REGULATION ORDER – STONEY MIDDLETON BYWAY OPEN TO ALL TRAFFIC NO. 15 KNOWN AS JACOB’S LADDER** The Cabinet Member moved the consideration of this item ahead of the sequence in the agenda because he would be allowing some respondents who had asked in advance to speak at the meeting, to speak for up to 3 minutes each.

The report by the Executive Director on the TRO proposal referred to the responses to consultation and publication of a notice of a proposal by the County Council to make a Traffic Regulation Order (TRO) which had been authorised by the Cabinet Member on 20 October 2017. The proposal was to prohibit the use of this byway open to all traffic (BOAT), known as Jacob’s Ladder, by mechanically propelled vehicles (MPVs), subject to exceptions.

Consultation responses generally in favour of the proposal had been received from the Peak District Local Access Forum, Peak Horsepower Bridleways Group, Nottinghamshire Footpaths Society, Yorkshire Dales Green Lanes Alliance, Friends of the Peak District, Natural England and Peak District National Park. Thirty five individual representations in support had been received by letter or email. The key comments in favour included comments about it making the way safer for horse riders, cyclists and walkers; National Parks being places for quiet enjoyment; protect the beauty and tranquillity of the area; the BOAT being steep, narrow and unsuitable for horses and walkers to share with motor vehicles; and poor sight lines.

Consultation responses generally opposing the proposal had been received from Trail Riders Fellowship; Green Lane Association; Association of Peak Trail Riders; and Manchester 17 MCC Ltd. In addition, 266 individual representations had been received in objection by letter or email. The report identified as key themes from these responses, concerns that closure of ‘green lanes’ being a threat to ‘the sport’; that other methods of control to allow safe and responsible use had not been explored; that water damage not vehicles had caused deterioration; that the proposal was targeting one group, of niche users; that the BOAT was wide enough to be sustainable for motorcyclists if kept well maintained; and that it would

discriminate against people who were disabled. The report included details of and officer observations on the various relevant issues.

The report referred to relevant guidance and policies as contained in Making the Best of Byways, DEFRA December 2005; Regulating the use of motor vehicles on public rights of way and off Road, DEFRA December 2005; and Derbyshire County Council Management of Green Lanes 2012-2017.

The Legal Services officer made reference to a letter from solicitors on behalf of the Trail Rider Fellowship which had criticised the report and the processing of the proposal by the Council, and which included a request for the Trail Rider Fellowship's 18 page letter of representations to be read out in full. The Cabinet Member did not require this, explaining that he had read it, and was satisfied that it had been duly taken into account in the production of the report. He considered that reading it out would be giving it special treatment which was not being accorded to any other representations.

In accordance with requests received by the Cabinet Member before the meeting Anne Robinson (on behalf of PDGLA and Friends of the Peak District), Karen Haywood, (Volunteer Access and Bridleway Officer for North Derbyshire, British Horse Society) Marilyn Holyoake (resident of Stoney Middleton), and Andrew Richardson (having a business relating to motor cycle riding) were each allowed to address the meeting for up to three minutes.

Anne Robinson, Karen Haywood and Marilyn Holyoake each spoke in favour of the proposed TRO and supported the recommendation. Amongst the issues mentioned were disruptive impacts on the village of Stoney Middleton from MPVs associated with BOAT travelling on, and congregating on The Nook, and the absence of need for a public inquiry.

Mr Richardson explained that he also spoke on behalf of the Trail Riders Fellowship, because its representative who was to be allowed to speak had been unable to attend the meeting. He had concerns relating to the impact the proposed TRO would have on his business, which was concerned with responsible motor cycle riding on the public right of way network. He did not consider that there was any need to prohibit motorcycle use of the BOAT.

The Cabinet Member pointed out that he did not accept that the consultation process had been inadequate. The notification and consultation had been repeated in September 2018 to overcome the practical difficulty presented by a failure of the Councils on-line facility in June 2018, via the Council's website, to capture contact details from on-line respondents. All interested parties had had full opportunity to make representations on the proposal. He also considered that the aim of the alternative proposal for authorisations for continuing motorcycle usage as set out towards the end of the Fellowship's representations was reflected in the proposal because it provided an exemption for traffic which had prior authorisation in writing from the County Council, so it would allow for specific advance authorisations to be

granted for occasional motorcycle use. The Cabinet Member concluded that he was in full agreement with the officer recommendation.

**RESOLVED** to authorise the making of a Traffic Regulation Order under Section 1 of the Road Traffic Regulation Act 1984 to prohibit the use of the road which is recorded as Stoney Middleton Byway Open to All Traffic No. 15 known as Jacob's Ladder, with mechanically propelled vehicles, subject to the exemptions proposed in the formal Notice of the proposal of the Traffic Regulation Order published on 6 September 2018, on the grounds set out in that notice.

**35/19            PETITIONS            RESOLVED** (1) to receive the under-mentioned petitions:-

Location/Subject	Signatures	Local Member
Request for Footpath between Apperknowle Village and The Travellers and Hard Standing at the Bus Stop on High Street, Apperknowle	394	Councillor A Dale
Request for Traffic Calming and Safety Measures on Main Road between Marsh Lane and Eckington School	264	Councillor D Charles and B Ridgway

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

**36/19            PETITION HOLBROOK – REQUEST FOR 20MPH SPEED LIMIT**

A petition has been received requesting the County Council to introduce a 20mph speed limit throughout the village of Holbrook in Derbyshire.

The County Council implemented a 20mph speed limit trial in Padfield in 2015 and Brassington, Ilkeston and Fritchley, were identified in 2016 as further pilot projects. A report was submitted to the Cabinet Member meeting on 31 January 2019, based on the analysis obtained from the trial site at Padfield and the publication by the Department for Transport (DfT) on 22 November 2018 of its update on National Guidance for 20mph speed limits. There was no evidence to suggest that the reduction in speed limit has seen a reduction in the number of collisions or casualties.

In respect of the village of Holbrook, there have been five personal injury collisions within the last three years. Four of the five collisions occurred along the length of Port Way/Town Street and none were of attributable factors that were related to vehicle speeds. The fifth reported collision occurred on Makeney Road and involved a vehicle rolling off a private driveway. There was a perception that

such speed limits improved people's perception of where they live, and encouraged a greater uptake in walking and cycling, which was made reference to in the petition submission. However from the County Council's trial site, collision history and the DfT's extensive research, it was suggested that the use of 20mph speed limits would be of little significant benefit in Holbrook.

**RESOLVED** (1) to reject the proposal for the introduction of a 20mph speed limit in the village of Holbrook; and

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

**37/19      PETITION – NETHERMOOR LANE, KILLAMARSH CONCERNS REGARDING HIGHWAY SAFETY**

Following receipt of a petition concerning safety at a double bend located towards the end of the cul-de-sac on Nethermoor Lane in Killamarsh, investigations have been undertaken.

The design standards used for the road have deliberately incorporated a double bend which naturally kept speeds down with road users having to carefully negotiate the layout. However, the petitioners felt that this design caused an issue as an area of planting within the boundary of a private dwelling reduced the forward visibility when travelling around the double bend. It was acknowledged that all the planting on either side of the road should stay within the confines of each property boundary and that it did not encroach onto the adopted highway.

The Council's collision database indicated an excellent safety history on Nethermoor Lane, and the introduction safety measures could not, therefore be recommended.

**RESOLVED** that (1) Derbyshire County Council's Maintenance Team inspects the private planting to ensure there is no encroachment onto the adopted highway; and

(2) the Local Members and lead petitioner be informed accordingly.

**38/19      PROPOSED EXTENSION OF THE FOOD BAG PROJECT IN HIGH PEAK**

On 25 July 2018, the Cabinet Member approved the expansion of the Food Bag project across the Glossop and Buxton areas to issue compostable food bags that would encourage more householders to divert food waste for composting through their garden waste bins for the period of October 2018 to September 2019.

In the early stages of the project, Glossop households composted 0.48kg per household per week and in the last six months have been composting 0.53kg. Surveys have found that the average across the Buxton area was 0.44kg. The project incurred additional costs to supply compostable bags to households and to promote the scheme. These costs could be absorbed by the landfill savings resulting

from the project provided that households continued to divert more than 0.40kg per household per week.

The food waste collected was composted at the County Council's in-vessel composting plant at Waterswallows, Buxton. This facility was managed by Suez on the County Council's behalf and has confirmed it was satisfied with the inputs from the project and would continue to spread the resulting compost on agricultural land in the Buxton area.

Approval was now being sought for the continuation of the compostable food bag for householders in the Glossop and Buxton areas.

Additional social media marketing in Buxton would be known undertaken in the summer and a further report would be presented to the Cabinet Member in autumn 2019 in regards to future developments to the project that could commence in spring 2020.

It was noted that Government was currently consulting on its recently published Resource and Waste Strategy. This document proposed that all councils provide weekly collection of food waste from all households.

**RESOLVED** (1) to approve the continuation of the compostable food bag project in the Glossop and Buxton areas until March 2020, whereby the County Council funds the costs outlined in the report from disposal savings; and

(2) that a further report is submitted to the Cabinet Member in autumn 2019 to update on progress with food diversion in the Buxton area with proposals for the project for 2020 onwards.