

Agenda Item No. 4(c)

DERBYSHIRE COUNTY COUNCIL

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

10 October 2019

Report of the Executive Director – Economy, Transport and Environment

**OBJECTION TO THE (OLD WHITTINGTON LANE AND CHURCH STREET,
UNSTONE) (PROHIBITION OF MOTOR VEHICLES) ORDER 2019**

(1) **Purpose of Report** To inform the Cabinet Member of an objection following the public advertisement and consultation on the Old Whittington Lane and Church Street, Unstone (Prohibition of Motor Vehicles) Order 2019 which is currently being progressed under the delegated powers of the Executive Director – Economy, Transport and Environment for Traffic Regulation Orders.

(2) **Information and Analysis**

Background

In December 2018, following extensive consultation and public engagement events, approval was given to the shared use cycle path along the B6057 between Dronfield and Unstone, which included the County Council advertising any Traffic Regulation Orders (TROs) to facilitate its implementation. The Cabinet Member requested to see any representations made as a result of any advertised TROs.

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

The objection reads as follows:

“The council objects to the proposed closure of both roads as the closure will create a disproportionate amount of traffic on neighbouring roads, especially on Crow Lane at school drop off and pick up times. The parish council does not support the cycle way and have reported this previously.”

Officer Comment

Following the public engagement events, officers received a number of written letters of support for the closure of Church Street and Old Whittington Lane. At the initial consultation process in December 2017, officers received one written expression of concern about the extended driving time the residents would be faced with, due to the closure of Old Whittington Lane. In conjunction with this, the Parish Council does not support the cycle path in its entirety and objects to the closure of these two roads.

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

Traffic figures obtained indicate that at both junctions, traffic exiting onto the B6057 will increase only slightly, whilst the traffic entering will increase by nearly 75% into Old Whittington Lane and doubling into Crow Lane. Having said that, this figure equates to an average of 25 extra vehicles entering Old Whittington Lane per hour and an average extra 48 vehicles per hour using Crow Lane. Waiting restrictions are also planned at the junction of Crow lane with the B6057, which will improve egress into and out of Crow Lane by removing parked vehicles at the junction. This has been consulted upon and received no objections.

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

The proposals are shown on attached drawings HMT/BG/615/17A, HMT/BG/616/17A & HMT/BG/173/19

Local Member Comment

Councillor Alex Dale, for Dronfield East, made the following comments:

"Several residents from Church Lane and Old Whittington Lane have contacted me in support of the proposals to close these junctions off. The benefits appear to be the reduction of rat running, often at concerning speeds, and the closure of what are widely regarded as quite dangerous junctions. There are also residents on North Close who would support the closure of the Old Whittington Lane junction in order to facilitate additional parking in an area which is challenging to park."

That said, I am aware of concerns from residents on Crow Lane in particular about the “knock on” effects of diverting more traffic onto this road and the same consideration should also be given Whittington Lane if the junction of Old Whittington Lane is closed off.

There remains significant concern from many residents within Unstone about the cycle path project as a whole, although I appreciate it has already achieved approval and the TROs are merely part of the process of implementation.”

(3) **Financial Considerations** The cost associated with the advertisement of the TROs is approximately £4,000 and the construction works form part of the package associated with the construction of the cycle path which is being funded through the D2N2 (Derby, Derbyshire, Nottingham and Nottinghamshire) Local Grant Fund to Derbyshire Projects.

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984 states that it shall be the duty of every Local Authority exercising the functions in that Act (so far as practicable having regard to the matters listed below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The matters referred to above are-

- 1) the desirability of securing and maintaining reasonable access to premises;
- 2) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run; 2ii) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
- 3) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- 4) any other matters appearing to the Local Authority to be relevant.

Section 2 of the 1984 Act states what a TRO may provide for and this includes prohibiting the use of a road by vehicular traffic of any class specified in the Order. Notice of proposals must be given in accordance with Regulation 7 Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 and at least a minimum of 21 clear days for the receipt of written objections must be allowed. Objections can then be considered by the Local Authority.

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

Other Considerations

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

(5) **Key Decision** No.

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

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

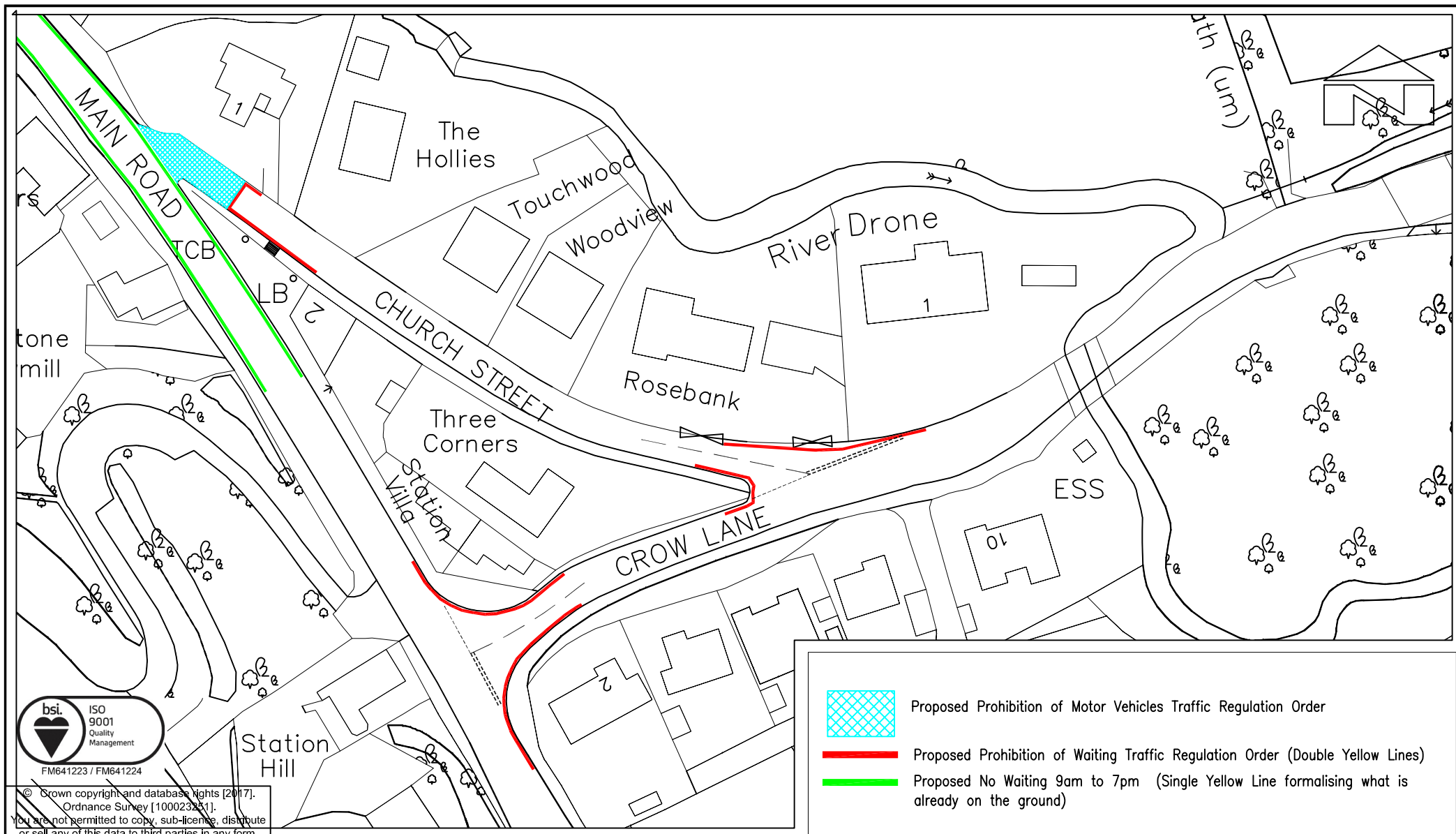
(8) **OFFICER'S RECOMMENDATIONS** That:

8.1 The Cabinet Member notes the objection to the Old Whittington Lane and Church Street, Unstone (Prohibition of Motor Vehicles) Order 2019.

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

8.3 The Local Member, objectors and the Chief Constable be notified accordingly.

Mike Ashworth
Executive Director – Economy, Transport and Environment



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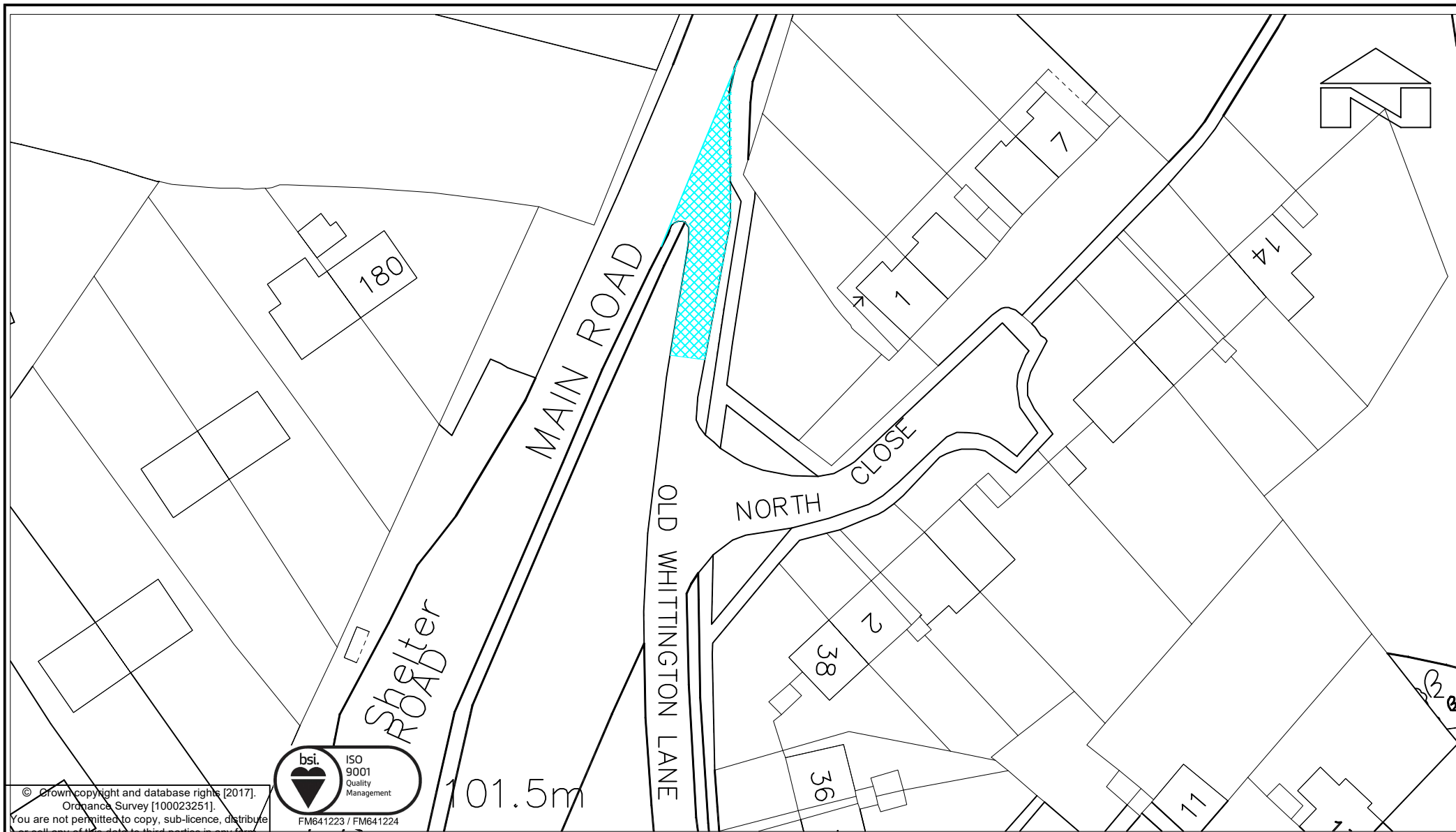
MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment

PROJECT TITLE
B6057 MAIN ROAD / CHURCH STREET JUNCTION
UNSTONE

DRAWING TITLE
PROPOSED PROHIBITION OF MOTOR VEHICLES
AND PROHIBITION OF WAITING

DRAWN B.GOULD	CHECKED S.TRANTER	APPROVED S.TRANTER
Date MAY.19	Date MAY.19	Date MAY.19

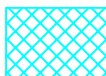
Project / Confirm Reference No.	SCALE N.T.S.
Drawing Number HMT/BG/615/17A	
ORIGINAL DRAWING SIZE 297 x 210 (A4)	



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MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment



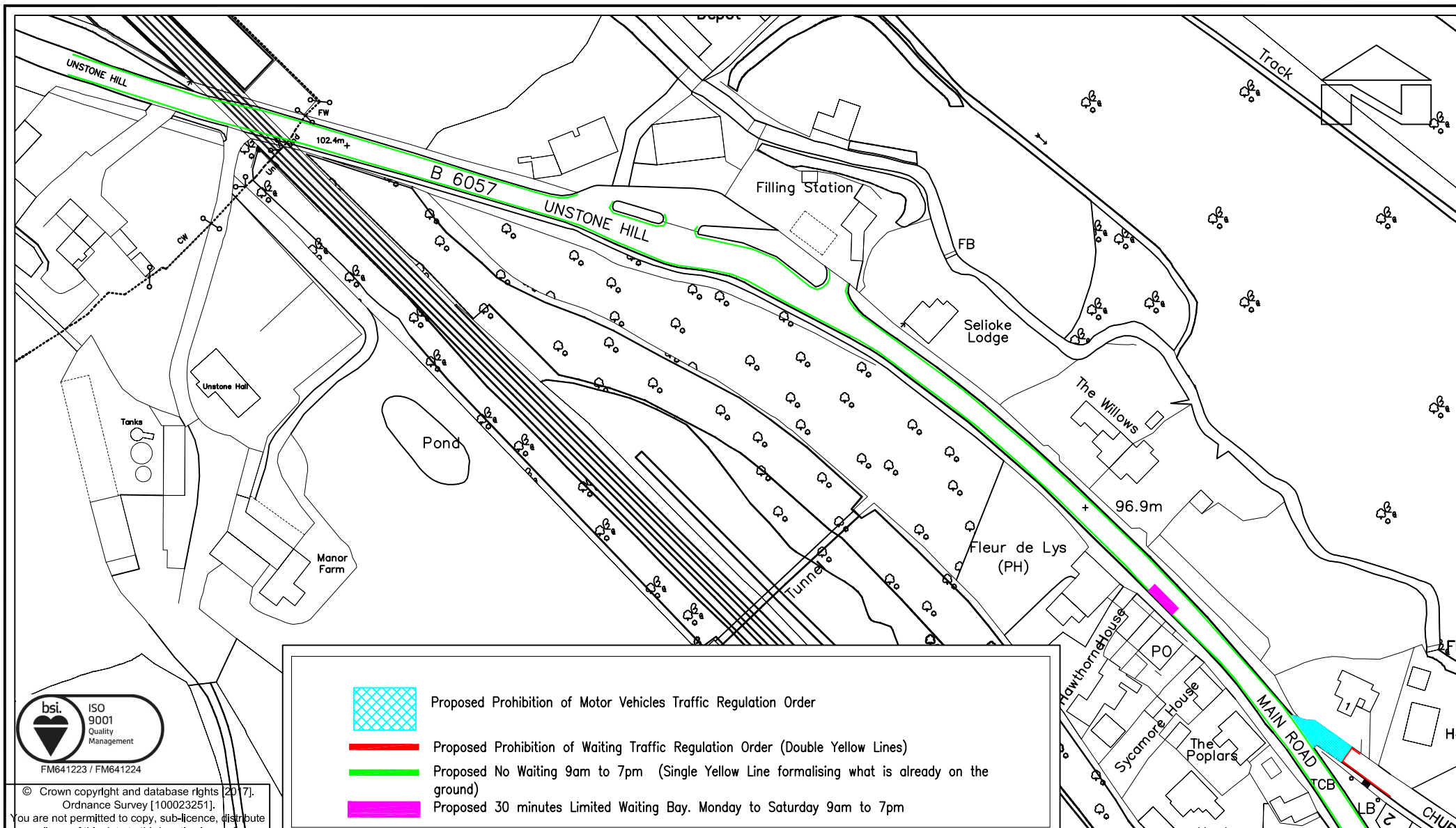
Proposed Prohibition of Motor Vehicles
Traffic Regulation Order

No Double Yellow Lines Proposed as
part of this scheme.

PROJECT TITLE
**B6057 SHEFFIELD ROAD / OLD WHITTINGTON LANE
JUNCTION, UNSTONE**

DRAWING TITLE
PROPOSED PROHIBITION OF MOTOR VEHICLES

DRAWN B.GOULD	CHECKED S.TRANTER	APPROVED MAY.2019
Date MAY.2019	Date MAY.2019	Date DEC.2017
Project / Confirm Reference No.		SCALE N.T.S.
Drawing Number HMT/BG/616/17A		
ORIGINAL DRAWING SIZE 297 x 210 (A4)		



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MIKE ASHWORTH
Strategic Director
Economy, Transport and Environment

PROJECT TITLE
B6057 MAIN ROAD / CHURCH STREET JUNCTION
UNSTONE

DRAWING TITLE
PROPOSED PROHIBITION OF MOTOR VEHICLES
AND WAITING RESTRICTIONS

DRAWN
B.GOULD
Date
MAY.19

CHECKED
S.TRANTER
Date
MAY.19

APPROVED
S.TRANTER
Date
MAY.19

Project / Confirm
Reference No.
Drawing
Number
HMT/BG/173/19

SCALE
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