

PUBLIC

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

**PRESENT**

Cabinet Member - Councillor B Lewis

Also in attendance – Councillor T Ainsworth

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

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

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

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

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

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

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

Three options were available:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) the lead petitioner be informed accordingly.

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

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

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

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

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

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

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

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

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

**RESOLVED** to note the report.