



DERBY CITY COUNCIL

Report of the Assistant Director, Highways and Transport

## **PEAR TREE CRESCENT – CONSIDERATION OF REMOVAL OF WIDTH RESTRICTION TO FACILITATE ANNUAL PROCESSION**

### **SUMMARY**

- 1.1 Cabinet Members views are sought on the appropriateness of removing a 6'6" width restriction on Pear Tree Crescent to facilitate the Sikh "Vaisakhi" annual procession.

### **RECOMMENDATIONS**

- 2.1 To seek the Cabinet Member's instructions on this issue.

### **REASONS FOR RECOMMENDATION**

- 3.1 To consider facilitating the annual "Vaisakhi" procession around various Sikh Temples across the city.

### **SUPPORTING INFORMATION**

- 4.1 In 1994 Derbyshire County Council introduced a traffic regulation order, TRO, for a 6'6" width restriction with associated physical measures to prevent vehicles greater than 6'6" traversing along Pear Tree Crescent near to its junction with Princes Street. This was following continued complaints regarding heavy goods vehicles using the residential road to access the industrial premises on Princes Street and the Sir Frances Ley Industrial Estate. Further work was undertaken with the introduction of a 6'6" height restriction in Castings Road in 1995 so heavy goods vehicles had to use Shaftesbury Street to access the industrial estate.
- 4.2 The organisers of the Vaisakhi procession on the 20 April would now like to use Pear Tree Crescent as part of the route around the Temples in the area in order to go past the Sikh Gurdwara temple on the corner of Prince's Street and Pear Tree Crescent. Previously the route was via Prince's Street, Pear Tree Street and Portland Street. The procession includes large vehicles that currently cannot gain access through the width restriction. The only way to facilitate this would be to remove the width restriction and either permanently remove or temporarily suspend the associated TRO.

- 4.3 The Police have agreed the revised route however with the proviso that the physical width restriction is removed.
- 4.4 If the physical width restriction was removed, officers do not feel that it is practical to replace the restriction with a temporary arrangement which could be removed annually for the procession. This is because any temporary arrangement could not be provided with sufficient robustness to withstand day-to-day use of the route.
- 4.5 Without the physical width restriction it is likely that over time the use of the route by delivery vehicles will increase and hence the number of complaints of HGV traffic using unsuitable routes.
- 4.6 In terms of the long term position removal of the physical restrictions alone would still leave the legal restriction in place but make it more difficult to enforce. In relation to amending or permanently removing the TRO we consider that further work is required, including consultation with those affected by the removal of the physical restriction, to determine a permanent solution to the issue. It is considered that the most appropriate way to progress with this issue would be to remove the physical restriction, temporarily suspend the current TRO for the day of the procession and then carry out consultation with regard to the possible revocation of the TRO.
- 4.7 Temporary closure of the street to enable the procession to take place would need to be carried out by Constitutional Services under the Town and Police Clauses Act 1847 (as amended). This would suspend the operation of the order.
- 4.8 This is a difficult decision to take as there are concerns that removal of the physical width restriction will result in an increase of HGVs along Pear Tree Crescent and residents in the area will raise their concerns with the Council. However, providing support for the annual 'Vaisakhi' procession will bring benefits to the local community.
- 4.9 Some preparatory planning work has been carried out prior to this Cabinet Member Meeting in order to give officers the best opportunity to carry out the physical works before 20 April 2008.
- 4.10 A verbal update will be given at the meeting on the programming of the work. Depending on the outcome of this Cabinet Member meeting, we will be able to suspend progress on the works if required.

<b>For more information contact:</b>	Nicola Weekly 01332 716074 e-mail <a href="mailto:Nicola.weekly@derby.gov.uk">Nicola.weekly@derby.gov.uk</a>
<b>Background papers:</b>	Appendix 1
<b>List of appendices:</b>	

<b>IMPLICATIONS</b>
---------------------

**Financial**

1. The scheme costs would be in the order of £6,000. The Sikh Temple have indicated they are prepared to contribute £2,500 to the scheme. The remaining costs will come from the Traffic Management general revenue budget.

**Legal**

2. In relation to suspending and/or revoking the TRO, the issues are covered within the main report.

**Personnel**

3. None.

**Equalities Impact**

4. Facilitating the procession on Pear Tree Crescent will support the local Sikh community.

**Corporate objectives and priorities for change**

5. The proposal comes under the Council Objective of **Making us proud of our neighbourhoods.**