

Agenda Item No. 4 (a)

**DERBYSHIRE COUNTY COUNCIL**

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

**14 April 2015**

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS TO WAITING RESTRICTION PROPOSALS – MARKET  
STREET AND EYRE STREET, CLAY CROSS**

(1) **Purpose of Report** To inform the Cabinet Member of objections received following advertisement of proposals to amend waiting restrictions on Market Street and Eyre Street, Clay Cross, and to seek approval to re-advertise the proposals.

(2) **Information and Analysis**

**Background and Site Details**

Market Street, although two-way for most of its length, becomes one-way in a westerly direction from its junction with Bridge Street to its junction with the A61, High Street. There are over 20 shops along the 100 metres one-way section of Market Street, including a Post Office, chemist, greengrocer, butcher, DIY shop and bank. These shops would benefit from short term parking in addition to access to a car park for longer term requirements, such as hairdressing and optician services.

Before the creation of a new link road that bypasses the town centre, Market Street was classified A6175 and provided a key route to and from the M1 motorway. That "A" road classification has now been transferred to Furnace Hill Road, with Market Street being correspondingly downgraded to become a more local route, mainly for people accessing shops and services in the town centre.

With less through traffic using Market Street there is an opportunity to review the existing waiting restrictions and create useful short-stay parking, the aim of which is to aid the economic vitality of the town, particularly in view of the arrival of a Tesco superstore.

Eyre Street is also one-way, carrying traffic in an easterly direction and connecting with Market Street via Bridge Street. It is a bus route with a mix of residential and commercial properties, and access to a car park. The whole

length currently has a prohibition of parking either by double yellow lines or a bus stop clearway bay.

A copy of drawing No NTA/SM/147/12 showing the original proposals as advertised is attached at Appendix 1.

### **Objection Details**

Following advertisement of the proposals, two representations have been received, both objecting to the proposal.

One of the representations is from Clay Cross Parish Council whose primary objection is that delivery vehicles will be compromised by the proposed short stay waiting and loading bays due to insufficient road width on Market Street. Also, the Council considers that any liberalisation of the current double yellow lines will exacerbate the current difficulties. The Parish Council does not see the point of providing short stay waiting on Eyre Street, due to the proximity of an existing short stay car park. The Parish Council also commented that the proposed short stay waiting bays, between No.23 to No.37 Market Street, would make this road effectively single carriageway width and impair the flow of traffic.

The second representation is from a business proprietor on Market Street who has made similar comments to that of the Parish Council but added that short stay waiting between No.23 to No.37 Market Street would benefit the local economic vitality, but only if the parking bays were on one side of the road.

### **Officer Comments**

The one-way length of Market Street is currently subject to double yellow lines on both sides of the road. In the absence of any on-street parking opportunities, shoppers and delivery personnel are stopping indiscriminately outside the shops as there appears to be a perception that the road is wide enough to accommodate this. This can often create difficulties for larger vehicles, such as buses. By providing some legitimate short term waiting and loading only bays, to cater for these types of activities, it is hoped that this will reduce the occurrence of obstructive parking by giving motorists a marked out place to stop.

On the lower part of Market Street, there is adequate width to enable parking, in places, on both sides of the road, particularly as this is no longer a principal road and has become a town centre street. There may be times when passing traffic has to give way to one another, but, this should encourage slower speeds more in keeping with a shopping environment. However, in view of the comments received, the proposals have been revised to shorten the limited waiting opposite No. 27 Market Street. This amendment will ensure that two-way traffic is not unduly restricted where the road is at its narrowest.

Eyre Street, which is approximately 6 metres wide (adequate width for two-way traffic), has one-way traffic only and is therefore capable of accommodating some lengths of parking. The original proposal earmarked a short section of parking near to the existing car park access. However, following discussions with the Public Transport Unit, a section of car parking could be provided directly outside the shops at the High Street end of Eyre Street, by relocating the existing bus stop from outside the shops to a location nearer to the car park access at the Bridge Street end.

Since the original proposals were advertised, a further request has been received to relax the waiting restrictions on Market Street opposite Park Row. Currently, the restriction is a single yellow line that prohibits waiting from Monday to Friday between 8am and 6pm. Again, in view of the downgrade in the classification status of Market Street, it is considered possible to be more flexible in facilitating on-street parking, in this instance, for residents rather than shoppers.

It had previously been proposed to reduce the length of the eastbound bus bay on Market Street, due to the new bus station in Clay Cross, but this stop remains well used, benefitting from a shelter and raised kerbs. Bearing this in mind, the length of the bay has been adjusted to accommodate this passenger friendly location.

After taking on board the feedback from the consultation exercise, the revised proposals highlighted above are shown on the attached drawing HMT\_SAP\_107\_15.

#### **Local Member Comment**

Councillor Brian Wright has been informed and no comments or objections have been received.

(3) **Financial Considerations** This capital funded work forms part of the approved Local Transport Plan scheme for Traffic Regulation Order (TRO) works within the 2014-15 budget. The necessary work is likely to be in the region of approximately £2,000.

(4) **Legal Considerations** Section 1 of the Road Traffic Regulation Act 1984 ("the 1984 Act") enables a traffic authority to make a TRO if it considers it expedient for a number of purposes. Schedule 9 of the 1984 Act provides that the power to make a TRO includes the power to make an Order to vary or revoke a previous TRO.

Section 2 of the 1984 Act states what a TRO may provide for and this includes requiring vehicular traffic (either generally or a specified class) to proceed in a specified direction or prohibiting it from doing so, specifying the part of the carriageway to be used by such traffic proceeding in a specified direction,

prohibiting or restricting the waiting or loading and unloading of vehicles, prohibiting the use of roads by through traffic, prohibiting or restricting overtaking. Notice of proposals must be given in accordance with Regulation 7 of the 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.

Section 122 of the 1984 Act 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 both 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 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.

Having considered all the objections made, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected and road markings placed on site in accordance with the new Order. No Order can be made until after the last date for objections. No Order can be made more than two years after the date of the 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.

### **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 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** Correspondence held on file within the Economy, Transport and Environment Department. Officer contact details – Sue Pollard, extension 38634.

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member approves that:

8.1 The amended proposals be re-advertised for Market Street and Eyre Street, Clay Cross.

8.2 The local Member and objectors be informed accordingly.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**



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# KEY

Existing double yellow lines

Existing single yellow lines

Existing bus bays

Proposed Limited Waiting 1hr  
no return within 2hrs, Mon-Sat,  
8am-6pm

Proposed Loading Only,  
Mon-Sat, 8am-6pm

## Appendix 1

AMENDMENT DETAILS	By	Date No.
GRANT BY SM	SCALE	1:1250
DATE	10/9/12	
ORIGINAL DRAWING SIZE 210 x 298 (A4)		



DERBYSHIRE  
COUNTY COUNCIL

IAN W STEPHENSON

BS6 0LH MICE M.H.T.  
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

MARKET STREET AND  
EYRE STREET  
CLAY CROSS

DRAWING TITLE

PROPOSED ALTERATIONS  
TO THE WAITING  
RESTRICTIONS

DRAWING No.

NTA/SM/147/12

## EXISTING RESTRICTIONS

## PROPOSED RESTRICTIONS



