

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**21 January 2014**

Report of the Strategic Director – Economy, Transport and Environment

**OBJECTIONS – MARSDEN STREET, CHESTERFIELD  
RESIDENTS' PARKING SCHEME ZONE D**

(1) **Purpose of the Report** To bring before the Cabinet Member objections received to the Chesterfield, Marsden Street, Residents' Parking Scheme Zone D Order 2012 for their consideration.

(2) **Information and Analysis**

**Background**

Marsden Street is within Zone B of the Chesterfield Residents' Parking Scheme. There is a length of 'Permit Holders Only' parking, Monday to Saturday 8am to 6pm, situated outside the terraced properties at the northern end of the street. There is a '2 hours limited waiting no return within 1 hour except permit holders Monday to Saturday 8am to 6pm' on the eastern side of Marsden Street, and to the north of the access to the timber yard, which can accommodate two vehicles.

Residents have contacted Derbyshire County Council alleging that permit holders from elsewhere in Zone B are parking on Marsden Street in order to be closer to their place of employment or town centre shops. Bearing in mind the limited amount of on-street parking available on Marsden Street, such activity can have a significant effect on residents' ability to park. Marsden Street does not have a direct road link to the rest of Zone B; it is close to the town centre. The only way to prevent the limited amount of on-street parking places on Marsden Street being used by Zone B permit holders from other streets is to take it out of that Zone. Bearing this in mind, the creation of a new Zone D, which just included Marsden Street, was consulted upon. Initial consultation with statutory consultees was carried out with no objections or adverse comments being received.

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The proposed Order was advertised in the local press and on site from 15 November 2012 to 7 December 2012. During the advertisement, two objections were received.

### **Objections**

The objections both concerned access to businesses on Marsden Street and the restricted amount of on-street parking which would be available for permit holders within the new Zone D. Currently, if there are no spaces on Marsden Street, permit holders can park in the main section of Zone B, the closest streets being Tennyson Avenue and Cross Street, which are linked to Marsden Street via Brickyard Walk. This would not be the case if Marsden Street is part of its own new Zone. A further comment was that the proposed double yellow lines on the remainder of Marsden Street were too restrictive and that as the timber yard does not operate in the evenings or Sundays, it could be changed to a single yellow line, where appropriate.

### **Officer Comments**

If Marsden Street becomes Zone D there is no way in which a business there would be able to purchase a business permit to park within Zone B. Furthermore, if the new bays on Marsden Street could be signed as being for use either by permit holders B or D, as it would not address the issue raised by residents in the first instance and may provide an additional complication.

There is little opportunity to increase the amount of on-street parking available on Marsden Street, beyond those areas advertised in the proposed Order, as the section to the south of the timber yard needs to be kept clear during the working day to allow access by heavy goods vehicles. The nature of Marsden Street may change due to the Chesterfield Northern Gateway development, which may give the opportunity for further changes to be made to on-street parking provision. However, the timescales for this scheme are uncertain at present.

An assessment of parking usage on Marsden Street was undertaken in order to determine whether spaces were available during the working day. The results of the survey were that there were two to three spaces available, within the 'Permit Holders Only' section at the northern end of Marsden Street, throughout the day. This would suggest that although there is an issue for residents not being able to park at occasional times, it may well be partially resolved by extending the bay concerned.

The proposed Order will extend the 'Monday to Saturday 8am to 6pm', 'Permit Holders Only' bay by a car length and also space for one more car within the '2 hours limited waiting no return within 1 hour except permit holders Monday to Saturday 8am to 6pm' bay. Bearing in mind the objection received regarding the amount of double yellow lines, this can be relaxed, on the western side, to a single yellow line which would be operational from 7am to

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6pm from Monday to Saturday, as shown on the attached plan. The necessary minor changes to the Order as advertised are listed in Appendix A.

It is difficult to reconcile the parking aspirations of both residents and businesses on Marsden Street. In order to strike a balance between the competing demands it is recommended that the changes to the lengths of the Monday to Saturday 7am to 6pm, 'Permit Holders Only' bay and '2 hours limited waiting no return within 1 hour except Permit Holders Monday to Saturday to Saturday 7am to 6pm' bay be introduced. These changes will increase the amount of on-street parking available. It is recommended that the proposal to remove Marsden Street from Zone B of the Chesterfield Residents' Parking Scheme not be proceeded with. It is also recommended that parking conditions on Marsden Street be reviewed with further surveys being undertaken three months and six months after the changes are made in order to assess their effectiveness and whether further changes should be considered.

### Local Member Comment

Councillor Mihaley has been consulted and has no objections to the revised proposal.

(3) **Financial Considerations** The cost of introducing the Order would be met from the Traffic and Safety Revenue budget and will be in the region of £1,200.

(4) **Legal Considerations** Section 1 of the Road Traffic Regulation Act 1984 enables a traffic authority to make a Traffic Regulation Order (TRO) if it considers it to be expedient for a number of purposes.

However, there is also a general duty in Section 122 of the Act which requires the Authorities in exercising their functions under the Act to:

- a) secure the expeditious, convenient and safe movement of traffic (including pedestrians) and b) the provision of suitable and adequate parking facilities on and off the highway, and so far as practicable having regard to:
  - 1) the desirability of securing and maintaining reasonable access to premises;
  - 2) the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles;
  - 3) the national air quality strategy prepared under Section 80 of the Environment Act 1995;
  - 4) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers/potential passengers; and

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- 5) any other matters appearing to the Council to be relevant.

Having determined the objections, the Council may determine to make an Order.

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. Within 14 days of the making of the Order, the Council must give notice in writing to anyone who objected to the Order and whose objection has not been withdrawn. Where the objection has not been wholly acceded to, the notification must include the reasons for the decision.

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 44XT in Room N9, County Hall, Matlock. Officer contact details – Dan O'Neill, extension 38166.

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

- 8.1 The proposals be amended as listed in Appendix A.
- 8.2 The Order, as amended, be confirmed and introduced.
- 8.3 Parking conditions on Marsden Street be reviewed three months and six months after the introduction of the changes recommended in this report.
- 8.4 The Local Member and objectors be informed accordingly.

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

## **Public**

### **Appendix A**

The following amendments are recommended to the Order as advertised.

Schedule 1 – No waiting at any time.

Marsden Street – west side – for its entire length.

To be changed to;

Marsden Street – west side - from its junction with Saltergate northwards for a distance of 10 metres.

Marsden Street – west side – from its northern side southwards for a distance of 64 metres.

Schedule 2 – 2 hours limited waiting no return within 1 hour Monday to Saturday, 8am - 6pm, except permit holders D.

To be changed to 2 hours limited waiting no return within 1 hour Monday to Saturday, 8am - 6pm, except permit holders B.

Schedule 3 – Permit holders D only, Monday to Saturday 8am – 6pm.

To be changed to Permit holders B only, Monday to Saturday 8am – 6pm.

Schedules 4 and 5 to be omitted.

New Schedule 4 – No waiting Monday to Saturday, 7am – 6pm.

Marsden Street – West side – from a point 10 metres north of its junction with Saltergate to a point 64 metres south of the north side of Marsden Street.