
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	29 th July 2003	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (596750)	
SUBJECT:	Alleged unauthorised blocking of access serving Shardlow Marina, London Road, Shardlow	REF: RMS/ E2002/307
WARD(S) AFFECTED:	Aston	TERMS OF REFERENCE: DC01

1.0 Reason for Exempt (if appropriate)

1.1 Not applicable

2.0 Recommendations

2.1 That the Development Control Committee take no action in the matter.

3.0 Purpose of Report

3.1 To obtain the Committee's instructions.

4.0 Executive Summary

4.1 Not applicable.

5.0 Detail

5.1 Following a complaint from the Parish Council a site inspection was carried out at the above location.

5.2 It was ascertained that a second access to the Marina, via an underpass to the bridge over the river Trent had been closed by means of a locked gate.

5.3 This access was indicated on the approved plan when the Marina was established and its provision and availability was a requirement of the then Regional Controller for Highways and Transportation.

5.4 In view of the changed nature of traffic density on the A6 trunk road following the opening of the A50, the views of the Highways Agency were sought in the matter.

5.5 The Agency took the stance that, in view of the greatly reduced traffic flows on this section of road, enforcement action by the Council could not be supported.

- 5.6 The County Highways Authority was also consulted as it will be assuming responsibility for that length of highway when it is de-trunked on completion of the Alvaston bypass.
- 5.7 The Authority was of the opinion that there was no evidence of highway detriment caused by the closure of the access.
- 5.8 A plan of the site is attached at Annexe A.

6.0 Financial Implications

- 6.1 None

7.0 Corporate Implications

- 7.1 None

8.0 Community Implications

- 8.1 None

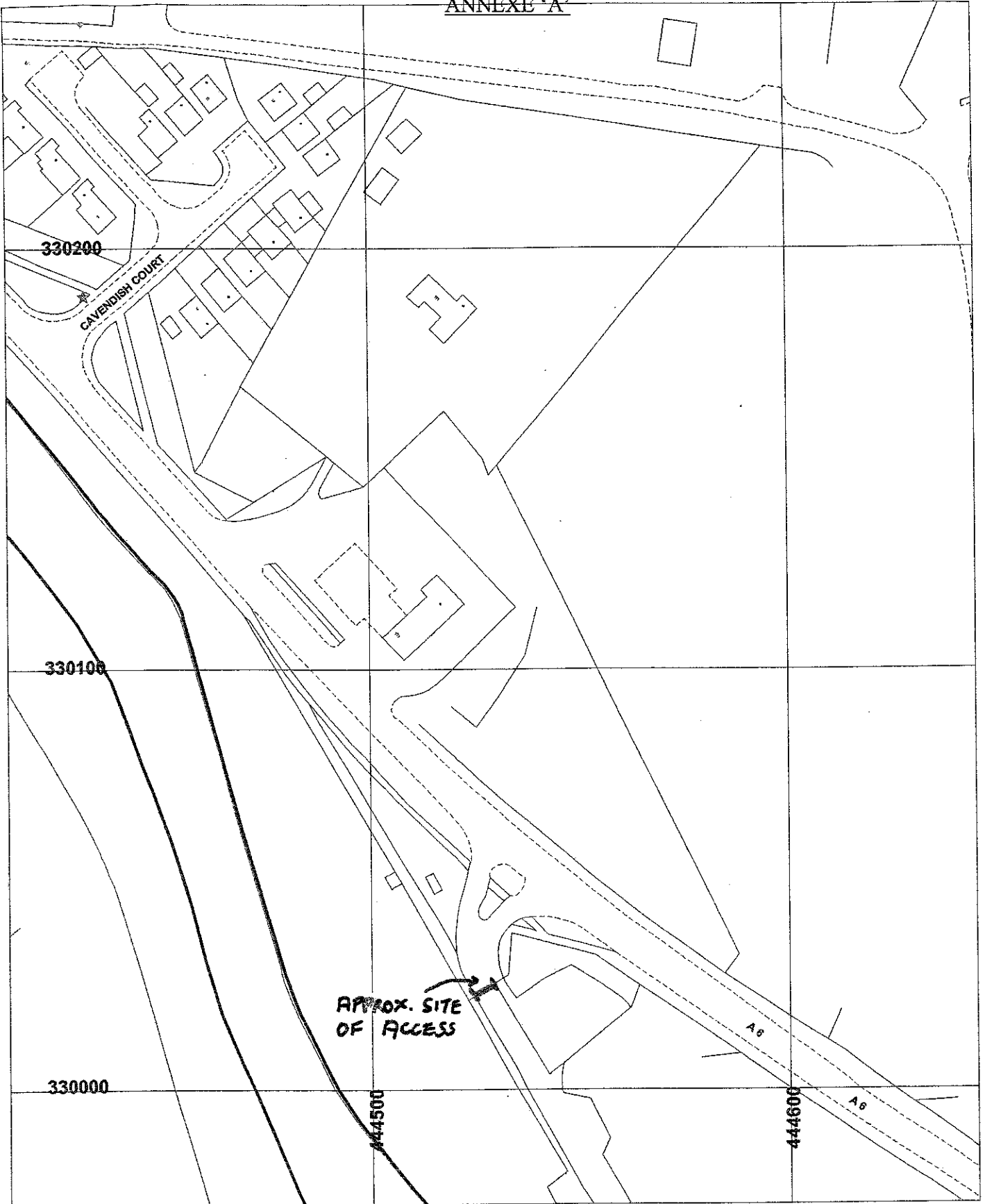
9.0 Conclusions

- 9.1 Notwithstanding the original requirement that the access is to remain available for use, highway grounds for its retention would be of primary importance in justifying enforcement action.
- 9.2 In view of the fact that both highway authorities involved have offered no objection to the closure of the access enforcement action would not appear to be viable.

10.0 Background Papers

- 10.1 Enforcement File E2002/307

ANNEXE 'A'



APPROX. SITE OF ACCESS

A6

A6


South Derbyshire District Council
 Civic Offices
 Civic Way
 Swadlincote
 DE11 0AH

Second access serving Shardlow Marina
 London Road
 Shardlow

Date Plotted 16/7/2003

NORTH ↑

Plot centred at 444529 330115

Scale 1:1250

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