

Agenda Item No. 4(e)

**DERBYSHIRE COUNTY COUNCIL**

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

**20 December 2018**

Report of the Strategic Director – Economy, Transport and Environment

**PROPOSED AMENDMENT TO THE DERBYSHIRE COUNTY COUNCIL  
(OFF-STREET PARKING PLACES) ORDER 2010 (PETER FIDLER AND  
ELVASTON CASTLE STAFF CAR PARKS)**

(1) **Purpose of Report** To seek Cabinet Member approval to begin the process of making an amendment to the Off-Street Parking Order covering the County Council's countryside car parks to allow for better management at Peter Fidler and Elvaston Castle staff car parks.

(2) **Information and Analysis** The Countryside Service car parks at Peter Fidler and Elvaston (staff car park) were included in the original car park Order for the County Council's countryside car parks (2010). Charges are not levied at either car park as these were not considered viable at Peter Fidler and the Elvaston car park is not available to the general public. The two sites both suffer from management issues that affect the effective management of the car parks and it is proposed to use the parking Order to address these issues.

Peter Fidler car park is a small (approximately 20 spaces) car park that serves the adjoining Peter Fidler Reserve and the Stockley Trail. Unfortunately, during the week, the car park is often full all day with cars, which it is thought, belong to staff working at the adjoining businesses. This means parking is not available for visitors to the Trail and nature reserve. Contact has been made with these businesses on numerous occasions, requesting support to resolve the problem, with little success to date.

The Countryside Service therefore proposes the introduction of a time limit on parking for a maximum 3 hours, with no return within 6 hours, to overcome this issue. Enforcement by Civil Enforcement officers would be required when the scheme is introduced but, hopefully, as users become aware of the restriction, it could be reduced to an "as needed" level. The car park includes a designated area for horse box parking only. This area will not be subject to restricted parking but enforcement will be directed at any vehicle other than the intended horse boxes or trailers.

The Elvaston staff car park adjoins the Castle and is accessed via an estate road. Usage is restricted to County Council staff and volunteers, official visitors, including contractors, clients tenants and their staff and blue badge holders. There is misuse of the car park which has developed over time, predominantly due to increased awareness of its existence and SAT NAV directions, together with the knowledge that the County Council does not enforce unauthorised parking. With the development of the wedding business at Elvaston, the availability of the car park for wedding guests is critical to the scheme's success and a robust method of managing the car park is required. The proposal here is to make the car park "Permit or Blue Badge Holder only". As at Peter Fidler, enforcement by Civil Enforcement officers would be required when the scheme is introduced but again, hopefully, users will become aware of the restriction enforcement and could be reduced to an "as needed" level.

The costs of implementing and managing the scheme would fall into two categories:

1. The cost of making the Legal Order; primarily the advertising costs and signing costs for both sites which is expected to be approximately £1,300.
2. The cost of enforcement, which is offset from fine income and is usually cost neutral.

(3) **Financial Considerations** The estimated cost of implementing and managing the proposal is £1,300 and will be met from within approved Countryside Revenue budgets.

(4) **Legal Considerations** The procedure to be followed for amending the Order will be the same as for making the original Car Park Order. The procedure is laid down in sections 32 and 35 of the Road Traffic Regulation Act 1984 and the Local Authority Traffic Orders (Procedure) Regulations 1996.

The Council is obliged to advertise the proposed Amendment Order and consult with various parties as set out in the Regulations. The Council must consider all objections duly made and may modify the proposed Order in the light of objections or re-consult on the Order if the objections are substantial. Alternatively, parts of the Order may be made whilst a decision on the remainder is deferred.

If the Council decides to make the proposed Order, details must then be published in the local press and any objectors advised of the reasons given where the Council has not fully acceded to their objections.

## 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, social value 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** Held on file within the Economy, Transport and Environment Department. Officer contact details – Jon Tilley, extension 33026.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves that consultation and other procedures for making an amendment to the Derbyshire County Council (Off-Street Parking Places Order) 2010 under sections 32 and 35 of the Road Traffic Act 1984 for Peter Fidler and Elvaston Castle staff car parks be commenced.

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