

Agenda Item No. 4(a)

**DERBYSHIRE COUNTY COUNCIL**

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

**25 October 2016**

Report of the Strategic Director – Economy, Transport and Communities

**PETITION – BOYTHORPE AVENUE AND BOYTHORPE MOUNT,  
CHESTERFIELD – REQUEST FOR A RESIDENTS' PARKING SCHEME**

- (1) **Purpose of Report** To inform the Cabinet Member of a petition requesting a Resident's Parking Scheme (RPS) in Boythorpe Avenue and Boythorpe Mount, Chesterfield, and to recommend refusal of this request.
- (2) **Information and Analysis** At the meeting on 10 May 2016, the Cabinet Member acknowledged receipt of a petition (Minute No. 48/16 refers). It contained 35 signatures with a covering letter requesting that a RPS be introduced on Boythorpe Avenue and Boythorpe Mount, Chesterfield.

**Background**

Officers have made numerous visits to the Boythorpe area and found that the availability of on-street parking space on Boythorpe Avenue and Boythorpe Mount to be extremely limited.

Derbyshire County Council previously received a petition containing 72 signatures requesting the introduction of a RPS in 2005, albeit covering a larger area. At the meeting of the Cabinet Member - Sustainable Communities on 8 December 2005 (see Appendix 1), it was recommended that a RPS at this site be included on a list of schemes to be considered for capital funding in a future financial year (Minute No. 184/05 refers). Funding was subsequently made available to investigate the levels of support for an area based RPS as it is common knowledge that the introduction of a RPS can lead to parked vehicles being transferred to adjacent road. Consequently, the survey area included Boythorpe Avenue, Minimum Terrace, Riber Terrace, Sycamore Avenue, Boythorpe Mount, Central Avenue, Foxhill, and Walton Drive.

The results of the survey work showed that residents were in favour of a RPS but not in favour of having to pay annually for a parking permit to park within the RPS zone. A RPS is expected to be cost neutral to Derbyshire County Council, with the revenue generated from the cost of parking permits used to

pay for the issue of new permits and the cost of enforcement of the scheme. It was therefore decided not to pursue the RPS in the Boythorpe area at this time.

### **Officer Comment**

Boythorpe Avenue and its surrounding area is predominately a mix of residential housing with additional influences on parking caused by the level of staff parking from the Royal Mail offices.

The introduction of a RPS can lead to parked vehicles being transferred to nearby roads and for this reason, the Authority considers a successful RPS will only work in a wider area or zone, rather than individual streets. Consequently, the side streets off Boythorpe Avenue would have to be included in any scheme to make it viable and to minimise the impact on surrounding areas.

Officers feel it is unlikely that the required trigger level of 66% of residents in favour of a RPS would be achieved, given the rejection received following a previous survey exercise. Therefore, it is recommended that no further funding should be committed to this matter unless residents can demonstrate that there is the required level of support for a resident-funded RPS. The current yearly cost of residents' parking permits is given in Appendix 2. The cost of the residents' parking permits is subject to regular review.

### **Local Member Comment**

Councillor Mihaly supports the petitioners' request for a RPS but can foresee the parking of vehicles transferring to neighbouring streets and therefore only supports a zonal or area wide RPS.

(3) **Financial Considerations** There are no financial considerations associated with this report.

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Dungworth, extension 38619.

**(7) OFFICER'S RECOMMENDATIONS That:**

- 7.1 The request for a Residents' Parking Scheme for Boythorpe Avenue and Boythorpe Mount, Chesterfield is not supported.
- 7.2 The Local Member and lead petitioner be informed of the decision.

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

**Derbyshire County Council**

**Meeting of Cabinet Member – Sustainable Communities**

**8 December 2005**

Report of the Director of Environmental Services

**Petition Requesting Residents Parking Scheme - Boythorpe Avenue Area, Chesterfield**

(1) **Purpose of Report** To bring before the Cabinet Member for consideration, recommendations following the investigation into a request, submitted by petition for a residents parking scheme in Boythorpe Avenue, Minimum Terrace, Riber Terrace, Sycamore Avenue, Boythorpe Mount, Central Avenue and Foxhill, Chesterfield.

(2) **Information and Analysis** The receipt of the petition was reported to the Cabinet Member for Sustainable Communities on 4 August 2005 (Minute No. 68/05). The petition was signed by 72 persons with a covering letter from [REDACTED]. The petition requested that a residents parking scheme be introduced.

**Officer Comment**

Boythorpe Avenue and its surrounding area is predominately a mix of residential housing with additional influences on parking caused by the level of staff parking from the Royal Mail Offices and additional parking when events are held at the Queens Park Sports Centre, Annexe Sports Ground and the Territorial Army Barracks.

The housing within this area has limited off-street parking facilities and so they do park on the street, in as close proximity as they can to their respective properties. The residents feel that due to the excessive levels of parking arising from the Royal Mail and Leisure Centre staff, coupled with some town centre visitors avoiding the Pay and Display Car Parks, that a residential car parking scheme would allow them a greater chance of being able to park near to their homes.

The introduction of a residents parking scheme can lead to parked vehicles being transferred to nearby roads and consequently the side streets off Boythorpe Avenue would have to be included in any scheme. A Residents Parking Scheme is considered to be an appropriate measure at this location, it

is therefore recommended that this site be included on a list to be considered for capital funding in a future financial year.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality of opportunity; and environmental, financial, health, legal and human rights, personnel and property considerations.

(3) **Background Papers** Copies of the petition received and correspondence are held on the 44XT/St Leonard's file.

(4) **Key Decision** No

(5) **Officer Recommendations** That:-

5.1 The request for a Residents Parking Scheme in the Boythorpe Avenue Area of Chesterfield be accepted subject to the necessary funding being approved.

5.2 The petitioners be informed accordingly.

## Agenda Item No. 7 (j)

## DERBYSHIRE COUNTY COUNCIL

## CABINET MEETING

26 May 2015

Report of the Strategic Director – Economy, Transport and Environment

**DERBYSHIRE COUNTY COUNCIL'S RESIDENTS' PARKING POLICY  
(HIGHWAYS, TRANSPORT AND INFRASTRUCTURE)**

(1) **Purpose of Report** To seek the Cabinet Member's approval to introduce a revised Residents' Parking Policy, as set out in Appendix A to this report, to be included in the Highway Network Management Plan (HNMP).

(2) **Information and Analysis** The County Council's current Residents' Parking Policy dates back to 1999. This Policy has now become outdated in terms of the enforcement regime, permit types available, traffic signs and markings that can be used. Work has been undertaken on bringing the Policy up-to-date to reflect changes that have been made in the past 16 years.

In 2009, the County Council, in partnership with district and borough councils within the County, took over the enforcement of parking restrictions from Derbyshire Constabulary. This has made enforcement of Residents' Parking Schemes (RPSs) more straightforward, and in some cases, more responsive to issues as they occur.

A new permit type has been approved for introduction within the County Council's RPSs. These are for landlords of rental properties. This permit type has been approved at a meeting of the Cabinet Member for Highways and Transport on 7 August 2012 (Minute No. 178/12 refers).

A review of Residents' Parking charges was considered and approved at a meeting of the Cabinet Member – Highways and Transport on 24 January 2012 (Minute No. 26/12 refers). It was agreed that the charges be reviewed at appropriate intervals and increased in line with District/Borough car parking charges. Current charges are shown in Appendix A.

(3) **Financial Considerations** In adopting new or revised policies, standards and procedures, the Authority will need to have regard to the resources available and ensure that the standards set are both deliverable and meet any statutory requirements which may be placed on the Authority. In this case, it is felt that there may be some savings from a reduction in staff

time taken to deal with requests for schemes. The new Policy will also be posted on the County Council's website and will give members of the public a good idea of how successful a request may be before making formal inquiries. This type of saving can be difficult to identify and quantify in monetary terms.

(4) **Legal Considerations** The Road Traffic Regulation Act 1984 allows the Highway Authority to implement and revise Traffic Regulation Orders for RPSs. By keeping the HNMP up to date, it will be an additional argument available to the Highway Authority to enable it to demonstrate that it is taking all reasonable steps, within budget constraints, to deliver appropriate and sustainable RPSs.

(5) **Human Resources Considerations** The Council is already fulfilling the responsibilities of the new Policy and it is not expecting that this will create any additional actions beyond those already undertaken.

Posts currently exist within the Economy, Transport and Environment Department to implement the requirements as described in the revised Policy.

(6) **Equality and Diversity Considerations** The HNMP and its Technical Annexes see to ensure that equitable benefits are available to all users of the Council's Highway Network.

(7) **Environmental Considerations** In pursuing the objective of Network Sustainability in the latest version of the national 'Code of Practice – Well – Maintained Highways – April 2012', it highlights the key issues of maximising the environmental contribution made by highway network management policies and practice, and their subsequent revisions through the HNMP. The wide range of relevant issues considered, when updating policies, standards and procedures, includes climate change, noise, materials utilisation, waste management, recycling, pollution control, conservation, biodiversity, and environmental intrusion.

(8) **Health Considerations** The legal framework in the 'Code of Practice – Well – Maintained Highways - April 2012' recommends that a HNMP should consider a wide range of issues, including duty of care, powers and duties, related powers and duties, health and safety and the management of risk.

(9) **Transport Considerations** The revised Policy, under consideration for inclusion in the HNMP, relates to formalising street parking places without compromising the efficient and effective management of the Authority's road network.

## Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder and property considerations.

(10) **Key Decision** Yes.

(11) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(12) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Simon Tranter, extension 38673.

(13) **OFFICER'S RECOMMENDATION** That Cabinet approves the new Residents' Parking Policy, as set out in Appendix A, into the Highway Network Management Plan.

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



## APPENDIX A

### Residents' Parking Policy – 2015

Derbyshire County Council's current Residents' Parking Policy was presented to Cabinet in 1999. Since then, there have been a number of minor changes made, to the types of permit that could be available within each scheme, the enforcement agency, the charges for permits and the way the schemes are managed.

#### Charges

The current charges for permits are:

- Residents permit (first permit) - £35 per annum
- Residents permit (second or subsequent permit, dependent upon the scheme) - £50 per annum.
- Annual visitor permit (dependent upon the scheme) - £13 per annum.
- Business permit (limited to one per business) - £70 per annum.

#### Criteria

Before progressing with a questionnaire to see if a Residents' Parking Scheme (RPS) is supported, a number of criteria should be met. These are listed below.

- That the location is part of a large urban area where long term on-street parking by non-residents prevents residents from parking near to their properties for the majority of the working day (the working day is taken to be 8am to 6pm, Monday to Friday).
- That the area is of sufficient size to minimise the possible effects of displacement into surrounding streets. Single street schemes should not be considered (unless in an isolated residential location in a district where a scheme is already in operation and running costs are not in a deficit).
- That a large proportion of the properties within the area do not have off-street parking or the ability to install their own off-street parking.
- That provision can be made for visitors to the area.
- That a scheme will be revenue neutral (running costs are met by the income from permit sales).

If these criteria are met, and funding is available, a questionnaire consultation may be undertaken.

#### Consultation

If the above criteria are met, a questionnaire, with a covering letter, plan and pre-paid return envelope, may then be sent to residents within the area concerned. The questionnaire would ask whether they wished to be included within a RPS.

The covering letter and questionnaire should include the following:

- A statement that a scheme will not be introduced without permit charges.
- Information on the permit types and charges.
- A statement to the effect that a permit allows the holder to park within the zone concerned, it does not guarantee a parking space outside a residents' property.
- That off-street accesses will have either double yellow or single yellow lines across them for ease of enforcement.
- A statement (if necessary), to explain to residents of streets which currently do not experience a parking problem, that they have been included within the consultation as their street would attract displacement if a scheme were only progressed in the core area.
- The return date for responses to be received by.
- Information on the level of positive responses received required to progress with the scheme (two thirds, or 66% of replies received need to be in favour of a RPS).
- That the results will be reported to the relevant Cabinet Member.
- That residents would subsequently be informed whether the scheme would be progressing or not.
- The questionnaire can be a straightforward yes/no, do you wish to be included within a RPS question.
- Space to be left for the responder to leave their address and any comments they may wish to make.

The questionnaire can also be used to ask further questions at the discretion of the Project Engineer leading the consultation:

- Ask how many cars are owned to help gauge demand.
- Ask whether there is off-road parking, if so, for how many vehicles.

The presentation of the information received will need to comply with the Data Protection Act in so much as properties will not be identified as being in favour or against the introduction of an RPS. The consultation area can be shown, in spreadsheet/tabular format and on plan, as responses received by street and the relevant percentages in favour or against the suggested scheme.

Responses received where the yes answer is chosen, but the comments state that it is subject to permits being free, will be counted as a negative response (this is because Derbyshire County Council only introduces charged for RPSs). Questionnaires that are returned with no address specified can be counted in the total number of responses received whole, but cannot be allocated to an individual street.

Some local authorities consider that properties not returning a questionnaire can be considered to be in favour of a scheme, or they would object to the permit charges. Other authorities consider that a lack of a response should be considered as being against the introduction of a scheme, as they have not received a response in favour of paying permit charges. Derbyshire County Council will only use the responses received from the questionnaire.

After the results of the consultation have been reported to the relevant Cabinet Member, a copy of the report and a covering letter should be sent to each property that received that questionnaire. This is to inform residents of the results of the questionnaire consultation and what the next steps to be taken are (if any). If the scheme is to progress, the next stage in the process is detailed design.

### **Detailed RPS Design**

Needless to say the vast majority of spaces provided should be for the exclusive use of permit holders during the operational times of the scheme. Consideration should be given to providing dual use limited waiting and permit holders bays, which allow visitors to residents and businesses to park for a limited amount of time without the need for a permit. Advisory disabled persons' parking bays should be converted to legally enforceable disabled persons' parking bays, with breaks in bays covered by either double yellow lines, or a single yellow line that corresponds to the schemes hours of operation. The mix of development in the proposed scheme will need to be reflected in the types of waiting restrictions proposed.

### **Traffic Regulation Order**

Following on from the detailed design, the normal Traffic Regulation Order procedure is to be followed as set out in the Quality Management System. Project Engineers may, if considered appropriate, organise a public exhibition during the advertisement of the proposals to engage residents in direct feedback, in addition to those measures listed in the procedures.

### **Scheme Review**

It is best practise for a review of RPS to take place within 18 months of introduction. This will give the opportunity for parking patterns and levels to be established not only within the scheme, but also on surrounding streets to determine whether significant displacement has taken place and, if so, to what extents and whether the scheme should be expanded. A scheme review will also assess whether additional bays are required within the existing, and if so what type. The scheme review should be reported to the relevant Cabinet Member meeting with recommendations on any changes that should be made.

## **Enforcement**

In 2009, the County Council, along with its district/borough council partners, took over the enforcement of parking restrictions when it assumed Civil Parking Enforcement powers. This has enabled the enforcement to be more reactive to specific issues at hotspots and commit to regular enforcement of the schemes.

## **Permit Types**

Since 2010, there has been a new type of permit introduced in order to address an issue that had arisen within schemes. The new permit type was a specific permit that could be purchased by landlords to allow them easier access to their properties so that they could get closer to their properties when collecting rents and also carrying out building maintenance such as cleaning and decorating. The more usual types of permit have remained unchanged, apart from the increase in charges made by Variation Order in 2012.

## **Scheme Management**

Currently, the schemes are administered by the district/borough council partners, who manage the issuing of permits and dispensations. This may change in the future. Day to day queries are dealt with by whichever authority has the relevant responsibility. In terms of permit renewal and administration, this is usually the district/borough council. Enforcement and inquiries relating to the schemes operational times are usually looked into by Derbyshire County Council.

## **Permit Charges**

A review of permit charges to be carried out at appropriate intervals and reported to a meeting of the appropriate Cabinet Member.