

## DERBYSHIRE COUNTY COUNCIL

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

11 July 2019

Report of the Executive Director – Economy, Transport and Environment

#### PETITION - LORD HADDON ROAD, ILKESTON – REQUEST FOR RESIDENTS' ONLY PARKING

(1) **Purpose of Report** To inform the Cabinet Member of investigation carried out following the receipt of a petition requesting Residents' Only Parking.

(2) **Information and Analysis** At the meeting on the 20 December 2018, the Cabinet Member acknowledged receipt of a petition received from Maggie Throup MP, on behalf of residents of Lord Haddon Road, Ilkeston, containing 62 signatures requesting Derbyshire County Council considers implementing Residents Only Parking on Lord Haddon Road, Ilkeston. The petition stated:

*"People with parking bays can park on Lord Haddon Road as well but we can't park on theirs. Lord Haddon Road is a bus route with no ramps to stop speeding. Yet Cotmanhay Road is a bus route with speed ramps."*

*There are not any walkways from one side of Lord Haddon Road to the other side at the bottom. Not safe to cross the road for speeding traffic."*

#### **Background**

The centre of Ilkeston consists of retail businesses from Bath Street at the north end of the town, to the Market Place in the centre and South Street at the southern end of the town. There are 15 Erewash Borough Council car parks in close proximity to the retail areas, which provide a combined total of 811 parking spaces. The charges for parking in these car parks are currently: free for the first hour; up to two hours £1.50; three hours £2.00; and over four hours is £4.00.

A short distance from the commercial centre of Ilkeston is the residential built-up environment, for which the majority are terraced properties with no or limited off-street parking facilities. In local proximity is Derby College, located just out of the Town Centre (at the site of the Old Courthouse) and, it has no

parking facilities available. In Ilkeston, there are two existing Residents' Only Parking Zones, the extents of these existing schemes are shown on the attached Plan (HMT/RS/51/19).

### **Local Member Comments**

Councillor Tony King comments *"I have spoken to Ms Throup regarding this and have sympathy with residents on this particular street.*

*I also understand the difficulties from a Derbyshire County Council point of view, particularly in regard to this area of Ilkeston. I also note the comments regarding the possible need for a wider review and would ask to be kept informed of any further information on this future possibility".*

### **Officer Comments**

Ilkeston currently has two 'Residents' (Permit Holders Only) Parking Schemes' in place, one is a zone around the Queens Street Area just off South Street, that covers Albert Street, Cedar Park, Darwin Avenue, Queens Drives, Lissett Avenue and Moss Road.

The second zone, St Mary Street Area, is in place off Bath Street and covers Burns Street, Fullwood Street, Gregory Street, Jackson Avenue, New Lawn Road, St Mary Street and Wilmot Street. Lord Haddon Road is located on the outskirts of this current scheme.

The 'Residents' Only' permit scheme operates for both zones, from Monday to Saturday, 9am to 5pm with only residents with permits being able to park within the zone during these times. Outside of the schemes operation, between the hours of 5pm and 9am any person can park within the zone, which can include the residents of Lord Haddon Road.

However, it is acknowledged that during Monday to Saturday, 9am to 5pm shoppers, staff and students from Derby College and people working in the centre of Ilkeston are unable to park within the extents of the residents' only parking scheme and therefore do displace onto the nearest available roads, such as Lord Haddon Road, in order to avoid the associated parking charges in the Borough Council car parks.

There are also a number of requests from residents across Ilkeston who wish to see the implementation of a Residents' Parking Scheme. These requests include: Nesfield Road, Bristol Road, St Andrews Drive, Wharncliffe Road, Durhan Road, Wilton Place, Stamford Street, Belper Street and Union Road, as shown on the attached plan (HMT/RS/51/19).

All of these streets above are subjected to a high level of on-street parking from non-residents and, although the petition's focus of concern is with respect to Lord Haddon Road, there are residents on the above listed roads

who have raised concerns with respect to encountering similar issues and would wish to see Residents' Only parking implemented.

In respect of the existing Residents' Parking Schemes in Derbyshire, it is worth noting that the current charging for permits is as follows:

£35 per year – for the first permit.

£50 per year – for a second and/or each subsequent permit (dependent on scheme).

£13 per year – for a visitor permit (dependent on scheme).

£70 per year – for a business permit (limited to one per business).

In addition, there is scope through additional charges in other existing schemes across the County for visitor scratch cards to be deployed to address certain circumstances.

Contrary to public perception, the provision of such a scheme does not guarantee a space outside an individual's home/property. A scheme of Residents' Parking simply designates a length of road on which residents have the opportunity to park and residents and their visitors would still have to seek a suitable space, which may be on another street away from their immediate property frontage. Therefore, such schemes can become over-subscribed and lead to frustrations over a lack of sufficient road space for parking, which can only be exacerbated when they are paying for permits and are still unable to park in what they would deem acceptable proximity to their respective properties. This may be evidenced in the case of the comments made in the petition with residents in the St Mary Street area, who are within the existing Residents' Parking scheme but are having to park outside of the scheme extents on Lord Haddon Road, as the road space is already occupied by permit holders.

In respect of Lord Haddon Road, the two existing 'Residents' Only' parking zones have displaced some parking onto those streets not included in the scheme, with Lord Haddon Road being one of them, as parking would simply be displaced somewhere else. If a further scheme of Residents' Parking was considered for Ilkeston, it would therefore have to include all of the streets listed previously in the report and there would need to be evidence to suggest that the majority of those residing in these areas were prepared to pay for required costs.

Such schemes are a major undertaking in terms of staff resources together with the necessary public consultation, setting up and annually managing the process. It would involve an intensive local engagement with the residents on every one of the streets that wished to be included. A bid would therefore need to be submitted for additional resources from a future year's capital programme of schemes.

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

(4) **Legal Considerations** Section 122 of the Road Traffic Regulation Act 1984, 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 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 preserve or improve the amenities of the area 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.

Section 2 of the 1984 Act states what a Traffic Regulation Order (TRO) may provide for and this includes prohibiting, restricting or regulating the use of a road, or any part of its width by vehicular traffic, either generally or subject to exceptions, and either at all times or at times, days or periods so specified.

Section 45 of the 1984 Act allows a local authority to make charges for vehicles left in a parking place so designated. An order under this section may designate a parking place for use only by such persons or vehicles as authorised by a permit from the authority, with or without charge and subject to conditions such as times at which parking is authorised.

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.

Regulation 14 of the 1996 Regulations enables an order making authority to modify an Order in consequence of any objections or otherwise, before it is made. Where substantial changes are to be made, the order making authority

must notify those likely to be affected by the modifications and give them an opportunity to make a representation which the authority shall consider.

Having determined all objections, the Council may determine to introduce the new restrictions. The Order will need to be formally made, advertised and the requisite signs erected. An Order shall not be made until after the last date for objections. 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 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, 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.

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

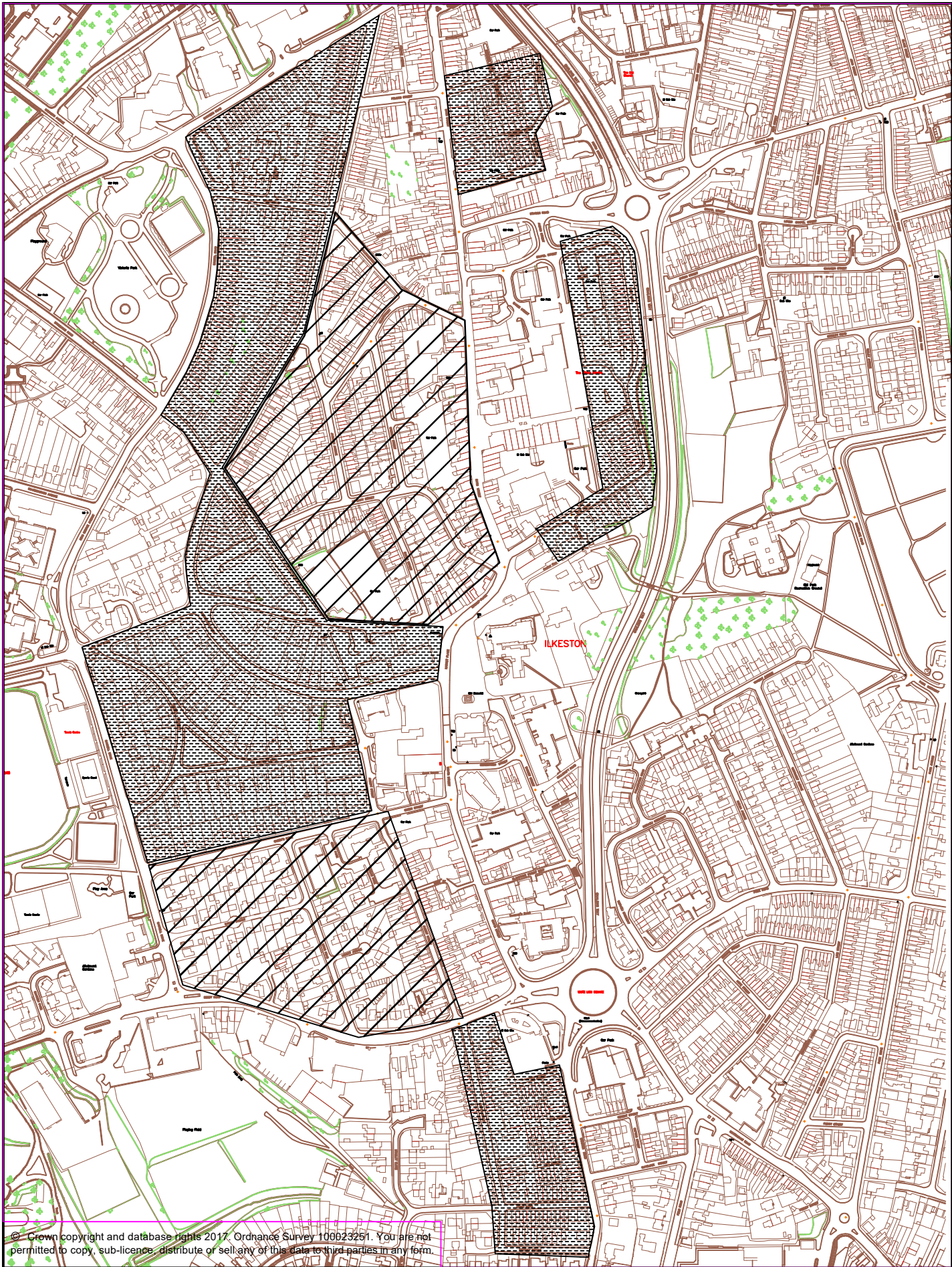
8.1 Supports not implementing a 'Residents' Only' parking scheme in isolation on Lord Haddon Road, Ilkeston.

8.2 Gives consideration to funding a town wide consultation exercise from a future years' Service Plan of capital schemes.

8.3 Informs the MP and Local Member of the outcome of the decision taken.

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

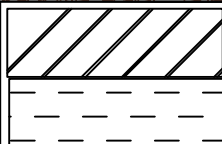




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**DERBYSHIRE**  
County Council  
Improving life for local people

**MIKE ASHWORTH**  
Strategic Director  
Economy, Transport and Communities



Existing Resident  
Parking Zones

Streets that want  
Residents Parking

Plan for Residents Parking  
Petition. Ilkeston

<b>DRAWN</b> R Straw	<b>CHECKED</b> R Handbury	<b>APPROVED</b> R Handbury
<b>Date</b> 19/02/2019	<b>Date</b> 19/02/2019	<b>Date</b> 19/02/2019
<b>Project / Confirm</b> Reference No. Confirm Ref 25009313		<b>SCALE</b>  <b>SCALE</b>
<b>Drawing</b> Number HMT/RS/51/19		
ORIGINAL DRAWING SIZE 210 x 297 (A4)		