

Agenda Item No. 4(a)

DERBYSHIRE COUNTY COUNCIL

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

28 January 2021

Report of the Director – Economy, Transport and Environment

**PETITION – NETHER CLOSE, SWANWICK – PARKING ISSUES AND
REQUEST FOR A RESIDENTS’ PARKING SCHEME**

(1) **Purpose of Report** To inform the Cabinet Member of a petition requesting that the Council introduces a Residents’ Parking Scheme (RPS) for Nether Close in Swanwick.

(2) **Information and Analysis**

Background

At the meeting on 10 September 2020, the Cabinet Member acknowledged receipt of a petition (Minute No. 47/20 refers). It contained 12 signatures requesting that the Council introduces a residents’ only parking scheme for the residents of Nether Close and their visitors.

Officer Comment

Nether Close in Swanwick is a narrow cul-de-sac serving as an access to ten apartments arranged in two blocks of five. It has a junction with the B6016 The Green and terminates in a turning area that incorporates five individually marked parking bays. Sited beyond the parking bays is a sign that has been erected illegally within the limits of the adopted highway by the management company, believed to be Future Housing Group, which states ‘Parking for Residents Only.’ This sign is present in a purely advisory capacity with the non-residents parking which takes place in the five bays being unenforceable. (See appendices 1 and 2).

The B6016 The Green has a number of parking restrictions which means that parking is prohibited Monday–Saturday between 8am-6pm on parts of The Green leading to parking taking place on Nether Close, which is one of the closest alternative locations. Some of the residents of the apartments have asked for the five parking spaces to be made into parking for the residents and their visitors only.

RPSs are considered by the Council from time to time at locations that form part of a large urban area with long term on-street parking taking place by

non-residents, thus preventing 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).

An example of this parking issue is in the town centre in Chesterfield where shop workers parked up on the residential streets close to the town centre for the duration of the day rather than using appropriate town centre car parking facilities.

Parking schemes need to be considered on an area basis rather than for an individual street such as Nether Close which is consistent with the County Council's policy for Residents Parking schemes, which was approved by Cabinet on 26 May 2015. This is to ensure that any scheme which is introduced complies with the requirement of being 'zero finance'. The initial set up costs and the running costs of the scheme in the form of regular visits by Civil Parking Enforcement staff must be covered by the fees obtained from issuing the annual permits to residents with the result that no additional costs fall on to the County Council. Unfortunately, single streets such as Nether Close do not provide sufficient income to cover these costs. The area wide approach also ensures that the risk of displacement parking from one street to an adjoining one is lessened. The Council only considers a zone containing several streets to be considered for a RPS and, in the case of Nether Close, vehicles are more than likely coming from neighbouring streets such as The Green and would therefore be entitled to a residents' parking permit for the zone with the result that levels of on-street parking on Nether Close remaining unchanged. Residents would therefore be paying an annual fee for a permit which still does not guarantee them a parking space on their road, let alone in one of the five parking spaces at the end of Nether Close. Permits for residents are charged at £35 each (£50 for additional permits) while those for businesses are £70, and because the permits must be renewed annually, this is an additional reason why residents are unsupportive of permit parking schemes.

The petitioner has also asked about the legalities of vehicles being parked in the turning area immediately fronting the advisory parking bays in relation to the parking rules found in the Highway Code. Derbyshire Police were consulted and agreed that parking should only take place where it does not create an obstruction to another vehicle. However, they pointed out that where a vehicle is parked behind another vehicle from the same household there would be difficulties evidencing obstruction where no other vehicles are concerned.

Councillor Smith has enquired to see if any of the day time restrictions (single yellow line) along the B6016 The Green could be removed in order to allow additional parking for nearby residents. Officers have investigated this request and observed that during the day, traffic regularly queued up to the traffic signals past the existing single yellow line restriction. If this section of single

yellow line, which operates between 8am and 6pm Monday to Saturday, was removed and parking permitted, this could have a detrimental impact on the function of the traffic light junction due to vehicles travelling towards Somercotes not being able to pass the queuing traffic. When traffic flow is lighter in the evening and on a Sunday, parking is permitted anyway on The Green and officers also observed that there was still available parking on Nether Close during the day.

Whilst officers appreciate the request to remove the single yellow line, it can unfortunately not be accommodated at the present time.

Local Members Comments

Councillor Marshall-Clarke and Councillor Smith were consulted on the proposal to introduce a RPS.

Councillor Marshall-Clarke commented as follows: *"It is clear from the report that a permit scheme would not deliver the outcome desired by the residents. Maybe it would be better if they asked their housing association to provide off street parking."*

Councillor Smith commented as follows: *"I agree Futures Housing have introduced 'residents only' parking areas throughout their areas of responsibility with no meaningful enforcement which is confusing and frustrating for their residents. Being familiar with the area, I wondered if we as the Highway Authority, could look at the yellow lining on The Green, which is a mix of single and double yellow lines and see if we could safely remove a section of the single yellow lines to accommodate some more parking provision which would help remove some of the parking issues on Nether Close?"*

Councillor Marshall-Clarke has suggested that the residents contact the housing association directly to provide off-street parking. Officers will also put this in the same request when they are asked to remove the existing residents parking sign. Any private residents parking will, however, require a private permit scheme with private enforcement by the housing association, otherwise the same parking situation will arise.

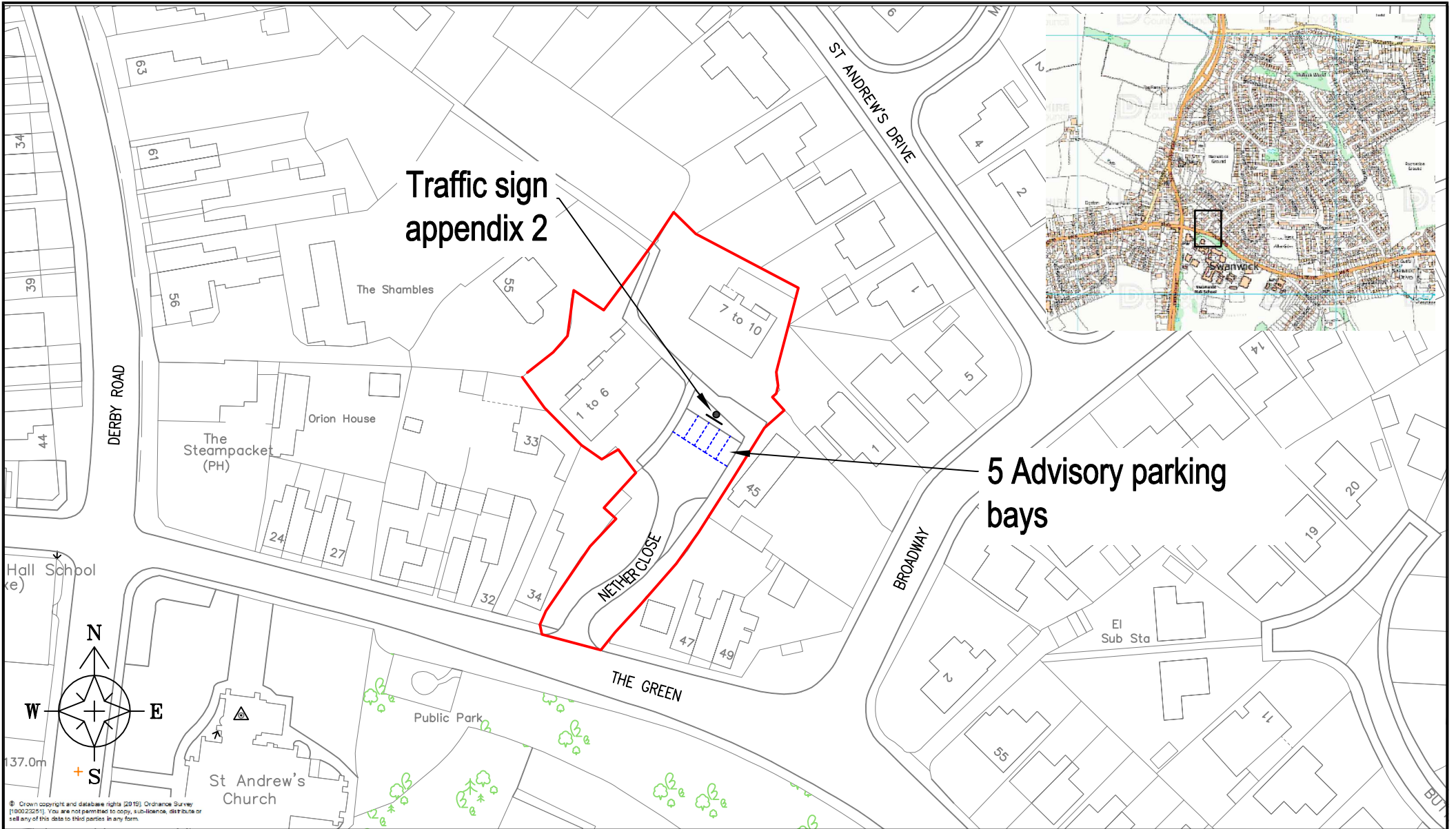
(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Other Considerations**

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.

- (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:
- 8.1 The request for a Residents' Parking Scheme on Nether Close, Swanwick be refused
- 8.2 A request be made to Future Housing Group to remove the illegally mounted sign from the adopted highway and ask them to consider the creation of their own off-street parking for their residents.
- 8.3 The Local Member and lead petitioner be informed accordingly.

Tim Gregory
Director – Economy, Transport and Environment



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TIM GREGORY
 Director
 Economy, Transport and Environment



AMENDMENT DETAILS	BY	CHKD	APVD	DATE	NO.

PROJECT TITLE NETHER CLOSE, SWANWICK		DRAWN J.HARRISON	CHECKED S.DUNGWORTH	APPROVED B.GOULD
DRAWING TITLE APPENDIX 1		Date 03/11/2020	Date 04/11/2020	Date 05/11/2020
		Project / Confirm Reference No. 82002935	SCALE N.T.S	
		Drawing Number HMT/SMD/491/20		
<small>ORIGINAL DRAWING SIZE 297 x 210 (A4)</small>				

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