



DERBY CITY COUNCIL

AREA PANEL FIVE 6 April 2005

Report of Assistant Director – Highways, Transportation and Waste Management

Petition Regarding Parking on Penny Long Lane

SUPPORTING INFORMATION

- 2.1 Receipt of the petition was reported to Area Panel on 1 December 2004. It consists of a letter which has been signed by 22 people.

The letter states that students park on Penny Long Lane every weekday during term time. It claims that the people using Penny Long Lane to park are:

- ignoring the inadequate lines that are there;
- hindering access to driveways. I had to call Police help to stop a student parking regularly at the top of my driveway;
- parking on the pavement that does exist at the north end of the lane, so that the many wheelchair users, from Leylands old people's estate in particular, cannot pass, to reach the Post Office on Duffield Road;
- parking two abreast, so that vehicles have difficulty getting through. A fire engine failed to get through a narrow gap between students' parked cars two weeks ago, had to reverse back onto Broadway and enter the lane from the other end.
- Some of the students' cars are old and leak oil onto the pavement, the carriageway, and residents' driveways when students reverse recklessly onto them to turn.

The letter then goes on to say:

"To rectify this dangerous, unacceptable situation, the residents of Penny Long Lane call upon the Council to authorise:

- yellow lines the entire length of Penny Long Lane, as promised in 1996
- adequate policing to enforce both these lines and the present lines on Broadway where students park and obstruct our vision when we try to drive out of the lane
- speed humps to slow down students speeding round the narrow blind bend without pavements at one end of the lane. They use Penny Long Lane as a fast turning circle to speed back onto Broadway in the opposite direction, heedless of children playing, pram pushers and wheelchair users who cannot get out of their way quickly in this narrow lane without pavements for part of its length

- make Penny Long Lane a “Residents Only” street
- put up a “No University Parking” sign at each end of the lane.”

2.2 Officer Comment

Following a meeting of the Markeaton Residents Association in 1996, which was attended by David Gartside, Head of Traffic, it was agreed that some waiting restriction proposals to help to control parking on Penny Long Lane would be advertised. As a result of this, the existing restrictions were implemented following full statutory consultation. As is the function of all yellow lines, these restrictions prevent parking which could be hazardous or obstructive whilst not being too restrictive for the residents and their visitors.

Parking restrictions are only ever installed where they are absolutely necessary and they are subject to extensive consultation, not least with the local Ward Members. It is not uncommon that proposals can change or even not go ahead at all during the lengthy legal procedure. Therefore, officers are not able to make any assurances about restrictions prior to their inception.

- 2.3 Parking is tolerated on the public highway and all members of the public are able to park providing they do so in accordance with the Highway Code and that their vehicle is taxed and insured.

Yellow lines are not a tool to prevent unwanted people parking on the public highway. They are generally only considered where there is a road safety hazard or serious congestion. From continued observations at Penny Long Lane since receiving the petition, it is not considered that either of these cases apply.

- 2.4 Obstruction of the public highway, which includes the footway, or of an access onto the highway is already an offence regardless of whether yellow lines are present. This enforcement is carried out by the Police as is the enforcement of the existing yellow lines. A copy of the petition has been forwarded to the Chief Constable for the attention of local officers.

- 2.5 With regard to the incidence of the fire engine being impeded, according to the Fire Service's records, there have not been any call outs to an emergency situation at Penny Long Lane since 2003. However, it could be that they have had cause to access the lane in recent months due to routine inspections. Ordinarily, if the appliance does get obstructed at any time, a report is filed upon return to the station. There are no written reports of any such incident at Penny Long Lane.

Naturally, it would be of great concern to the City Council if an emergency service vehicle were unable to attend an emergency. In reality, it is exceedingly rare for any of the emergency services to feel the need to contact the City Council about obstructions due to parked vehicles.

- 2.6 With regard to University parking in general, the City Council has been working alongside the University to develop a Travel Plan. A Travel Plan seeks to reduce car use to and from a site and encourages the use of other modes of transport such as walking, cycling, bus use and car sharing to reduce the impacts on the surrounding area and address wider concerns for our health and the environment.

The University has produced a travel plan which is now being implemented. This is proving successful as this year Unibus use is up 11% on last year's figures and last year's figures were up 30% on the previous year. Also, as you will be aware, a new crossing has been installed on Broadway to promote walking and cycling to the campus. The University has also appointed a Travel Plan Coordinator and a copy of the petition will be forwarded to him for information.

- 2.7 Physical traffic calming measures such as road humps are only introduced in cases where there is a history of speed related injury accidents. Since Derby College of Higher Education became a University in 1992, there have been no reported injury accidents. As would be expected on a quiet residential road of this nature, traffic is extremely light and the majority of motorists use it in a sensible manner. As such, it is not considered that physical traffic calming measures could be justified in this instance.
- 2.8 Residents' Privileged Parking Schemes give priority on-street car parking to residents in areas where they are regularly precluded from parking close to their homes by non-residents. The City Council's Residents' Privileged Parking Scheme policy sets out very specific criteria to be met before such a scheme would be considered. One of these criteria states "Schemes will not be considered in areas where more than 50% of households have, or have the potential for, off-street parking facility." As the majority of properties on Penny Long Lane have off-street parking facilities, such a scheme could not be considered.
- 2.9 Another way of making Penny Long Lane a 'Residents Only' street, would be to introduce a 'Prohibition of Driving Except for Access' Order. However, the City Council would only consider an 'Access Only' Order where the intrusion from non-residents is of an unacceptably high level. The parking which currently takes place on Penny Long Lane would not justify such a measure.

Also, once these Orders are granted, they tend to raise the expectations of the residents and lead to frequent demands for Police enforcement. The deployment of Police resources has to be prioritised and the inevitable non-compliance could lead to an unreasonable burden on these resources. In view of the many difficulties involved in enforcing these restrictions, the Police only support their implementation in extreme circumstances. Having spoken to the Police, they have confirmed that they would not support the introduction of an 'Access Only' Order at Penny Long Lane.

- 2.10 "No University Parking" signs have been erected in the Longford Street area to add extra emphasis to the existing 'Access Only' Order. As stated previously, motorists can be unsure as to the meaning of the mandatory signs for these Orders and the "No University Parking" signs have been erected as a 'plain English' reminder. They have no legal standing and are an advisory measure. They would not be erected where there is no legal Order to complement them.

PROPOSED ACTION

- 1.1 That no further parking restrictions are introduced on Penny Long Lane at this time.
- 1.2 That no physical traffic calming measures are introduced on Penny Long Lane.
- 1.3 That no access restrictions are introduced on Penny Long Lane.
- 1.4 That the illegal parking practices and speeding allegations be brought to the attention of the Chief Constable.
- 1.5 That the situation continues to be monitored.

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Background papers: None or list
List of appendices:

