

ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBER MEETING

Agenda Item 87

Brighton & Hove City Council

Subject: Parking Tariffs Consultation report
Date of Meeting: 17 February 2012
Report of: Strategic Director Place
Lead Member Cabinet Member for Transport & Public Realm
Contact Officer: Name: Austen Hunter Tel: 29-2245
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Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to address comments and objections to the draft Traffic Regulation Orders for the changes in Parking Tariffs throughout Brighton & Hove.

2. RECOMMENDATIONS:

- 2.1 That, having taken account of all duly made representations and objections, the Cabinet Member approves as advertised:

- The Brighton & Hove (Off Street Parking Places) Order 2008 Amendment Order No.* 20** (Car Parks) (ref.TRO-9a-2011)
- The Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.* 20** (ref.TRO-9b-2011)
- The Brighton & Hove Seafront (Various Restrictions) Consolidation order 2008 Amendment Order No.* 20** (ref.TRO-9c-2011)
- The Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No.* 20** (areas outside of Controlled parking zones) (ref.TRO-9d-2011)

Subject to the following amendments:

- To include the far eastern stretch of Madeira Drive in the low tariff zone for the full calendar year.
- That the new cost of Traders Permits be changed to £600 per annum (or £160 per quarter).
- That the new cost of Business Permits will be reduced to £300 per annum (or £85 per quarter).

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

The original Parking Tariffs Review report, presented at the Cabinet Member Meeting on 29th November 2011, proposed changes in city council parking tariffs. The proposals were set within the context of the objectives set out in the Local Transport Plan [LTP3], embracing 5 strategic goals: economic growth; carbon reduction; quality of life; equality of opportunity; safety, security and health. Parking tariffs are one of the levers for influencing travel patterns and fulfilling the council's ambition to create a safer, cleaner and more sustainable city. Our parking tariff structure has developed over time and has been subject to periodic reviews. It is recognised that there is a degree of complexity in the existing charges and these have been reviewed to improve the understanding for residents, workers, businesses and visitors who drive into and around the city.

4. CONSULTATION

- 4.1 The proposed Traffic Regulation Orders were advertised on 16th December 2011 with the closing date for objections on 13th January 2012. Before the advertisement was made, the proposals received extensive coverage from local and national media. The notice was published in the Argus newspaper on 16th December 2011 and the proposals were also available on the Council website and the Transport & Parking Facebook and Twitter pages. In addition, the notices are sent to the Federation of Small Businesses, the Chamber of Commerce, the Brighton and Hove Economic Partnership and the taxi companies. Meetings were also held with business groups. The Traffic Regulation Orders were also available to view at Hove Library, Jubilee library and the City Direct Offices at Bartholomew House and Hove Town Hall.
- 4.2 There were 36 responses received from individuals and included a number of objections and general comments. The representations are listed in Appendix A.

Changes to be made in response to representations and objections

- 4.3 10 of the 36 objections were received regarding the price increases on Madeira Drive particularly in relation to concerns about parking for Yellowwave Beach Sports. An amendment has been made to include the far eastern stretch of Madeira Drive in the low tariff zone for the full calendar year. This would run eastbound from the eastern edge of the Yellowwave/playground site and comprises a total of 65 bays (plus 2 disabled bays). There is a natural divide at this point which separates the eastern area of Madeira Drive from the remainder of Madeira Drive. Further consultation has taken place with a representative of Yellowwave and they are happy with this amended proposal.
- 4.4 Alongside the changes to Madeira Drive it is proposed that the tariffs for Black Rock off street car park are frozen. This would keep the off street tariffs in line with the changes to the on-street tariffs. Likewise it is proposed that the hours of the King Alfred Car Park change from 9am-5pm to 9am-8pm and not 9am-11pm as originally proposed.

- 4.5 1 objection was received regarding the increase in the cost of Traders Permit. A revised and reduced increase in price to £600 per annum (or £160 per quarter) is proposed to reduce the impact the increased charge could have on local traders.
- 4.6 The increased cost of a Business Permit will be revised to £300 per annum (or £85 per quarter) to lessen the effect the increased charge could have on local businesses.

Other objections

- 4.7 16 of the 36 objections were general objections to the price increases. The reasons for taking forward these proposals were outlined in the Environment, Transport and Sustainability Cabinet Member Meeting on 29th November 2011 and are summarised above.
- 4.8 3 objections were received about the cost of hotel permits particularly in Area C (Queens Park). Hotel guest permits have been increased to a level more representative of their current market value and remain good value compared to the cost of on-street pay display parking. The tariff proposals also include a new tariff for hotel guests to use the 4 multi storey car parks, in Brighton, for overnight stays.
- 4.9 2 Objections received regarding changes in Rottingdean from the Rottingdean Parish Council and Rottingdean Trade, Business and Professional Association. These objections were subsequently supported by Rottingdean Coastal Ward Councillors. The increase to the fees for Rottingdean High Street, and amendment to its tariff structure, represent its inclusion in the new low tariff zone for on-street parking across the whole of the City. Prior to these proposals, the surface car parks on West Street and at Marine Cliffs have received only small increases to fees between 05/06 and 11/12. Along with Haddington Street, in Hove, these two car parks will continue to represent the lowest cost off-street parking in Brighton & Hove.
- 4.10 1 objection was received regarding general off street car parking increases. Adjustments have been made to our off-street car parks to manage an increasing demand and meet inflationary increases. The extension to the hours of operation at King Alfred reflects the increased demand placed on this car park after 6pm.
- 4.11 1 objection was received regarding Suspension costs. The charge for implementing a suspension has been brought into line with comparator authorities and better represents the commercial value of the service.
- 4.12 1 objection was received regarding visitor permit increases. The price of a visitor permit still represents extremely good value when compared with equivalent all day parking in a pay and display bay (the tariff represents a 50% discount against all day parking).
- 4.13 1 objection was received regarding increases to prices in Oxford Court Car Park. Adjustments have been made to the pricing of our off-street car parks to manage an increasing demand and meet inflationary increases.

- 4.14 Ward members, adjoining ward members, statutory consultees and other stakeholders have been consulted.
- 4.15 Should they be approved the effect of the proposed changes to fees and tariffs could be taken into consideration as part of the consultation process for the Citywide parking review and may influence any policy recommendations made as a result of that process.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The impact of the revenue from the fees and charges referred to in the report has been included as part of the budget setting process for 2012-13. Any income surplus remaining after the offset of direct expenditure will be used to contribute towards concessionary bus fares, various bus routes in the city and to help fund the work of the capital programme.

Finance Officer Consulted: Karen Brookshaw

Date: 06/02/12

Legal Implications:

- 5.2 Broadly, the Council's powers and duties under the Road Traffic Regulation Act 1984 must be exercised to secure the expeditious, convenient and safe movement of all types of traffic and the provision of suitable and adequate parking facilities on and off the highway. Also, as far as is practicable, the Council should also have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles and securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 5.3 Under sections 32 and 35 of the 1984 Act, there is power to provide and regulate the use of parking places, for the purpose of relieving or preventing congestion. Under section 45 of the 1984 Act, the Council has wide powers to designate pay parking places on highways for vehicles or classes of vehicles. It includes power to authorise parking by permit. Under subsection (3), in determining what parking places are to be designated under this section the Council must consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include –
- (a) the need for maintaining the free movement of traffic;
 - (b) the need for maintaining reasonable access to premises; and
 - (c) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.
- 5.4 Before making Traffic Orders, the council must consider all duly made, unwithdrawn objections. In limited circumstances it must hold public inquiries and may do so otherwise. It is usually possible for proposed orders to be modified, providing any amendments do not increase the effects of the

advertised proposals. The council also has powers to make orders in part and defer decisions on the remainder. Orders may not be made until the objection periods have expired and cannot be made more than 2 years after the notices first proposing them were first published. Orders may not come into force before the dates on which it is intended to publish notices stating that they have been made. After making orders, the steps which the council must take include notifying objectors and putting in place the necessary traffic signs.

- 5.5 Relevant Human Rights Act rights to which the council should have regard in exercising its traffic management powers are the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them in appropriate circumstances. There are no human rights implications to draw to Members' attention at this stage.

Lawyer Consulted:

Carl Hearsum

Date:06/02/12

Equalities Implications:

- 5.6 A more consistent approach to parking management will provide greater access to spaces. Re-investing income in sustainable transport will benefit those without access to a car.

Sustainability Implications:

- 5.7 Parking charges are a factor for people to consider when travelling into the city. Any reductions in the levels of car traffic that result will help improve the city's environment and help to deliver a more reliable and attractive public transport system. In addition, the proposals are designed to encourage the use of car parks particularly those on the edge of the core shopping areas to reduce congestion into the centre.
- 5.8 To encourage the take up of low emissions vehicles in Brighton and Hove the council offers a 50% discount on the cost of residents permits to low emissions vehicles in tax band a or b. Electric vehicle permits are issued for free and this also allows the vehicle to charge up for free. Parking surplus is used to provide free bus passes for the elderly and disabled, to help reduce congestion and carbon emissions. A number of subsidised bus routes are supported by the parking surplus providing alternatives to travelling to the city centre by car.

Crime & Disorder Implications:

- 5.9 There are no direct implications although a more efficient operation will help to reduce the likelihood of illegal parking.

Risk and Opportunity Management Implications:

- 5.10 The risk of reducing parking income as a result of lower volumes of cars parking are reflected in the financial modelling as part of these proposals.

Corporate / Citywide Implications:

5.11 The changes in parking tariffs as part of the overall management of parking will contribute towards a number of citywide objectives, especially those set out in the Local Transport Plan. These include reductions in congestion and therefore an improved business and visitor environment, better access to local housing, and improvements to people's quality of life.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The alternative option for the majority of the proposals is to do nothing which would mean the proposals are not taken forward. However, this alternative was considered and discounted since the stated transport strategy objectives, linked to the needs to manage congestion, air pollution levels and the consequent affect on the public health, would not be achieved.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To support citywide Transport Strategy, to maintain trends in moving to more sustainable transport usage, improve the environment for residents, businesses and visitors, and relieve parts of the city that are subject to high pressure from parking demand.

7.2 To simplify parking in the city making it easier and fairer for residents, visitors and businesses.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Table of representations.

Documents in Members' Rooms

None

Background Documents

1. Environment, Transport & Sustainability Cabinet Member Meeting Report 27th November 2011 with appendices
2. LTP3

Appendix A – Objections to Parking Tariffs TRO

Objection	Times
General objection to price increases	16
Madeira drive prices	10
Hotel permit increase	3
Charges in Rottingdean	2
Trader permit cost	1
Off street car parking increases	1
Suspensions	1
Visitor permits increase	1
Oxford Court car park	1
Total	36

