

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 62

Brighton & Hove City Council

Subject:	London Road Station Area Resident Parking Scheme Consultation		
Date of Meeting:	5 November 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
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Key Decision:	No		
Wards Affected:	Preston Park and St Peter's & North Laine		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to consider the outcome of the public consultation undertaken regarding a proposed Residents Parking Scheme for the London Road Station area (Appendix A).

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves that the London Road Station Area Residents Parking Scheme be progressed to final design and the Traffic Regulation Order advertised, subject to the amendments outlined in this cabinet report.
- 2.2 That the Cabinet Member agrees for an order to be placed for all required pay and display equipment to ensure implementation of the proposed parking schemes are undertaken as programmed.

3. BACKGROUND

- 3.1 A timetable for consulting on Residents Parking Schemes across the City was agreed by cross-party councillors at Environment Committee in January 2008.
- 3.2 Following the consultation and subsequent approval for a residents parking scheme for Preston Park Avenue, ward councillors had raised concerns with officers about displacement further into their ward. These views were reinforced by the receipt of petitions from local residents asking to be included in the consultation area for the programmed London Road Station Area residents parking scheme.
- 3.3 As a direct response to residents and ward councillors' requests, funding was identified to expand the programmed initial consultation area for a London Road Station Area scheme and agreed at Environment CMM on 5 June 2008.

3.4 The expanded consultation area comprised 3 distinct geographical areas covering:

- 1) The Original area – (Southwest area)
- 2) Adjoining area – (North area)
- 3) Adjoining area – (Southeast area)

A map of the expanded consultation area is shown in Item 61 (Appendix A): the original area is to the south of the railway line and to the west of Ditchling Road.

3.5 Following detailed parking surveys which took place in December 2008 and meetings with the Ward Councillors, it was agreed that public consultation would take place for this expanded London Road Station Area Residents Parking Scheme, on the preliminary design for this scheme.

4. CONSULTATION

4.1 In June 2009, an information leaflet, map and questionnaire were sent to 6011 households. This included 124 sent to Wellend Villas in Springfield Road, which is a Car Free Development. These questionnaires have been treated separately and the number of households mailed that are eligible to join a residents parking scheme were therefore 5,887. Questionnaire returns totalled 1,516, giving a response rate of 26%.

4.2 Prior to completing the questionnaire, residents were invited to a public exhibition to learn about the proposals in more detail. A staffed public exhibition was held at the Calvary Evangelical Church Hall, 72 Viaduct Road on Monday 8 June 2009 from 5pm until 8pm and again on Tuesday 9 June 2009, from 12pm to 4pm. An unstaffed public exhibition was held at Hove Town Hall from 10 June to 17 July 2009 between 9am and 5pm.

Residents Parking Scheme Questionnaire Analysis

4.3 Officers have analysed the results of the consultation and discussed these with Ward Councillors. Looking at the scheme as a whole, 38% of respondents support the proposed London Road Station Residents Parking Scheme and 60% are not in favour. A further 38 people (2%) expressed no opinion either way. Full consultation results are given in Appendix C.

4.4 When looked at as three smaller geographic areas however, (3.4 above and given on a map in Appendix A), it is clear that the majority of residents in the original area (Viaduct Rise area) are in favour of the implementation of a residents parking scheme.

4.5 This is in line with consistent and ongoing support from residents in that area.

	For (%)	Neither for n against (%)	Against (%)
Southwest Area (Original Area)	67	3	30
North Area	28	2	70
Southeast Area	30.5	3	66.5

- 4.6 Therefore, following the discussions with the Ward Councillors for all these areas, a revised boundary for the London Road Station Area scheme has been drawn to reflect the views of residents and is shown in Appendix B
- 4.7 The original questionnaire results have been reviewed to take account of the revised boundary; of the 13 roads that are included within the proposed new scheme boundary, 10 are in favour of the scheme overall (77%) and a further 1 (8%) are neutral. Overall in the proposed revised London road station area scheme 66.8% of respondents are in favour.
- 4.8 The council is aware that displacement parking may become an issue for areas surrounding the introduction of any new parking scheme. It is difficult to predict levels of displacement as some drivers may pay to park within the scheme and some may choose alternative methods of travel. Residents further out from the immediate London Road station locality have voted overwhelmingly against a scheme, therefore although officers have considered displacement effects, the council does not feel it would be appropriate to proceed in these areas against the wishes of local residents.
- 4.9 Equally officers feel that not to proceed with a scheme in the immediate London Road station locality would not be fair on residents suffering over 100% capacity parking pressures and safety issues, and who have voted in the majority for a scheme, hence the recommendation is to proceed with a smaller scheme within these roads in the Viaduct Rise area.
- 4.10 As part of the consultation undertaken in the scheme, regard has been given to the free movement of traffic and access to premises since traffic flow and access are issues that have generated requests from residents and are in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the scheme but there are no opportunities for any off street spaces due to the existing geography and existing parking provisions in the areas.

Conclusions

- 4.11 The majority of respondents within the revised scheme area of London road station support the introduction of a Residents Parking Scheme. Therefore, the recommendation is that the revised scheme be progressed to final design and advertised through a Traffic Regulation Order.
- 4.12 As this proposal is different from the detailed design proposal, the recommendation is we now write to all residents in 3 groups with the following information.
1. London roads station area to inform them that a scheme will be implemented and when the Traffic Regulation Order will be advertised.
 2. The residents of the Sylvan Hall Estate and Ditchling Road (South of the railway line), in order to inform them that a scheme is progressing in adjacent roads. It will be pointed out that they need to consider the effects this may have and also outline issues within the estate of being included within a resident parking scheme. Residents in these roads can then make an informed decision about whether to be included or excluded from this

scheme. The reason to consult these roads in particular is the nature of the roads which are either, very narrow and enclosed, or a very busy through route.

3. The remainder of southeast and southwest area to inform them that, based on the results of the consultation, a scheme will not be progressed in their area but contained within a smaller area around London road station, giving them a we blink where they can access the Cabinet Report and that they have the opportunity to make representations/object as part of the TRO process.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The full cost of advertising the traffic regulation order and amending the lining and signing will be covered from existing traffic revenue budgets. The financial impact of the revenue from the proposed new scheme, along with associated ongoing maintenance costs, will be included within the proposed budget for 2010-11 which will be submitted to Budget Council in February 2010.
- 5.2 New parking schemes are funded through unsupported borrowings with approximate repayment costs of £130,000 per scheme over 7 years

Finance Officer Consulted: Karen Brookshaw

Date: 19/10/09

Legal Implications:

- 5.3 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 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.
- 5.4 The Council has specific powers under the Road Traffic Regulation Act to make various types of order and the most relevant in relation to the proposals in this report are summarised below.
- 5.5 Section 1 of the 1984 Act enables the Council to make orders prohibiting, restricting or regulating the use of roads. The various grounds for such action include safety, prevention of congestion and preservation of amenity and are not restricted to the roads mentioned in an order but can be for the benefit of other roads.
- 5.6 Under section 45 of the 1984 Act, the Council has wide powers to designate parking places on highways for vehicles or classes of vehicles, with or without charge. 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.

- 5.7 Under section 122 of the 1984 Act, the Council has the duty to exercise the functions conferred on them by that Act to secure the expeditious, convenient and safe movement of vehicles and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway having regard so far as is practicable to the following:
- (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on the amenities of any locality affected including the importance of controlling the use of the roads by heavy commercial vehicles;
 - (c) national air quality strategy;
 - (d) facilitating the passage of public service vehicles and the safety/convenience of persons wishing to use; and
 - (e) any other matters appearing relevant to the local authority.
- 5.8 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.
- 5.9 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.

Lawyer Consulted:

Liz Culbert

Date: 14/10/09

Equalities Implications:

- 5.10 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 5.11 The new motorcycle bays will encourage more sustainable methods of transport.
- 5.12 Managing parking will increase turnover and parking opportunities for all.

Crime & Disorder Implications:

- 5.13 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 5.14 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 5.15 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.
- 6.2 For the proposals outlined as being removed from the order in the recommendations the only alternative option is taking these forward. However, it is the recommendation of officers that these proposals are not taken forward for the reasons outlined in the recommendations.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the Traffic Order with amendments after taking into consideration of the duly made representations and objections. These proposals and amendments are recommended to be taken forward for the reasons outlined within the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Map of London Road Station consultation area
2. Appendix B - Map of proposed London Road Station Area Residents Parking Scheme
3. Appendix C – Initial boundary consultation results

Documents in Members' Rooms

None

Background Documents

None

