

Brighton & Hove City Council

Transport & Sustainability Committee

Agenda Item 32

Subject: Parking Fees & Charges 2023/24 – Traffic Regulation Orders

Date of meeting: 3rd October 2023

Report of: Executive Director of Economy, Environment & Culture

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Ward(s) affected: Brunswick & Adelaide, Central Hove, Hollingdean & Fiveways, Kemp Town, Moulsecoomb & Bevendean, Queens Park, Regency, Round Hill, West Hill & North Laine, Whitehawk & Marina.

For general release

1. Purpose of the report and policy context

- 1.1 This report outlines the responses to Traffic Regulation Orders (TRO's) related to parking fees & charges.
- 1.2 The first is the proposal to remove the resident annual visitor permit for the Event Day areas near the AMEX Stadium.
- 1.3 The second is for the change from High Tariff to Low Tariff for all on-street parking charges within Zone C (Queens Park), Zone H (RSCH area) and Zone J (London Road Station area). In Zone N (Central Hove) the majority of the zone will be Low Tariff with the exception of Kingsway which will be Medium Tariff.

2. Recommendations

- 2.1 That Committee approves the advertised TRO-30-2023 Event Day - Brighton & Hove (Coldean & Moulsecoomb) (Event Days) Parking Order 2013 Amendment Order No* 202*. This removes the event day guest permit from the Fees & Charges schedule.
- 2.2 That Committee approves the advertised TRO-33-2023 Tariff - Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.* 202*. This changes the High Tariff to Low Tariff for all on-street parking charges within Zone C (Queens Park), Zone H (RSCH area) and Zone J (London Road Station area). In Zone N (Central Hove) the majority of the zone will be Low Tariff with the exception of Kingsway which will be Medium Tariff.

3. Context and background information

TRO-30-2023 Event Day Permit

- 3.1 The TRO (Traffic Regulation Order) was advertised on 14 July 2023 with the closing dates for comments and objections on the 4 August 2023. The Ward Councillors for the area were consulted as were the statutory consultees such as the Emergency Services.
- 3.2 The notice was published in the Argus newspaper on the 14 July 2023. The draft TRO was also available to view online.
- 3.3 The guest permit is an annual permit (transferable to any vehicle) that residents previously obtained free of charge which allows residents visitors to park on event days (Coldean & Mouslecoomb schemes only). It was also agreed at Environment, Transport & Sustainability (ETS) Committee in June 2020 that this permit would be charged at £50 rather than free but this wasn't implemented due to IT issues at the time as well as prioritization of the digital modernisation programme. This programme has been lengthy focusing on 38,000 resident permits (now all migrated to the new system) before taking forward all the other types of permits.
- 3.4 This £50 charge was in response to the 2019 consultation in the area. In particular there were concerns from some residents that some guest permits were being sold or passed on to non-residents to use on event and matchdays. It was outlined that the charge of £50 for this annual guest permit represents great value for a potential 20+ event or matchdays for those that wish to have guests on these days. There is also the ability to purchase daily visitor permits (up to 50 per year) for more infrequent visits on any particular day (£3.80 per day).
- 3.5 This guest permit was previously automatically issued to residents and after reviewing the IT system and to ensure consistency across zones (as well as more recent issues below) it was felt that removing the guest permit would be the best approach rather than introducing the £50 charge which was previously agreed at Committee three years ago. This removal was included in the budget savings proposals which were agreed in February 2023 at Budget Council.
- 3.6 More recently there have been issues about the illegal use of visitor permits as well as potentially guest transferable permits.
- 3.7 As well as annual guest permits residents receive free resident permits and as outlined in 3.4 can pay for visitor permits which were all introduced when the Amex Stadium was developed. This is the only location in Brighton & Hove where guest permits are in existence.
- 3.8 There have been a number of problems and complaints from residents concerning enforcement during event days for the Amex Stadium in Coldean & Moulsecoomb. Civil Enforcement Officers do enforce illegal parking in the area but it appears valid visitor permits for the event day parking scheme

which can only be issued to local residents are being displayed by visiting football supporters.

- 3.9 We do limit the visitor permit allocation to residents (which have to be paid for) to up to 50 per year and may have to review this allocation further if the complaints continue although the removal of the free guest permit for residents as part of budget savings for 23/24 may resolve some of the issues. As there would be no guest permit then the visitor permits would then be used more for their actual purpose for visitors to residents during event days.

TRO-33-2023 Tariff Change order

- 3.10 The TRO was advertised on 21 July 2023 with the closing dates for comments and objections on the 11 August 2023. The Ward Councillors for the area were consulted as were the statutory consultees such as the Emergency Services.
- 3.11 The notice was published in the Argus newspaper on the 21 July 2023. The draft TRO was also available to view online.
- 3.12 The proposals to change Zones C (Queens Park), H (RSCH area) and J (London Road Station area) and Zone N (Central Hove) from low / medium tariff areas to high tariff areas were included in the overall budget package approved at Budget Council in February 2023 reflecting both sustainable transport policy and financial objectives.
- 3.13 Implementation of this new Traffic Regulation Order for the four parking zones will potentially result in income shortfalls of £0.400m as tariffs would be set lower than the original agreed budget of High Tariffs. The implications of this were discussed at Strategy, Finance and Regeneration Committee on 13th July 2023.

4. Analysis and consideration of alternative options

- 4.1 There are a number of alternative options that were considered. These included going ahead with further reductions to on-street paid parking or keeping them at the proposed levels agreed by Budget Council for 2023/24.
- 4.2 For reasons outlined in the report, it is proposed to take forward these changes to the fees & charges in 2023/24. Any other options would either have a further impact on the income generated for 2023/24 or would impact service users.

5. Community engagement and consultation

- 5.1 Following the decisions made at Budget Council in February 2023 and changes made at Strategy, Finance and Regeneration Committee on 13th July 2023 Traffic Regulation orders (TRO's) were advertised.

The following correspondence was received;

TRO-30-2023 Event Day Permit

There was ten 10 objectors / comments and one support – The main reasons were the following:

- Need a visitor permit so family, carers, friends can visit (there are visitor permits)
- Should not have to pay for people to visit their homes.
- People did not want the stadium.
- No enforcement so people attending matches park anyway.
- Parking on match days block roads
- Suggestions included making permits for a particular property and a charge for yearly permit.

TRO-33-2023 Tariff Change order

5.2 There was six objectors / comments to this fees & charges proposal. The main reasons were the following:

- Income received from parking used to support concessionary travel and should be used further to support public transport.
- Income from parking used to support walking and cycling infrastructure and should be used further to support walking and cycling.
- Encourage people away from private motoring – Climate emergency and reduce congestion.
- Council short of money and parking is a good way to raise income.

6. Conclusion

6.1 As set out in the body of the report and the recommendations.

7. Financial implications

7.1 There are no direct financial implications arising from recommendation 2.1 of this report. Removal of the event day guest permit was agreed at Policy & Resources Committee in February 2023 within the Fees and Charges 2023-24 Report. Costs associated with advertising Traffic Regulation Orders (TROs) for the removal of the event day guest permit have been met from existing revenue budgets.

7.2 Strategy, Finance & City Regeneration Committee agreed in July 2023 for the 4 parking zones to remain as low tariff as part of the Parking Fees & Charges 2023/24 report to committee. Both this report and the Parking Fees & Charges 2023/24 report to Strategy, Finance & City Regeneration Committee in July 2023 include the financial impact of income shortfalls of £0.400m as tariffs would be set lower than the original agreed budget of High Tariffs.

7.3 Targeted Budget Management (TBM) month 2 also reported at Strategy, Finance & City Regeneration Committee in July 2023 highlighted at the time

a forecasted overspend for Parking Services of £0.830m prior to the change for tariffs to maintain at low tariffs. The £0.400m impact of maintaining low tariff has potentially increased this figure to £1.230m, though further analysis of the impact will be conducted as part of the councils' monthly budget monitoring process and any significant variation to budget reported. Costs associated with advertising Traffic Regulation Orders (TROs) for changes to charges have been met from existing revenue budgets.

- 7.4 In the case of on-street parking permits, tariffs and penalty charges, the use of any surplus income from civil parking enforcement, after taking into account costs, is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This requires the defined Parking Surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares, Local Transport Plan projects and environmental improvements. Where the council also funds transport and highways related budgets from its General Fund budget, increases to the Parking Surplus can be lawfully applied to this expenditure, which can thereby release equivalent General Fund resources. The council may use the released resources for any purpose within its duties and powers, including releasing resources for savings.

Name of finance officer consulted: John Lack Date consulted: 12/09/2023

8. Legal implications

- 8.1 The Traffic Management Act 2004 places a duty on local traffic authorities to manage the road network with a view to securing, as far as reasonably practicable, the expeditious, convenient and safe movement of all types of traffic.
- 8.2 The Council regulates traffic by means of traffic regulation orders (TROs) made under the Road Traffic Regulation Act 1984 which can prohibit, restrict or regulate the use of a road, or any part of the width of a road, by vehicular traffic.
- 8.3 After the public notice of proposals for a TRO has been advertised any person can object to the making of the TRO. Where there are unresolved objections to a TRO, then the matter must be returned to the Transport & Sustainability Committee for a decision. The Committee can decide to make the TRO unchanged, to make it with modifications that reduce the restrictions or not to proceed with it.

Name of lawyer consulted: Katie Kam Date consulted: 13/09/2023

9. Equalities implications

- 9.1 There are no Equalities implications identified as part of these proposals.

10. Sustainability implications

- 10.1 There are no sustainability implications identified as part of these proposals.

Supporting Documentation

1. Background documents

1. Environment, Transport & Sustainability (ETS) Committee - June 2020
2. Strategy, Finance and Regeneration Committee - 13th July 2023