

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 25

Brighton & Hove City Council

Subject:	Tivoli Crescent resident parking scheme consultation		
Date of Meeting:	26 July 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
	E-mail:	charles.field@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	Withdean		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to respond to the deputation received from residents of Tivoli Crescent requesting a resident parking scheme consultation.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member agrees to consult residents of Tivoli Crescent as an extension to Area A (Preston Park Station area).

3. RELEVANT BACKGROUND INFORMATION

- 3.1 In 2007, the residents of Tivoli Crescent voted to be excluded from the proposed Zone 'A' (Preston Park Station Area) resident parking scheme, and therefore, this road was not included within the proposed scheme.
- 3.2 As the parking zone lies at both ends of Tivoli Crescent the road is consistently overflowing at all times of the day with commuter parking. This results in significant nuisance, inconvenience and perceived health and safety risks to the residents.
- 3.3 A survey by the Tivoli Crescent Residents Association was carried out in December of last year, two to three months after the introduction of the new Zone A. The survey asked residents if they still wanted to be excluded from Zone A or alternatively, for the scheme to be extended to include Tivoli Crescent.
- 3.4 A response was received from 89% of the dwellings in Tivoli Crescent with 93% of these households now wishing to be included in the scheme. Tivoli Crescent by an overwhelming majority, now wish to be included in Zone A as soon as is practically possible.
- 3.5 Including Tivoli Crescent in Zone A logically completes the road network of Zone A - by filling in the missing link between Woodside Avenue and The Drove, and should have minimal effect on the other excluded streets, given the road layout. Unrestricted roads further out from Tivoli Crescent would also have the opportunity to comment on this proposal to include Tivoli Crescent when the traffic order is advertised.

- 3.6 A deputation concerning the proposal to extend Zone A to Tivoli Crescent - was presented to the Environment Cabinet Member Meeting by Mr Mark Dyson (Spokesperson) on 11 May 2010 and was supported by the Withdean Ward Councillors.

4. CONSULTATION

- 4.1 Brighton & Hove City Council's process for the introduction of parking schemes is based on national guidance issued by the Department for Transport. This recommends a three stage process:
- Information/decision about where to introduce a parking scheme
 - Consultation to ascertain public opinion and information about what is required.
 - Formal Traffic Regulation Order to make scheme legally enforceable.
- 4.2 The Traffic Regulation Order (TRO) is an absolute legal requirement for any introduction or revision to parking schemes. It must be advertised in a particular way, including a statutory consultation process, and it must go to an appropriate Committee for consideration on the event of there being any unresolved objections or representations. 21 days is the minimum legal requirement for advertising a Traffic Regulation Order.
- 4.3 Brighton & Hove City Council's process to date has closely followed the national guidance and the council's own Public Consultation Policy:
- Report to the Environment Cabinet Member for agreement to consult on a parking scheme
 - Informal consultation, consisting of parking surveys, leaflets, exhibitions and questionnaire to gauge support for scheme, and to provide information to proceed to the final design. Report to the Environment Cabinet Member on results on these consultation methods.
 - Formal Traffic Regulation Order. Report to Environment Cabinet Member, including any responses to the draft Traffic Regulation Order.

If approved, the scheme is implemented and the Traffic Regulation Order is sealed.

5. CONCLUSION

- 5.1 It is proposed an extension to the Area A resident parking scheme is consulted upon in Tivoli Crescent due to the representation received from this road and it's resident association. This work will be undertaken from September 2010 and a detailed design will be sent out to residents early next year. This proposals will be added to the existing resident parking scheme timetable and the completion date if approved by residents would be in Autumn 2011.
- 5.2 To minimise costs this can be undertaken in-house by officers alongside bigger consultations / reviews investigated by our consultants.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial implications:

- 6.1 The full cost of advertising the order and the lining and signing will be met by the existing traffic management revenue budget.

Finance officer consulted: Louise Hoten

Date: 08/06/10

Legal Implications:

- 6.2 In all situations where traffic orders are required case law has established four fundamental rules of consultation before an order can be advertised as follows:
- (a) consultation must be carried out at a time when proposals are at a formative stage;
 - (b) consultation must give sufficient reasons for any proposal to allow intelligent consideration and response;
 - (c) adequate time for consultation and response; and
 - (d) the product of the consultation must be conscientiously taken into account in finalising the proposals.

The legal traffic order process itself also requires consultation with any unresolved objections and representations being referred to a Cabinet Members Meeting for resolution.

There are no human rights implications to draw to the attention of Members.

Lawyer consulted: Stephen Dryden

Date: 08/06/10

Equalities Implications:

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

Sustainability Implications:

- 6.4 Any new motorcycle bays will encourage more sustainable methods of transport.

Crime & Disorder Implications:

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

Risk and Opportunity Management Implications:

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

Corporate / Citywide Implications:

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

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 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.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 To seek approval to take a consultation forward due to the strong representation from residents in the road.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Plan of proposed consultation areas.

Documents in Members' Rooms

None

Background Documents

None