

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 46

Brighton & Hove City Council

<b>Subject:</b>	<b>Various Changes to Controlled Parking Zones (CPZ) Order, Areas Outside of CPZ Order and Seafront Order</b>		
<b>Date of Meeting:</b>	<b>16 September 2010</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Charles Field</b>	<b>Tel:</b> 29-3329
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<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Parking Strategy Team receives a number of requests for alterations to parking restrictions within and outside the Controlled Parking Zones. These requests are most often from residents, but can also be from businesses, Ward Councillors, or other teams within the Council such as Road Safety. After investigation, if it is decided that the request is justified then it is advertised on a Traffic Order. These amendments include the provision of safety improvements such as waiting restrictions to improve visibility at junctions and often help to improve sustainable transport, for example by providing additional motorcycle bays or improved accessibility for disabled people by installation of disabled parking bays.
- 1.2 This report considers the comments, support and objections received to an amendment Traffic Regulation Order, which contains proposals for overall 150 roads.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member (having taken into account of all the duly made representations and objections) approves the Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.\* 201\*, Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 amendment Order No.\* 201\* and Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2008 Amendment No.\* 201\* with the following amendments:
- (a) The proposed disabled bay in Mile Oak Road is being withdrawn from the Traffic Order as it is no longer required by local residents. The proposed removal of the disabled bay outside 36 Sussex Square is to be withdrawn from the Traffic Order as the bay is still required by a local resident who's recent application is still being determined

- (b) The proposed double yellow lines in Upper Bevendean Avenue are to be withdrawn from the Traffic Order due to reasons outlined in section 3.3.
- (c) The proposed double yellow lines in Winfield Close are to be withdrawn from the Traffic Order due to reasons outline in section 3.4
- (d) The operating hours of existing single yellow lines in Albion Street are to be changed from Monday to Saturday 8am to 6pm to Monday to Friday 8am to 5pm due to reasons outlined in section 3.8.
- (e) The proposed double yellow lines in St Andrew's Road between Nos. 67c & Coastline Fire Protection will be reduced due to reasons out lined in section 3.9
- (f) The proposed shared parking bays in Westbourne Place are to be removed from the Traffic Order due to the reasons outlined in the report under section 3.10.
- (g) The proposed limited waiting bays in the Kingsway are to be removed from the Traffic Order due to reasons outlined in section 3.11.
- (h) The proposed double yellow lines at the junction of Matlock Road and Tivoli Road are to be removed from the Traffic Order due to reasons outlined in section 3.12.
- (i) The proposed double yellow lines and limited waiting bays in The Deneway are to be removed from the Traffic Order due to reasons outlined in section 3.13.
- (j) The proposed Car Club bays in Charlotte Street, Cowper Street, Sutherland Road, Lucerne Road and Rugby Road are to be removed from the Traffic Order due to reasons outlined in section 3.14.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 This Combined Traffic Order includes proposed restrictions for over 150 roads city wide. A number of objections were received to the advertised Traffic Regulation Orders. The comments, support and objections are summarised and explained in detail in Appendix A and plans showing the proposals, which have had comments/objections are shown in Appendix B.

#### **Objections / further comments**

- 3.2 In particular objections and further comments were received in relation to the following proposals:

- (a) Dyke Road/Hove Park Road (Hove Park) – the limit of the proposed extension to double yellow lines
- (b) Upper Bevendean Avenue (Moulsecoomb & Bevendean) – proposed double yellow lines
- (c) Winfield Close (Patcham) – proposed double yellow lines
- (d) Dyke Road (Preston Park – Controlled Parking Zone Q) – proposed loading ban
- (e) Lucerne Road (Preston Park) - proposed car club bay
- (f) Rugby Road (Preston Park) – proposed car club bay
- (g) Charlotte Street (Queens Park – Controlled Parking Zone C) – proposed car club bay

- (h) Sutherland Road (Queens Park – Controlled Parking Zone U) – proposed car club bay
- (i) Castle Street/Stone Street (Regency – Controlled Parking Zone Z) – proposed 24 hour loading ban
- (j) Albion Street, Portslade (South Portslade) – proposed timed signage for existing single yellow line
- (k) St Andrew’s Road (South Portslade) – proposed double yellow lines
- (l) Westbourne Place (Westbourne – Controlled Parking Zone R) – proposed shared parking bays
- (m) Cowper Street (Westbourne – Controlled Parking Zone R) – proposed car club bay
- (n) Kingsway (Wish) – proposed limited waiting bays
- (o) Matlock Road/Tivoli Road (Withdean) – proposed double yellow lines
- (p) The Deneway (Withdean) – proposed double yellow lines and limited waiting bays
- (q) Newells Close/Balsdean Road (Woodingdean) – proposed double yellow lines

### **Support**

- 3.3 Letters of support were received to Granville Road (Goldsmid – Controlled Parking Zone O – proposed motorcycle bay), Wayfield Avenue (Hangleton & Knoll – proposed double yellow lines), Crespian Way (Hollingdean & Stanmer – proposed double yellow lines), Upper Hollingdean Road (Hollingdean & Stanmer – proposed double yellow lines), Amherst Crescent (Hove Park – proposed limited waiting), Dyke Road/Hove Park Road (Hove Park – proposed extension to double yellow lines), Side Hill Drive (North Portslade – proposed double yellow lines), Eastwick Close (Patcham – proposed double yellow lines), Winfield Close (Patcham – proposed double yellow lines), Westbourne Place (Westbourne – Controlled Parking Zone R – proposed shared parking bays), Westbourne Street (Westbourne – Controlled Parking Zone R – proposed motorcycle bay), Kingsway (Wish – proposed limited waiting bays), The Deneway (Withdean – proposed double yellow lines and limited waiting bays), Farm Hill (Woodingdean – proposed double yellow lines), Newells Close/Balsdean Road (Woodingdean – proposed double yellow lines).
- 3.4 **Upper Bevendean Avenue** - there have been objections to the proposed no waiting at any time. This was requested by a PCSO in the area as there were a number of complaints from residents whereby the design of the road is affecting buses, especially when cars are parked in this location, which in turn causes a disruption to the flow of traffic. There have been 11 objections from residents and some comments to reduce the proposed length of double yellow lines. Therefore, it is our intention not to proceed. It is felt that residents should come forward with their suggestions for investigation in the future and officers can meet up with residents. There were also requests for advisory signing, however the Council can only put up legal regulatory signs and this would also add to street clutter.
- 3.5 **Winfield Close** - there have been objections to the proposed no waiting at any time. This was requested by a resident as cars park in the turning area making it difficult to manoeuvre a vehicle especially emergency and city clean vehicles.

However following consultation 4 residents were concerned about parking for visitors etc, therefore we are not proposing to proceed with this.

- 3.6 **Dyke Road** - there has been an objection to the proposed loading ban Monday to Friday 8am to 9am and 3pm to 6pm. This was requested by the Road Safety Team to prevent obstruction to the road and footpath at peak hours. Following consultation there was a request from a resident to change the times to Monday to Friday 8.30am to 9.30am and 2.30pm to 4pm. Unfortunately the requested change in times is not suitable as the times do not reflect the hours that the school operates. Therefore we are seeking to proceed with the original proposal.
- 3.7 **Lucerne Road, Rugby Road, Charlotte Street, Sutherland Road and Cowper Street** - there have been objections to all these proposed car club bays due to the loss of parking for residents. Therefore, it is proposed not to proceed with these Car Club bays.
- 3.8 **Castle Street and Stone Street** - there has been an objection to the proposed 24 hour loading ban. This was requested by a resident and included a 14 signature petition from other residents in the area. The reasons are to reduce the disruptive early morning noise and to reduce congestion around this area and facilitate easy exit from commercial traffic on this busy one way thoroughfare at all times. This was supported by a Ward Councillor and requested via a petition presented by a Ward Councillor at a previous Cabinet Member Meeting. The current restriction is 9am to 6pm Monday to Saturday. Following consultation an objection was received that a loading ban for 24 hours was too excessive as there is already a current loading ban in force during business hours. However, due to the support from a Ward Councillor and the petition from residents it is proposed to proceed with this.
- 3.9 **Albion Street, Portslade** - There have been 2 objections to the operating hours of the existing single yellow lines. The single yellow lines have been marked on the road since 1989 but there is no signage showing the time restrictions which means this has been unenforceable. The restriction was, therefore, advertised in the Traffic Order to allow people a chance to comment on the times of enforcement before a sign was erected. The original restrictions for these single yellow lines are Monday to Saturday 8 am to 6pm. However, following the objections (to Saturday and evening restrictions), we are proposing an amendment to Monday to Friday 8am to 5pm. This has been supported by a Ward Councillor.
- 3.10 **St Andrew's Road, Portslade** - there has been an objection to the proposed double yellow lines. There are 2 sections of double yellow lines in close proximity. 1 set of double yellow lines was requested by a local business as the access is sometimes blocked and they do use their access 24hours a day. This section covers their entrance and a gateway next door. The other set of double yellow lines were requested by a Ward Councillor to cover the entrance to a car park at the rear of the old police station, where there are 7 garages. Following consultation 1 objection mentioned that the gateway is disused, therefore, we are proposing to reduce the length of the double yellow lines to cover the access for the local business and not the disused gateway.

- 3.11 **Westbourne Place** - there has been 1 objection and 1 support to the proposed shared parking bays. These were requested by a resident as there are double yellow lines outside No.43 Westbourne Place, which was previously a garage. These lines could now be converted to shared parking bays as vehicles would not be obstructing an entrance. Following consultation an objection was received stating that as the building aligns to the road without the benefit of a pavement there would be a reduction in light to the property, possible structural damage by vehicles opening their doors and ventilation issues. Following problems with enforcement, officers have been on site to observe the shared parking bays, many of these were empty. Therefore it was felt that we should not proceed with this proposal and continue to monitor the situation.
- 3.12 **Kingsway** - there has been 1 letter of support and a 32 signature petition objecting to the proposed limited waiting. This was originally requested by a resident with a 27 signature petition in September 2008 and then requested by a local business at the beginning of this year. There have been many motorhomes/caravans, numerous business vans and vehicles for sale parked for weeks and months at a time. This prevents residents and visitors from parking and limited waiting would solve this problem. Following consultation the Council received the 32 signature petition, therefore, we are recommending not to proceed with this proposal. There are also concerns from officers regarding displacement and this issue should be considered by a wider review of the area.
- 3.13 **Matlock Road and Tivoli Road** - there have been objections to the proposed double yellow lines at this junction. This was requested by a Ward Councillor and resident as vehicles park on this bend. Following consultation and 9 objections received it is felt there is not sufficient support to proceed, however, we will continue to monitor this stretch of road.
- 3.14 **The Deneway** - there have been 3 letters of support and a 9 signature petition objecting to the proposed double yellow lines and limited waiting. This was requested by 2 residents and 2 Ward Councillors as vehicles are not only parking along the grass verge but are parking on the other side of the road so making it single line traffic which causes a danger when passing parked cars. Following consultation we received a 9 signature petition from residents and businesses on The Deneway with concerns. It is recommended not to proceed with the proposal, but officers will meet with residents and businesses to discuss this further.
- 3.15 **Newells Close and Balsdean Road** - there has been 1 letter of support and 1 objection to the proposed double yellow lines at this junction. These were requested as there is a problem with vehicles parked close to the junction. When exiting Newells Close they are unable to see any traffic in either direction on Balsdean Road. Following consultation we received 1 objection from a resident via their Ward Councillor that the proposed double yellow lines, if installed, would create a different parking pattern that could well lead to a danger spot for motorists. The double yellow lines proposed are 10 metres either side of the junction, which is a guideline in the Highway Code. Following discussions with the Ward Councillors it was agreed to reduce the length of one section of the

double yellow lines on Balsdean Road to five metres. This would keep the restrictions on the junction but allow parking further down Balsdean Road. Therefore it is proposed to proceed with this amendment and if the parking patterns change then this could be monitored.

#### **4. CONSULTATION**

- 4.1 The Traffic Regulation Order was advertised between 17 June 2010 and 9 July 2010.
- 4.2 The Ward Councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.
- 4.3 Notices were also put on street for the 17 June 2010, these comprised of the notice as well as a plan showing the proposal and the reasons for it. The notice was also published in The Argus newspaper on the 17 June 2010. Detailed plans and the order were available to view at Hove Library, Jubilee Library and at the City Direct Offices at Bartholomew House and Hove Town Hall.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial implications:

- 5.1 The full cost of advertising the order and having the lining and signing amended will be covered from the existing traffic revenue budget.

*Finance officer consulted: Karen Brookshaw Date: 12/08/10*

##### Legal Implications:

- 5.2 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.
- 5.3 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 Hearsom Date: 12/08/10*

Equalities Implications:

- 5.4 The proposed measures will be of benefit to many residents, pedestrians and road users.

Sustainability Implications:

- 5.5 The new motorcycle bays will encourage more sustainable methods of transport.

Crime & Disorder Implications:

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

Risk and Opportunity Management Implications:

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

Corporate / Citywide Implications:

- 5.8 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 do proceed for the reasons outlined in Appendix A and 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 recommended that these proposals are withdrawn for the reasons outlined within the report.

**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.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix A – summary of representations received
2. Appendix B - Plans showing the proposals

### **Documents in Members' Rooms**

None

### **Background Documents**

None