

Subject:	Preston Park Triangle proposed residents parking scheme		
Date of Meeting:	4 March 2014		
Report of:	Executive Director of Environment, Development & Housing		
Contact Officer:	Name:	Owen Mcelroy	Tel: 293693
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Ward(s) affected:	Preston Park & Withdean		

FOR GENERAL RELEASE.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to consider the outcome of the recent public consultation for a proposed residents parking scheme in the triangle of roads between Preston Drove and Stanford Avenue. Permission to proceed with the consultation was agreed at Transport Committee on 15th January 2013.

2. RECOMMENDATIONS:

- 2.1 That the Committee authorises the Executive Director Environment Development & Housing to progress, with the exception of Preston Drove, an extension to the Area J London Road station (north) residents parking scheme as set out in this report to the final design stage.
- 2.2 That the Executive Director Environment, Development & Housing be authorised to publish statutory notices of the necessary traffic orders to implement the proposed scheme to allow formal representations to be made.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 During the city wide parking review consultation residents requested consultation on parking control, supported by ward members.
- 3.2 For many years the area has experienced parking pressure due to the presence of local attractors such as Preston Park and London Road railway stations and Preston Park recreation ground. There is also the relative proximity to the city centre and additional displacement from the adjoining London Road Area J extension implemented in July 13.
- 3.3 In November 2013 a leaflet and questionnaire giving details about proposals for a residents parking scheme was sent to all property addresses in the area between Preston Drove (inclusive), Preston Park Avenue & Stanford Avenue.

- 3.4 As originally proposed the extension to the scheme would have included Preston Drove. For the reasons set out below this road is not now within the proposed extension.

4. COMMUNITY ENGAGEMENT & CONSULTATION

Postal questionnaires and on line consultation

- 4.1 The Brighton & Hove City Council land & Property gazetteer was used to provide 1287 property addresses in the Preston park Triangle area. An information leaflet (Appendix A), a detailed plan (Appendix B), a questionnaire (Appendix C) and a prepaid envelope for reply was sent to each address. Respondents were also invited to complete the survey on line via the council's consultation portal: 127 respondents (21%) chose this method.
- 4.2 Plans could also be viewed at an exhibition at Hove Town hall parking shop from Monday 11 November to Friday 20 December, 9am to 5pm
- 4.3 Information about the consultation, including the link to the web portal was also publicised in the local trade and community publication "Fiveways Directory" which is distributed to all addresses in the area plus the Fiveways triangle of roads between Balfour Road and Ditchling Road.
- 4.4 A link to the consultation material was sent to a list of local stakeholders including schools and community groups
- 4.5 610 responses were received giving a response rate of 47.4%. 115 responses were removed from reporting because they were duplicates (11), empty properties (3), outside the area (81) no address given (20). Full details can be found in the consultation report Appendix D
- 4.6 Overall 66% of respondents were in favour of a residents' parking scheme and 34% against. 76% were in favour of a Monday to Sunday 9am to 8pm scheme and 24% in favour of a Monday to Friday 9am to 8pm scheme. 63% were in favour of being part of the existing Area J London Road station scheme.
- 4.7 The majority of respondents in every road were in favour with the exception of Preston Drove which was 56% against.
- 4.8 Analysis took place of all comments received from residents in the proposed area and the comments table is within appendix D. The two most frequently occurring comments were (139) that parking restrictions already implemented were the problem and that existing schemes should be removed and (101) that they did not want to pay for parking. Other comments included concerns about displacement, wanting a light touch scheme and not wanting mobile phone parking.

Additional consultation & representations

- 4.9 In addition to the returned questionnaires the council received some direct correspondence from residents and stakeholders. From inside the area there were 5 negative comments and 7 general comments. From outside the area

there were 13 negative comments which were mainly concerned with either objecting to the possible displacement or asking to be included in the scheme because of existing parking problems.

- 4.10 A comments book was available at the public exhibition. 13 individuals commented, mostly positive or general comments. Examples were: "I think this is well needed and local parking should be for residents", "please scrap this costly folly", "double yellow lines on corners should eradicate inconsiderate parking"
- 4.11 An on line petition against the scheme (154 signatures) was received via the web site Change.org from the Fiveways triangle area. The petition objects to the growth of parking schemes and consequent displacement, objects to schemes being introduced with less than 50% of forms returned, consultation responses only being sent to each household rather than every resident and the failure to mention fees for bay suspensions in the consultation material.
- 4.12 A written petition signed by 13 traders in the Upper Preston Drove parade of shops was received, expressing concerns about the need for any restrictions to operate on a Saturday, and concerning the provision of adequate and safe loading facilities.
- 4.13 A written petition was received from 15 residents of Southdown Road objecting to the proposed echelon parking arrangements. In addition a letter was received from East Sussex Fire Service expressing concerns that echelon parking may restrict their access to the road due to its width.
- 4.14 Correspondence was received from various sport and leisure stakeholders in the area: Preston Park lawn tennis & croquet clubs, eight individual representations from tennis club members, the Lawn Tennis Association, the council's sports development manager and three B&HCC councillors. The concerns are mainly about the cost to non resident users of pay parking and that this may affect the viability of the facilities. It is also requested that if a scheme is introduced then 3 hour free parking bays are introduced in Preston Drove.
- 4.15 At least two well attended public meetings were held in the area to discuss parking issues, the first was held in August 2013, before the consultation began and the second on 19th December. Officers and ward members were present at the first meeting and ward members and Cllr Davey were present at the second meeting. Numerous comments and suggestions were made at these meetings which informed the design and consultation process. A survey and blog comments contributed to by 110 residents was put forward at the Dec 13 meeting (PPT.wordpress.com). 110 equates to about 9% of households. The survey is available to view by committee members. Comments made at the meeting and in the survey include, lack of any city transport plan or parking strategy, failure to consider light touch, low take up of adjoining area J/underutilisation of roads, consultation unfair and undemocratic as not giving more options and sent to households not individuals, and lack of a specific equalities impact assessment for this scheme.
- 4.16 A written representation was received from Cllr Sue Shanks, Withdean ward requesting that Preston Drove not be included in the scheme

Parking Surveys

- 5.17 Parking surveys (Appendix E) of capacity and duration were undertaken in Saturday 14th September and Tuesday 17th September 2013 between 5am and 6pm. The survey periods were chosen to reflect weekday and weekend demand, to identify residential demand at 5am and too identify visitor or commuter demand during the day.
- 5.18 To estimate the capacity of each surveyed street the total length, in metres of all disabled, parallel parking bays and unrestricted kerb length was calculated and divided by six metres to give the total available length of parking space. There are 1169 spaces available.
- 5.19 Peak demand is on Saturday at 5am with 98% of all available parking spaces taken, on weekdays demand is less ranging from 78% at 4pm to 95% at 5am.
- 5.20 In summary Preston Park Triangle experiences a high demand for parking spaces, overnight this demand is from local residents and often exceeds capacity. During the day when residential demand is reduced overall demand is still considered high, albeit reduced from overnight demand levels. It is anticipated that residents are likely to be experiencing difficulty when they return home in the evening changeover period and are competing with commuters or visitors who have not yet departed. The results suggest weekend demand is high in this area.

Vehicle ownership in the area

- 5.21 According to ONS census 2011 data average car ownership for the city is 0.86 per household. Ownership in the PPT area is slightly higher varying from 0.9 per household in Preston Drove to 1 per household in Waldegrave Road. The census shows 1123 vehicles in the area overall. Therefore according to census figures there is a capacity for vehicles in the available road space.
- 5.22 Some residents express concern that the questionnaire returns suggest a figure of 1.3 vehicles per household, in which case there would be a shortfall of over 200. It is suggested that vehicle owners are more likely than non vehicle owners to reply to the survey and therefore the census is a more accurate reflection, however this cannot be known with certainty.
- 5.23 It should be added that in the detailed design of controlled parking schemes in Brighton & Hove officers allow 5.5m (not 6m) per vehicle so the overall number of spaces is likely to be 9% higher at c. 1274

Consultation results and views of stakeholders

- 5.24 There is a clear majority (66%) in favour of a controlled parking scheme, in favour of a Monday to Sunday scheme (76%) and as an extension to Area J (63%). There was only one road against a scheme - Preston Drove at 56% No and 44% Yes. If this road is removed then the remaining area is 70% Yes and 30% No

- 5.25 Ward members from both affected wards have been consulted with responses received from all Preston Park ward councillors and one Withdean ward councillor show all in favour of a Monday to Sunday scheme as an extension to Area J and for the exclusion of Preston Drove.

Specific concerns expressed by residents and other stakeholders

- 5.26 *Problem is as a result of Area J extension – either abolish that extension or allow residents to park in that extension.* Officer response – abolishing the existing scheme would require fresh consultation with residents in that area and there is no guarantee it would be supported. Feedback from most residents to ward members has been positive and in general 84% of residents in a parking scheme wish to remain in a scheme according to the City Wide Parking Review (CWPR) report Transport Committee Jan 13. Allowing out of area residents to obtain permits was considered and rejected by the CWPR due to capacity concerns.
- 5.27 *Introduce light touch instead to deal with what is mainly a commuter problem.* Officer response - The agreed policy recommendation of the CWPR was not to consider further light touch schemes due to these not resolving the issue of displacement of cars into adjoining areas, lacking flexibility in their operation and having negative impacts on general visitors, disabled visitors and on local businesses and amenities. Light touch was therefore not offered as an option in the questionnaire. Parking surveys also show that parking problems are not caused solely by commuters but also by resident demand.
- 5.28 *Cost of permits is too high/purely money making exercise.* Officer response – The level of charges is set at a level to meet the council's traffic management objectives, such as to relieve congestion and deal fairly with demand, as there are permit waiting lists in many other areas. The scheme must also be self financing, with charges and fines covering the enforcement, maintenance and administration of the scheme. By law, if any money is left over it must be spent on transport improvements in the city
- 5.29 *The scheme will cause displacement into adjoining streets and/or streets in the existing area J are underutilised.* Officer response – The new scheme might mean more cars parking in areas just outside the zone, although the level is difficult to predict this is because driver behaviour changes and where vehicles may go cannot be known in advance of a scheme introduction (e.g. some commuters using the local area may choose alternative means of travel or pay to park within the scheme). However previous experience has shown that there can be a degree of displacement to neighbouring areas. Equally officers feel that not to proceed with a scheme in the proposed area would not be fair on residents suffering parking pressures and safety issues. Site visits by officers supported by resident's observations indicate that certain streets e.g. Stanford Avenue and Preston Park Avenue in the existing area J are operating under capacity. It is felt that by proposing an extension to Area J these streets will operate at better capacity.
- 5.30 *The consultation was not democratic and therefore flawed due to: low turnout, limited options, responses accepted by household only. A resident commissioned survey (Wordpress) shows opposition to the proposals.* Officer response – The turnout of 47% is rather high by parking consultation standards,

the average being c.33% and the results clear (66% Yes). The options presented were considered the best and most practical following previous experience and council policy decisions. Presenting too many different options would not result in a clear outcome supported by a majority of respondents. An open comments box was provided and collated from the postal questionnaire to allow expression of alternative viewpoints. All comments and representations have been considered by officers. The residents survey and report has been considered by officers but is not considered reliable because the methodology is not specified. Although 110 responses were received there is no information on how residents were contacted and how they responded. The response rate is also 9% compared to 47% from the council's survey. For consultation purposes the council is only able to identify households and businesses through use of the Land & Property Gazetteer and cannot accurately identify the number of individuals at a property. There would therefore be a risk of duplication of responses.

- 5.31 *Don't want pay by mobile /don't use mobile phones.* Officer response – The scheme proposes a ratio of 70:30 pay by mobile/pay and display. Pay and display machines are costly to install and maintain and some people find them intrusive on the street scene. In some places machines cannot be located without requiring changes to highway layout which would lead to loss of parking spaces. This is because there is no footway. However it is accepted that to reduce the impact on non phone users that for the time being a pay by phone facility should complement rather than replace pay and display machines. There is no currently authorised sign for a shared permit/pay by mobile facility under the Traffic Signs Regulations and General Directions 2002 so an application to the Department of Transport is being made for future scheme proposals. This can take several months and approval is not guaranteed
- 5.32 Concerns about *Preston Drove & Southdown Road*. Officer's response, Preston Drove – It is the view of the majority of respondents in Preston Drove and of four ward councillors that Preston Drove should be removed from the scheme. The advantage of this is that could form an effective boundary against displacement to streets further north given the extent of road space without frontages. The number of parking spaces in this street exceeds the number of households by a ratio of at least 4:1. It could also provide parking opportunities for visitors to the tennis and croquet club and other amenities. The disadvantage is that it would reduce significantly the number of spaces in the proposed parking scheme and the street may suffer displacement parking. The loss of spaces overall could be an issue if the Preston Park Triangle was a stand- alone scheme so if Preston Drove is removed then there is even more reason for the triangle to be an extension to the existing Area J which is currently operating under capacity. Officer recommendation – on balance, and taking into account stakeholder views Preston Drove should be removed from the scheme.
Southdown Road - concerns about proposed echelon parking. Officer response – it is agreed that the scheme is amended so that there is parallel parking only proposed for this road
- 5.33 *Site specific comments* - A number of site specific comments were received, these were not objections to the scheme in principle and these will be considered at the detailed design stage if committee approves this report (as amended).

Conclusions

- 5.34 As outlined in the report there is a positive opinion from the majority of respondents within the Preston park triangle (with the exception of Preston Drove) to indicate sufficient public support for the extension of the current Area J resident parking scheme. Therefore the recommendation is that the proposed (with the exception of Preston Drove) be progressed to final design and advertised through a traffic regulation order. Ward councillors have been consulted and are happy to proceed to Traffic Order
- 5.35 As part of the consultation undertaken in the schemes regard has been given to the free movement of traffic and access to premises since traffic flow and access issues have generated request from residents and in part a need for measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the schemes but there are no opportunities to go forward with any of street spaces due to the geographical layout of the area and existing parking provision in the area.

6. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 6.1 An alternative option would be to proceed in whole or in part as a stand- alone scheme either Monday to Friday 9am - 8pm or Monday to Sunday 9am – 8pm This option is not supported by residents or ward members and it is the recommendation of officers that this is not the most effective way to manage parking in the area for the reasons outlined in the report.
- 6.2 A second option is to include Preston Drove and/or additional roads to the north but it is the recommendation of officers that proposals put forward are proceeded with for the reasons outlined in the report.
- 6.3 A third option is to introduce a light touch restriction into the area of one hour in the morning and one hour in the afternoon or evening. This option was not consulted upon but the council has received many comments in favour. Current policy as set by transport Committee in January 2013 rules out new light touch schemes in the city and it is also the recommendation of officers that the proposals put forward are proceeded with for the reasons set out in the report.
- 6.4 A further option is to do nothing but this would not address the parking problems and would not reflect the expressed views of the community and ward members

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

The revenue costs associated with the recommendations in the report will be met from existing transport revenue budgets. The capital costs associated to the creation and extension of parking schemes are funded by unsupported borrowing, with appropriate repayments made over a seven year period funded from the revenue income generated.

Revenue income generated from on-street parking schemes is first defrayed against relevant expenditure with any surplus used for transport and highways

related projects and expenditure such as supported bus services, concessionary fares and Local Transport Plan projects.

Finance Officer Consulted: Name Steven Bedford

Date: 24/01/14

Legal Implications:

- 7.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984 ("the Act"). Procedural regulations require public notice of orders to be given and any person may object to the making of an order. Any unresolved objections to an order must be considered by the Transport Committee before it can be made.
- 7.3 The Council is under a duty to exercise its powers under the Act secure the safe and convenient movement of traffic and the provision of adequate on and off-street parking facilities. It must also take into account any implications that orders would have for access to premises, local amenity, air quality, public transport provision and any other relevant matters.
- 7.4 In considering what parking places are to be designated under the Act the Council must consider both the interests of traffic and those of the owners and occupiers of adjoining property. In particular the matters which the Council must have in mind 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, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places.
- 7.5 The Council is entitled to set parking charges at levels that will enable it to meet its traffic management objectives by e.g. managing supply and demand for parking. Under section 55 of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, the Council must keep an account of all parking income and expenditure in designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area, and of their income and expenditure related to their functions as an enforcement authority. Regulations and guidance confirm that in respect of off-street parking places, the term "income and expenditure as enforcement authorities" includes that related to the issue of PCNs. It does not, for example, include pay and display or permit/season ticket income or the direct expenditure relating to collecting that income.
- 7.6 The use of any surplus income from civil parking enforcement is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This allows any surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares and Local transport Plan projects.
- 7.7 Under the Act the Council may acquire, whether by purchase or by hiring, such parking meters and other apparatus as appear to it to be required or likely to be required for the purposes of its functions in relation to designated parking places.
- 7.8 The Council is under a legal duty as a public authority to consider the human

rights implications of its actions. Parking and traffic restrictions have the potential to affect 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 where this is necessary, proportionate and for a legitimate aim.

Lawyer Consulted:

Carl Hearsom

Date: 20/01/14

Equalities Implications:

- 8.1 The control of double parking, parking on pavements and protection of junctions and crossings will improve access for all but the mobility impaired and vulnerable road users in particular
- 8.2 Access to public transport will be improved
- 8.3 Disabled (blue badge drivers) will be able to obtain a reduced charge resident permit and will be able to park in any shared or pay and display/pay by mobile bays free of charge and without time limit.
- 8.4 Regulation of parking demand will improve access for all road users and also improve access to local shops and amenities including Blaker's Park
- 8.5 A permit will be available for non professional carers if endorsed by their GP. Professional carers may apply for a professional carers badge issued by health organisations.
- 8.6 A general equalities impact assessment has been carried out on the impact of resident parking schemes

Sustainability Implications:

- 9.1 Managing parking will increase turnover and parking opportunities for all helping to reduce congestion and air pollution.

Crime & Disorder Implications:

- 10.1 The proposed scheme will improve the management of obstructive parking

Risk and Opportunity Management Implications:

- 11.2 There are none

Public Health Implications:

- 12.3 The proposed scheme will help to manage congestion which may have a positive impact on air quality

Corporate / Citywide Implications:

13.1 There are none.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A Consultation leaflet
2. Appendix B Consultation plan
3. Appendix C Consultation questionnaire
4. Appendix D Consultation report
5. Appendix E Parking survey report

Documents in Members' Rooms

1. Resident survey and blog (wordpress)

Background Documents

1. None