



Brighton & Hove
City Council

Overview & Scrutiny

Title:	Environment & Community Safety Overview & Scrutiny Committee
Date:	14 October 2011
Time:	10.00am
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Morgan (Chair), Sykes (Deputy Chair), Cobb, Gilbey, Hawtree, Janio, Jones and Littman
Contact:	Mary van Beinum Overview & Scrutiny Support Officer 01273 - 29 - 1062 mary.vanbeinum@brighton-hove.gov.uk

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AGENDA

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The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Mary van Beinum, (01273 - 29 - 1062, email mary.vanbeinum@brighton-hove.gov.uk) or email scrutiny@brighton-hove.gov.uk

Date of Publication – Tuesday 11 October 2011

Agenda Item 22

PROCEDURAL BUSINESS.

A. Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken the Member was
 - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
 - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
 - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
 - (b) not to exercise executive functions in relation to that business and
 - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

C. Declaration of party whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

D. Exclusion of press and public

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 23

Brighton & Hove City Council

Subject: Call in of Citywide Parking Review
Date of Meeting: 14 October 2011
Report of: Strategic Director, Resources
Contact Officer: Name: Tom Hook Tel: 29-1110
E-mail: Tom.Hook@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 7, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) was the information contained within the reports was not available in time to meet dispatch deadlines.

1. PURPOSE OF REPORT:

- 1.1 To determine whether to ask the Cabinet Member for Transport & Public Realm to reconsider his decision in relation to the Citywide Parking Review which was taken at the Cabinet Member Meeting on October 4 2011.
- 1.2 The following information is contained in the appendices to this report:
 - a. **Appendix 1** contains the Call-In requests;
 - b. **Appendix 2** contains the report from the Strategic Director, Place, which was agreed at the 4 October Cabinet Member meeting;
 - c. **Appendix 3** contains the official record of the Cabinet Member's Decision in relation to this report;
 - d. **Appendix 4** contains an extract from the draft minutes of the Cabinet Member meeting;
 - e. **Appendix 5** contains further information on this issue supplied by the Strategic Director, Place.

2. RECOMMENDATIONS:

- 2.1 (a) To note the decision taken by the Cabinet Member for Transport & Public Realm on the 4 October 2011 in relation to the Citywide Parking Review;
- (b) To note the subsequent Call-In requests;
- (c) To note the additional information supplied by the Strategic Director, Place.
- 2.2 Having regard to the grounds for Call-In, to determine whether to refer the decision back to the Cabinet Member for reconsideration.

3. BACKGROUND INFORMATION

- 3.1 On 4 October 2011 the Cabinet Member for Transport & Public Realm agreed a report on the Citywide Parking Review (This report is reprinted in **Appendix 2**).
- 3.2 Further information relating to this matter from the Strategic Director, Place, is contained in **Appendix 5**.
- 3.3 Councillor Pissaridou and Councillor Peltzer Dunn wrote to the Chief Executive, on 4 October and 5 October respectively, requesting that the Cabinet Member's decision be called in. (The Call-In requests are reprinted as **Appendix 1** to this report.)
- 3.4 The Chief Executive accepted the Call-In request and asked for the issue to be considered at the Environment and Community Safety Overview and Scrutiny Committee within seven working days.
- 3.5 Call-In is the process by which Overview & Scrutiny Committees can recommend that a decision made (in connection with Executive functions) but not yet implemented be reconsidered by the body which originally took the decision.
- 3.6 Call-In should only be used in exceptional circumstances, for instance where there is evidence that an important decision was not taken in accordance with the Council's constitution.
- 3.7 An Overview & Scrutiny Committee examining a decision which has been Called-In does not have the option of substituting its own decision for that of the original decision. The Overview & Scrutiny Committee may only determine whether or not to refer the matter back to the original decision making body for reconsideration.

3.8 In referring the decision back to the Cabinet Member for Transport & Public Realm, the Overview and Scrutiny Committee may attach recommendations for the Cabinet Member as to a new course of action or a preferred alternate decision. The Cabinet Member is however free to take the same decision again, or amend the decision in the light of the issues raised by the Overview and Scrutiny Committee.

3.9 In determining whether to refer a decision back to its originating body for reconsideration, the Overview & Scrutiny Committee should have regard to the criteria for Scrutiny reviews, as set out in the Council's constitution (Part 6.4.2) namely,

- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;
- Whether there is evidence that the decision-making rules in Article 11 of the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council;
- The potential benefits of a review especially in terms of possible improvements to future procedures and/or the quality of Council services;
- What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Executive Member, the complaints procedure, enquiry to the Chief Executive or Chief Officer, Council question etc.);
- The proposed scrutiny approach (a brief synopsis) and resources required, resources available and the need to ensure that the Overview and Scrutiny process as a whole is not overloaded by requests.

3.10 In addition, the Committee should take into account:

- Any further information which may have become available since the decision was made
- The implications of any delay; and
- Whether reconsideration is likely to result in a different decision.

4. CONSULTATION

4.1 No formal consultation has been undertaken in regard to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Please see the original Cabinet Member report for the financial implications relating to the decision.

Finance Officer Consulted: Rob Allen

Date: 18 July 2011

Legal Implications:

- 5.2 Call-in is a process by which overview and scrutiny ('O & S') committees can recommend that an executive decision made but not yet implemented be reconsidered by the decision-maker. Call-in does not provide for the O & S committee to substitute its own decision, but merely to refer the matter back to the decision-maker. That person or body can only be asked to reconsider any particular decision once.

In deciding whether or not to refer the decision back, the relevant O & S committee (here the Environment and Community Safety O&S Committee), shall have regard to the following criteria:

- (i) the importance of the decision called-in, and the extent to which it relates to the achievement of the council's strategic priorities, the implementation of its policies or other key issues affecting the well-being of the City or its communities
- (ii) whether there is evidence that the decision-making rules in Article 13 of the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision made is not in accordance with a policy agreed by Full Council
- (iii) any further information that may have become available since the decision was made
- (iv) the implications of any delay in implementing the decision
- (v) whether reconsideration is likely to result in a different decision

If, having scrutinised the decision taken at the 04 October Environment, Transport & Sustainability Cabinet Members Meeting, OSC is still concerned about it, OSC may refer the decision back to the Cabinet Member for reconsideration, setting out in writing the nature of its concerns.

If the decision is referred back, the Cabinet Member shall reconsider whether to amend the decision or not before reaching a final decision and implementing it. This reconsideration shall take place either at the next programmed meeting of the Cabinet Member or at a special meeting called for the purpose.

Lawyer Consulted: Oliver Dixon

Date: 18 July 2011

Equalities Implications:

- 5.3 There are no direct equality implications to this report, although the 04 October Cabinet Member decision was made with regard to the equality implications contained within the original report of the Strategic Director, Place.

Sustainability Implications:

- 5.4 There are no direct sustainability implications to this report, although the 04 October Cabinet Member decision was made with regard to the sustainability implications contained within the original report of the Strategic Director, Place.

Crime & Disorder Implications:

- 5.5 There are no direct crime & disorder implications to this report, although the 04 October Cabinet Member decision was made with regard to the crime & disorder implications contained within the original report of the Strategic Director, Place.

Risk and Opportunity Management Implications:

- 5.6 The Call-In procedure seeks to provide a system via which important decisions can be re-examined in a timely fashion, so as to ensure that the Council is not unnecessarily exposed to risk associated with taking decisions contrary to established procedure, whilst also minimising risk inherent in unduly delaying the decision making process.

Corporate / Citywide Implications:

- 5.7 There are no direct corporate/citywide implications to this report, although the 04 October Cabinet Member decision was made with regard to the corporate/citywide implications contained within the original report of the Strategic Director, Place.

SUPPORTING DOCUMENTATION

Appendices:

1. **Appendix 1** contains the Call-In requests;
2. **Appendix 2** contains the report from the Strategic Director, Place which was agreed at the 04 October Cabinet Member meeting ;
3. **Appendix 3** contains the official record of the Cabinet Member's Decision in relation to this report;
4. **Appendix 4** contains the minutes of the Cabinet Member meeting;
5. **Appendix 5** contains further information on this issue supplied by the Strategic Director, Place.

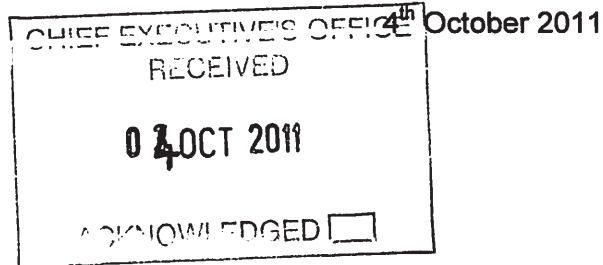
Documents in Members' Rooms:

There are none.

Background Documents:

1. The Council's Constitution

John Barradell
Chief Executive
Brighton & Hove City Council



Dear John,

Re: Call-in Request: Citywide Parking Review

I am writing to request a call-in of the decision taken by the Environment, Transport and Sustainability Cabinet Members meeting on 4th October regarding Item 36, the Citywide Parking Review.

I believe that the decision taken by the Cabinet member for Environment, Transport and Sustainability, was not taken in accordance with Article 13 of the Constitution ('Decision Making').

For instance, the decision has been taken without proper consultation with local residents or the current Wish and South Portslade councillors who represent areas affected by the review.

Secondly, the report was based on the existing timetable of the planning scheme consultation and not a broad review of strategy, so it is misleading and unclear.

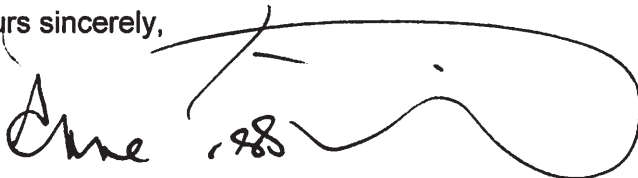
Furthermore, there is not sufficient evidence in the report to support the changes to the timetable, which exclude Wish and South Portslade.

Finally, the previous timetable, which the proposed new Citywide Parking review seeks to change, was not appended to the report. This adds to the lack openness and clarity in the decision made.

In summary, this decision has been made without a full and proper consultation and the reasons why certain wards have been deferred lack sufficient explanation.

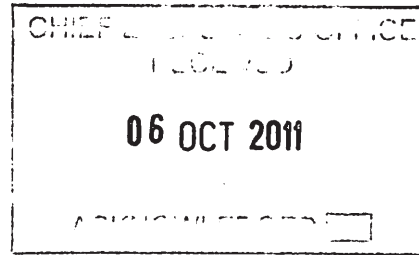
I suggest to the Overview & Scrutiny Commission that this decision be referred back to the Environment, Transport and Sustainability Cabinet Member Meeting, once a full evaluation of the options has been undertaken.

Yours sincerely,



Councillor Anne Pissaridou
Labour & Co-operative, Wish Ward
Brighton & Hove City Council

Mr John Barradell
Chief Executive
Brighton & Hove City Council



5th October 2011

Dear John

I am writing under Overview and Scrutiny Procedure Rule 16.5 to request a call-in of the decision taken by Cllr. Ian Davey at the Cabinet Member Meeting on 4th October – Citywide Parking Review.

I believe that the decision made by the Cabinet Member, in respect of the citywide parking review, was not taken in accordance with Article 13 of the Constitution ('Decision Making'). In particular, I believe that it breached the principles d) a presumption in favour of openness and e) clarity of aims and desired outcomes.

The first problem was around the distinct lack of clarity on the timetable for the proposed citywide review. Recommendation d) stated that officers be instructed to undertake this review and to report back within 6 months of commencement. However, at no point in the report was it stated when this was to start or, indeed, just as importantly, when it was to finish. When I pressed this point with the Cabinet Member, he sought clarification from officers who said that it may be possible to start it by the end of this year and finish it by the end of 2012. However, this was not made explicit and was not added to the recommendations. Furthermore, new recommendation e) now states that after a non-disclosed commencement date, only a **progress report** is required within 6 months.

Secondly, I believe that one of the statements in the report (and the main reason given for not going ahead with a consultation in the West Hove/Portslade area) was factually inaccurate. It states in paragraph 3.4 that "it is still difficult to identify a larger geographically viable boundary supported by residents and ward members, which if sub-divided, would not cause immediate displacement." I have never been consulted on areas which might or might not be acceptable and so to suggest that this is the case was completely wrong. It was also factually inaccurate to suggest in Appendix A, that there are no significant road safety concerns in relation to the parking situation in West Hove/Portslade. As a resident confirmed at the meeting, there are serious road safety issues around Wish Park, which have particular significance given the number of children and young people who use both the park and seafront.

Thirdly, and perhaps most importantly in respect of upholding the integrity and transparency of the decision-making process, many residents told me that they left the meeting completely confused and unsure as to what had actually been agreed by the Cabinet Member – a clear breach of the presumption in favour of openness. The confusion stemmed from the insertion of an additional recommendation by the Cabinet Member which, I accept was intended to be helpful, but which merely added to the uncertainties. The extra recommendation reads: (b) Instructs officers to review the timetable in Appendix B and the resources required to implement it and,

if possible, to accelerate this timetable. However, this extra recommendation now directly contradicts new recommendation c) which agreed the timetable set out in Appendix B and where no review in Wish Ward was to take place before 2015. Which of these two recommendations takes precedence?

Whilst the Cabinet Member stated that the works to be agreed within Appendix B could be undertaken by the end of 2012, the new recommendation b) fails totally to reflect this view. Furthermore, the recommendation suggests that the resources required to meet the unrevised timetable need to be reviewed. This would suggest that resources are not yet even in place for the original timetabled works to be carried out, let alone an accelerated programme.

In addition, during the meeting, the Cabinet Member talked about setting up a separate working group for a Wish Ward parking scheme which would report in 18 months time. However, this wasn't added to the recommendations and so residents are none the wiser as to whether this will be going ahead.

Finally, with regard to the proposed extension to zone A – Preston Park Station area – no consultation has been carried out in roads that will fall just outside the proposed new zone, such as to the south of Dyke Road/Dyke Road Avenue in Hove Park Ward. These areas will inevitably suffer from displacement parking from the proposed zone A extension and so the Cabinet Member did not have the full picture before coming to his decision. The same could equally be said of roads adjacent to the other 3 schemes that have been put forward in the report.

In summary, I believe that the whole basis for the report was fundamentally flawed. Two very separate decisions were being made – one on the proposed citywide review and one on the extensions to the specific areas outlined in the report. This immediately made it unclear as to what was actually being recommended to the Cabinet Member for agreement. The misinformation and additional ad hoc recommendations outlined above then only served to confuse the public, with the confusion being exacerbated by the contradictory decisions subsequently published. With so many members of the public present at the meeting it was even more important that there was transparency and clarity in the decision-making process. Sadly this wasn't the case and many people unfortunately left disillusioned. Therefore, I strongly recommend to the Overview & Scrutiny Commission that this decision should be referred back to the Cabinet Member for reconsideration with the full facts and accurate recommendations before him.

Yours sincerely,



Councillor Garry Peltzer Dunn
Deputy Leader of the Conservative Group

**ENVIRONMENT, TRANSPORT &
SUSTAINABILITY CABINET
MEMBERS MEETING**

ECSOSC
Agenda Item 23
Appendix 2

Brighton & Hove City Council

Subject:	Citywide Parking Review		
Date of Meeting:	4 October 2011 (Item 36)		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Owen Mcelroy	Tel: 290417
	Email:	owen.mcelroy@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: ETSCMM23593	
Ward(s) affected:	All		

FOR GENERAL RELEASE.

- 1.1 Brighton & Hove's Sustainable Community Strategy identifies "reduced traffic congestion", "reduced traffic fumes" and "improving the safety, security and attractiveness of streets" as key priorities for sustainable transport.
- 1.2 The council manages parking in order to reduce congestion, keep traffic moving, provide access safely to those who need it most and deliver excellent customer service (Parking Annual Report 2010). The effective management of parking contributes to the well being & quality of life of residents, to an enhanced visitor experience and to the local economy generally.
- 1.3 It is proposed to review the way the council manages parking through consulting residents, businesses and other stakeholders and learning from the best practice of other local authorities. The purpose of this review is to seek continuous improvement in the council's parking management whilst balancing the needs of users overall.
- 1.4 It is also necessary to take more immediate action to address the most urgent areas of parking demand in the city as identified by residents, ward members and other stakeholders. Although these areas are to be addressed urgently there is a timetable for the work to be undertaken which is dictated by the officer resources available and is expected to complete by early 2015.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Transport & Public Realm:
 - (a) Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
 - (b) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24th January 2008;

- (c) Notes the summary of requests for parking consultations and parking issues raised by residents & other stakeholders set out in appendix D.
- (d) Instructs officers to undertake a city wide review of parking management and to report back within six months of commencement.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A timetable for parking reviews was agreed at 24 January 2008 Environment Committee.
- 3.2 Due to recent consultations where the level of support was either overwhelmingly against the introduction of controlled parking or in favour of controlled parking in substantially reduced areas, in October 2010 the Cabinet Member for Environment suspended the timetable against the background of local authority financial restraint.
- 3.3 Since that decision there has been growing pressure for immediate consultation in areas of high parking demand and conflict evidenced by ward member and public support and an expectation of a thorough and detailed review of the council's parking management policies city-wide.
- 3.4 The four areas identified in Appendix A, namely Richmond Heights (Area C extension), Canning Street (Area H extension), London Road (Area J extension, north of the railway line & Round hill area) and Preston Park (Area A northern extension) are considered to be the highest priority for consultation on the grounds of parking demand, conflict, road safety and are the most supported by ward members and residents. In each case consideration will be given to the provision of on street cycle parking and additional car club spaces and the possible improvements to local bus services and accessibility. Hanover & Elm Grove is not considered to be supported by residents since there was a 75% "No" vote in the May 2010 consultation. In the combined West Hove & Portslade area it is still difficult to identify a larger geographically viable boundary supported by residents and ward members, which if sub-divided would not cause immediate displacement. It is therefore felt that considering this area within the longer term city wide review consultation is more appropriate.
- 3.5 In addition there have been localised requests for resident parking schemes and a number of suggestions for policy changes have been raised by residents and other stakeholders.
- 3.6 Other local authorities such as Westminster and Eastbourne have recently conducted parking reviews which include postal questionnaires, community parking forums, street interviews and vehicle counts. These reviews have led to various recommendations such as changing the hours of operation of parking controls, reviews and extensions to schemes, the introduction of new technologies such as pay by phone parking and modifications to the Local Transport Plans.

- 3.7 The terms of reference for the longer term review will cover both public on and off street parking and include questions about individuals and businesses and their parking needs/habits and their perceptions of parking operation, enforcement and the amount and availability of different kinds of parking places . It will include issues related to sustainable transport such as the provision of additional on street cycle parking and car club spaces. The consultation will consist of a postal consultation of about 6000 random addresses across the city with the additional facility of being able to contribute via the council's website. Relevant stakeholders will be contacted directly for their views and where possible community focus groups or panels will be engaged.
- 3.8 The exact detail of the longer term review and the range of questions will be determined by officers but this will be in consultation with ECSOSC, the Cabinet Member and key internal and external stakeholders. ECSOSC will act as a "critical friend" and meetings and workshops will be held between now and March 2012 to help develop the content of the review. ECSOSC findings will be reported back to ECMM in spring 2012 and will be taken account of the preparation of the longer term city wide review consultation.

4. CONSULTATION

- 4.1 The details of prior consultation in respect of the proposed urgent timetable for resident parking reviews are set out in Appendix A. The longer term city wide review consultation will involve residents, businesses and a wide range of stakeholders. Internal officers have already been consulted.
- 4.2 There has been prior engagement with Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) and lead officers have briefed ECSOSC on how they will influence the review process.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any revenue costs associated with the longer term city wide review recommendations will need to be met from City Regulation and Infrastructure budgets. Although the exact scope of the consultation element of the review is yet to be determined, it is not expected to exceed £25K. The financial impact of revenue from any extension to parking schemes will be included within the proposed budget for 2012/13 which will be submitted to Budget Council in February 2012.
- 5.2 New parking schemes are capital projects, funded by unsupported borrowings, and repaid out of revenue using the income generated.

Finance Officer Consulted: Karen Brookshaw Date: 22/09/11

Legal Implications:

- 5.3 The Road Traffic Regulation Act 1984 gives the council broad powers to regulate traffic and parking through legally enforceable traffic orders. These powers must be exercised 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

- (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.

- 5.4 In 2001 the council took up the powers of decriminalised parking enforcement (DPE) under The Road Traffic Act 1991, renamed Civil Parking Enforcement (CPE) under the Traffic Management Act 2004. Under CPE, parking enforcement is carried out by civil enforcement officers (CEOs) and is the sole responsibility of the local authority.
- 5.5 The use of any surplus income from CPE 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.
- 5.6 When carrying out consultation the Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time are given to allow intelligent consideration and responses and that results are taken into account in finalising the proposals.

Lawyer Consulted:

Carl Hearsum

Date: 01/09/11

Equalities Implications:

- 5.7 An EIA has been carried out on the impact of resident parking schemes. In addition full consultation will be carried out in line with the council's Community Engagement Framework.

Sustainability Implications:

- 5.8 Effective parking management contributes to reducing congestion and improving safe access contributing to the promotion of sustainable transport and tackling climate change through reduction in carbon emissions.

Crime & Disorder Implications:

- 5.9 The proposed City wide parking review is not expected to have implications on the prevention of crime and disorder

Risk and Opportunity Management Implications:

- 5.10 Any risks will be identified and monitored as part of the overall project management. Parking is a corporate critical budget; however no major risks have yet been identified.

Corporate / Citywide Implications:

- 5.11 The parking review will contribute mainly to the Sustainable Community Strategy Outcomes of “strengthening communities and involving people” and “promoting sustainable transport”

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative options for the proposed parking reviews have been considered in the report and set out in the appendices
- 6.2 The alternative to carrying out a longer term City wide parking review consultation is to do nothing. However, the review is an emerging Corporate Priority, therefore it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of a revised timetable of parking reviews which will take into account consideration of duly made representations and objections and instruct officers to prepare a city wide review of parking management for the reasons outlined in the report.

SUPPORTING DOCUMENTATION

Appendices:

- Appendix A Table showing requests for urgent parking reviews and officer comments
- Appendix B Timetable of proposed parking reviews
- Appendix C Plan drawing showing areas proposed for urgent parking reviews
- Appendix D Table of additional requests by residents & other stakeholders for parking reviews or policy changes received in the last 12 months

Documents in Members’ Rooms

None

Background Documents

1. Sustainable Community Strategy
2. Parking Annual Report 2010
3. Environment Committee minutes 24 January 2008

Proposed Consultations & Reviews with officers comments

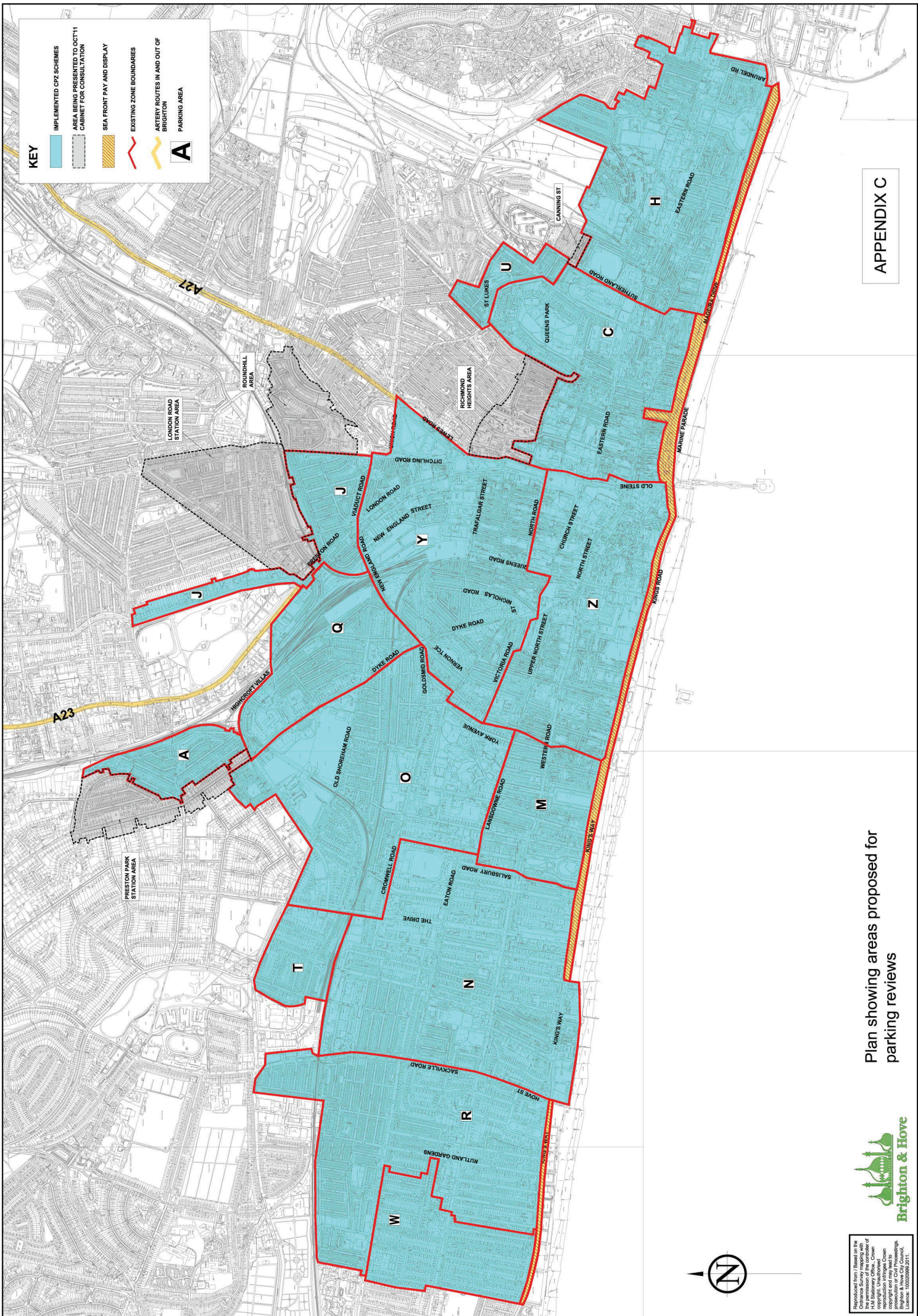
Scheme & recommendation	Significant Road Safety concerns	Previous council consultation	Ward member support	Level of community support
Reviews of smaller scale adjustments or extensions to existing schemes recommended to proceed urgently				
Richmond Heights C extension Proceed	YES	YES, MAJORITY IN FAVOUR	YES	56% resident support, consultation May 2010. Correspondence
Canning Street, H extension Proceed	YES	YES, MAJORITY IN FAVOUR	YES	73% in favour, May 2010. Petition from residents to include in Area H. Correspondence
London Road J extension (north of the railway line)& Round hill area Proceed	YES	YES, MAJORITY OPPOSED	YES	300 signature resident petition. Correspondence
Preston Park A, northern extension Proceed	NO	YES, MAJORITY OPPOSED	YES	Subsequent ward cllr survey of 180 households, large majorities in favour in 3 out of 4 roads. Correspondence
New or larger area reviews, the case for which could be examined within the longer term city wide review				
Hanover & Elm Grove	YES	YES, MAJORITY OPPOSED	NO	Correspondence but 75% opposed in consultation May 2010
West Hove/Portslade Station	NO	ONLY PART OF AREA PREVIOUSLY CONSULTED	YES	Petitions and substantial correspondence from roads

Appendix A

				in Wish Park area. Substantial correspondence from Bolsover Road & other isolated roads
--	--	--	--	-----------------------------------------------------------------------------------------

Timetable of proposed parking reviews – Based on One Project manager

Priority	Area	2011				2012				2013				2014				2015				2016			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Richmond Heights, Area C extension & Canning Street, Area H extension – In House																								
2	London Road Station, Area J extension (North of Railway line) & Round hill area – Work with Consultants																								
3	Preston Park Area A extension North of Tivoli Crescent – In House																								



KEY

- IMPLEMENTED CPZ SCHEMES
- AREA BEING PRESENTED TO OCT11 CABINET FOR CONSULTATION
- SEA FRONT PAY AND DISPLAY
- EXISTING ZONE BOUNDARIES
- ARTERY ROUTES IN AND OUT OF BRIGHTON
- PARKING AREA

APPENDIX C

Plan showing areas proposed for parking reviews



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itional resident, business & other stakeholder requests for parking reviews or policy changes received in the last 12 mo

Stakeholder	Summary of request/comment	Request for parking review (PR) or other	Officer comments
Lansdowne Road Area Residents Association	Merge CPZs M & O to create larger zone and alleviate resident parking problems in M	PR	Parking zone too large and could result in internal commuting. Lacks ward member support, Lack of evidence of support from residents in O.
Kestrel Close, Hove residents	Include road in Area O CPZ	PR	Residents previously said No in consultation. Lack of evidence of consensus support.
Manor Hill residents	Request to extend Zone H northwards	PR	Waiting restrictions and access protection lines are being investigated but there are road safety concerns over increased vehicle speeds, parking management may be a solution but there is insufficient evidence of support from residents at present. Parking problems during racecourse events.
Nevill Road Rottindean Residents	Request for localised resident parking zone	PR	Insufficient evidence of widespread support, and potential displacement to adjoining roads.
Upper Lewes Road/Lewes Road triangle residents	Request for residents parking zone	PR	Requests mainly from Park Crescent area and do not represent majority. Area previously rejected parking scheme in consultation.

Item 36 Appendix D

Various residents	Smaller parking zones to reduce waiting times and reflect local conditions e.g. Palmeira Avenue, Hove	PR	Smaller parking zones give residents less flexibility over where they can park their car and result in longer waiting lists as a permit only becomes available when a resident leaves the area. If the zone is as small as a street, this can be a matter of years.
Hove Park residents e.g. The Droveway, Onslow road	Number of long term parked vehicles, request single yellow lines or mixture of resident only and time limited bays	PR	Residents previously rejected a parking scheme, single yellow lines may cause displacement and difficulties for visitors, time limited bays would be difficult to enforce and may not solve local problems
Various residents	Residents in roads outside of but adjoining CPZs would like to be able to have a permit to park in the adjoining CPZ e.g. Queen's Park Road	PR	Roads in a wide area are consulted when a scheme is proposed and given a chance to vote to be in a scheme. In some zones there may be spare capacity and a potential to trail a "transitional zone permit" charged at a reduced rate and for part of a year but allow parking in the nearby CPZ, this could help reduce displacement although could only be used in areas without a waiting list. The danger is this sets a precedent and could be demanded by residents in congested areas adjacent to schemes at or near capacity, disadvantaging residents in those schemes.
Various residents	Provide individually marked disabled bays in residential areas	Other	There would be increased costs to the council to administer and this would have to be passed on to residents, more consultation required.
Local MPs	Disabled, loading, ambulance and doctors bays do not need to be 24 hour, enabling visitors to park in evenings/Sundays	Other	Conversion of some loading bays already begun. In respect of disabled bays need to be aware of Disability Discrimination Act obligations and relevant DfT guidance, particularly away from City centre locations. The needs of doctors' and ambulance bays vary according to type of premises. address in consultation

Item 36 Appendix D

Various residents	Restrict verge and pavement parking due to obstruction and damage	Other	Needs majority support in an area to work and should not be considered as an alternative to a CPZ. New signs have been approved by the DfT but require advertising by traffic order and therefore support from members and residents. Already
Y & Z residents (especially Clarence Square)	Can we move to 24 hour permits? Permit holders unable to park in the evenings	Other	Displacement issues, residents on waiting list disadvantaged, expense and risks of enforcement. The current parking enforcement contract operates between 7am and midnight. Could address as part of consultation and look at 24hr enforcement in the new parking enforcement contract which is due to commence Jan 2013. Could cause problems for residents on waiting lists as they use spaces after controlled hours as spare off street capacity
MPs for Hove & Brighton Pavilion	Request for overlap zones at CPZ boundaries enabling more flexibility for residents	Other	Difficulties in administering permit system, some residents may have two permits, difficulties in defining overlap boundaries. See also comments for roads outside of but adjoining CPZs
MPs for Hove & Brighton Pavilion	Introduce 15 minutes free parking for visitors	Other	Technically challenging to achieve, creates difficulties for enforcement. May have widespread financial implications for the council. The CEOs would be unaware if a visitor or resident- difficult to enforce
Visitors	Inconvenience of having to use coins for parking, would like to pay by mobile/online	Other	There are costs and benefits to the introduction of pay by phone, research is currently underway in respect of establishing a Business Case. Consider in consultation.
Various stakeholders	Should be a no limit on the number of resident/visitor permits	Other	Capacity issue, particularly difficult in areas where there is a waiting list. Unlimited visitor permits could lead to them being resold. Consider in consultation

Item 36 Appendix D

<p>Various stakeholders</p>	<p>Permit fees and parking charges should contribute towards climate change policy e.g. higher charges for second permits and for more polluting vehicles</p>	<p>Other</p>	<p>Links to sustainability objectives. This is a complex area e.g. higher polluting vehicles that are seldom used may contribute less to the city's pollution issues than smaller cc vehicles that are used daily for short journeys in heavily congested area. Difficulty in administering higher charge for 2nd permit particularly for students arriving at the same time. Consider in consultation but there must be a careful analysis of costs and benefits.</p>
<p>Motorcycle Action Group</p>	<p>Motorcycles (M/Cs) should be able to park in permit, shared & exclusive P&D bays</p>	<p>Other</p>	<p>Council provides free of charge m/c bays in most streets and close to major amenities but it could be argued there are not enough m/c bays in certain areas e.g. Lanes & North Laine. Also some bays are not as well used because of problematic cambers (bikes fall over in them) MAG also raised concerns about trikes and motor cycles with side cars. The TRO states they are not permitted to park in a motor cycle bay and should park in a P&D bay but problem of where to display a P&D ticket. Current difficulties in attaching permits to m/cs.</p>

Decision No: CMM011 – 04/10/11

Forward Plan No: ETSCMM23593

This record relates to Agenda Item 36 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR IAN DAVEY
PORTFOLIO AREA: TRANSPORT & PUBLIC REALM
SUBJECT: CITYWIDE PARKING REVIEW
AUTHOR: OWEN MCELROY

THE DECISION

- 2.1 That the Cabinet Member for Transport & Public Realm:
- (a) Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
 - (b) Instructs officers to review the timetable in Appendix B and the resources required to implement it and, if possible, to accelerate this timetable.**
 - (c) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24th January 2008;
 - (d) Notes the summary of requests for parking consultations and parking issues raised by residents & other stakeholders set out in appendix D.
 - (e) Instructs officers to undertake a city wide review of parking management and to report back **on progress** within six months of commencement.

REASON FOR THE DECISION

To seek approval of a revised timetable of parking reviews which will take into account consideration of duly made representations and objections and instruct officers to prepare a city wide review of parking management for the reasons outlined in the report.

DETAILS OF ANY ALTERNATIVE OPTIONS

The alternative options for the proposed parking reviews have been considered in the report and set out in the appendices

The alternative to carrying out a longer term City wide parking review consultation is to do nothing. However, the review is an emerging Corporate Priority, therefore it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

A new recommendation was inserted at the request of the Cabinet Member to enable the timetable for priority areas for review to be accelerated if possible.

Recommendation (e) was amended to reflect the fact that a progress report would be brought back six months after commencement of the citywide review.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD:

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision

Date:

04 October 2011

Decision Maker:

Councillor Ian Davey
Cabinet Member for Transport & Public
Realm

Signed:



Proper Officer:

04 October 2011

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period

5-11 October 2011

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

**EXTRACT FROM THE DRAFT MINUTES ENVIRONMENT, TRANSPORT & SUSTAINABILITY
CABINET MEMBERS MEETING 4 OCTOBER 2011**

Present: Councillor Davey (Cabinet Member) and West (Cabinet Member)

Also in attendance: Councillors Morgan (Opposition Spokesperson) and Peltzer Dunn (Opposition Spokesperson)

Other Members present: Councillors Bennett, Deane, Kennedy, Marsh and Pissaridou

PART ONE

36. CITYWIDE PARKING REVIEW

- 36.1 Councillor Davey considered a report of the Strategic Director, Place concerning proposals to review the way the council manages parking and proposals to take immediate action to address the most urgent areas of parking demand in the city as identified by residents, ward members and other stakeholders.
- 36.2 Councillor Davey explained that he would hear from the petitioners and Councillor Pissaridou before opening up the debate to opposition spokespeople.
- 36.3 Mr Robert Rosenthal presented a petition signed by 424 people concerning parking problems in the area north of London Road Station and calling for the council to implement an urgent review and re-consult residents in relation to joining a controlled parking scheme (CPZ) to prevent the ongoing problems caused by displacement.
- 36.4 Councillor Deane presented a petition signed by 276 people concerning parking problems in the Round Hill area and calling for the council to re-consult residents on membership of the Area J Extension CPZ to tackle the problem of displacement.
- 36.5 Councillor Pissaridou, ward councillor for Wish ward, stated that the report did not propose a broad strategic review, but instead concentrated on urgent parking reviews in specific areas. She advised that it was unfair not to include areas of Wish ward for priority review and described the specific problems experienced by residents in the Wish Park area, which was a popular place for visitors to the seafront and lagoon to park and suffered from displacement from the adjoining CPZ; the level of parking resulted in significant safety issues for residents, including the elderly, disabled and children. She highlighted concerns raised by the Ombudsman in relation to a previous consultation on parking in the area and stated that residents were not properly supported by the council during the process, which she felt was flawed. She called on the council to listen to residents and include the Wish Park area as a priority for re-consultation.

- 36.6 Mr Don Odair, resident of the Wish Park area, stated that the problems experienced by residents needed to be considered more urgently than the proposed citywide review would allow. He explained that there was significant pressure on the roads in the area from residents, visitors to the seafront and park and from vehicles left there for long periods of time. He urged the council to include the area in the priority group.
- 36.7 Councillor Davey noted the petitions and acknowledged that parking was an emotive issue in the city that required the council to balance the needs of residents. He explained the report proposed a strategic and long-term approach to parking management, as well tackling some more urgent areas. He noted that all political Groups were supportive of a review and that the timetable agreed in 2008 had been abandoned in 2010 despite consultation having already been undertaken in some areas. He recognised the problems in the Wish Park area, but advised that there was no clear solution; he felt that extending the neighbouring light touch scheme would not solve all the problems and he did not have evidence of support for a scheme up to Boundary Road. He called for ward councillors and residents to work together with officers, possibly in a working group, to enable the best solution to be identified for the whole ward; if a consensus was achieved, consultation could proceed after the initial priority areas were completed. With regard to the citywide review, he advised that officers would engage with stakeholders across the city, along with Overview & Scrutiny involvement, and that the proposals represented the responsible way forward.
- 36.8 Councillor Morgan stated that the report dealt with changes to the existing timetable for parking reviews and was vague in relation to the citywide review. He welcomed the opportunity for Overview & Scrutiny involvement in the review and advised that the Environment & Community Safety Overview & Scrutiny Committee would contribute, but did not have the resources to undertake the whole review. He reported that ward councillors for Wish and South Portslade had not been approached in relation to determining a boundary for a CPZ in the problematic area described by Councillor Pissaridou causing the area to drop off the priority list. He stated that the report raised too many questions and urged the Cabinet Member to withdraw it and bring back two separate reports; a report on the priority areas with clear reasons for proceeding with some areas and not others, and a more detailed report on proposals for the citywide parking reviews.
- 36.9 Councillor Peltzer Dunn stated that he had hoped there would be a review of all CPZs in the current year, but that the report lacked clarity as it did not state when the citywide review would begin. He questioned the length of the timetable for the review of the priority areas and noted that any action would take place under a new Administration. As ward councillor for Wish ward, he reported that the views of residents living between Saxon Road and Boundary Road were not known as they had never been consulted and that residents living Saxon Road and Boundary Road were misled would have voted differently in the previous consultation if they had known that the adjoining scheme was going to be implemented. He questioned why the Wish Park area was the only area adjacent to the seafront that did not have a CPZ, forcing residents to put up with congestion and road safety issues, when they could be included in a light touch scheme at little cost. He urged the Cabinet Member to undertake a full citywide review before proceeding with the identified priority areas.

- 36.10 Councillor Davey stated that the budget set by the previous Administration did not provide for a full review to take place in 2011/12 and that no terms of reference for the review were set. He advised that the proposals presented a way forward, allowing people to contribute to the review and also addressed problems in specific areas.
- 36.11 In response to a question from Councillor Peltzer Dunn regarding the timetable for the citywide review, the Lead Commissioner, City Regulation & Infrastructure explained that the process for the review was being determined; it would start within the current year and be completed within one year.
- 36.12 Councillor Davey advised that he would add an additional recommendation instructing officers to review the timetable for the priority areas and accelerate it if possible within resources (see 36.13 (b)), and that the report back on the citywide review after six months would be an update on progress (see 36.13 (e)).
- 36.13 **RESOLVED** - That the Cabinet Member for Transport & Public Realm noted the petitions and, having considered the information and the reasons set out in the report, accepted the following recommendations:
- (a) Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
 - (b) Instructs officers to review the timetable in Appendix B and the resources required to implement it and, if possible, to accelerate this timetable.**
 - (c) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24th January 2008;
 - (d) Notes the summary of requests for parking consultations and parking issues raised by residents & other stakeholders set out in appendix D.
 - (e) Instructs officers to undertake a city wide review of parking management and to report back **on progress** within six months of commencement.

The meeting concluded at 4.15pm

Signed

Cabinet Member

Dated this

day of

**Response to Call in of City Wide Parking Review
Response from Strategic Director Place**

Cllr Pissaridou's letter

Lack of consultation with local residents or current councillors –

The citywide review itself was established by a CMM decision and the principle was supported by all parties prior to the election. Officers experience of and the outcome of consultations on previous reviews has significantly influenced the proposals that have been put forward in the report. Officers are aware of the views of ward members and residents and this has been detailed in the report.

The report was based on the existing timetable and not a broad review of strategy –

The report wasn't based on the existing timetable as it was rescinded by the last Cabinet member on the basis it was no longer valid given the high degree of opposition from residents to the last 2 Consultations, including the larger Hanover & Elm Grove area where it was 70% against. The report combines obvious urgent adjustments to existing schemes alongside the recommendation to commence the citywide review itself. The sufficient evidence of support for taking forward these urgent adjustments is based on the last formal and informal consultations that had a high degree of support; there are also safety concerns – i.e. Canning Street.

The old parking timetable was not appended –

The previous parking review timetable is referred to in the report and the minutes of Environment Committee 24 January 2008 are a background paper (Item 118). The old timetable is already in the public domain and still on the Council's website.

Cllr Peltzer Dunn's letter

Lack of clarity around the timetable –

The proposed timetable for the urgent adjustments and extensions to schemes is set out in Appendix B of the ECMM report. It is intended to start preparatory work on the longer term city wide review next month, subject to democratic processes. Some internal research and consultation with officers has already begun, this was reflected in the report to ECMM and in Appendix D summary of issues. Consultation with external stakeholders should begin this year and continue until September/October 2012. Officer experience is that postal consultation is best undertaken following a period of pre publicity and the best time of year is between the Easter and Spring half term holidays, it is therefore proposed to undertake that in Spring 2012. The results will be analysed in summer 2012 and reported back to the Cabinet Member in October 2012.

Paragraph 3.4 it is still difficult to identify a larger geographically viable boundary supported by residents and ward members which, if sub

divided, would not cause immediate displacement” is factually inaccurate –

The area originally proposed for consultation was the larger West Hove & Portslade area not the Wish Park area. There are similarities between this larger area and Hanover & Elm Grove in that there may be an overall rejection of a parking scheme with smaller areas and single roads supporting a scheme, there will then be the same dilemma as to which, if any, area would proceed and what displacement could result. It is also uncertain whether to proceed with a light touch or a full scheme. Previous experience of light touch schemes has shown that they do not eliminate the problem of displacement; in fact they can make it worse, as they are not as flexible. The longer term city wide review could provide information that would enable officers to produce proposals that could improve parking management over the whole city as well as gauge residents' views on appropriate solutions for their areas.

The statement about Road Safety concerns in West Hove & Portslade is not accurate –

It is not intended to imply that there are no Road Safety issues in parts of West Hove & Portslade, only that the situation in other areas, particularly the proposed area C & J extensions, is more severe, for example in terms of double parking, congestion, traffic circulation and visibility at junctions. The report author is a professional engineer of 17 years experience in Parking Management and Road Safety Engineering and has consulted with fellow officers. Visits to all areas have taken place on different times of day and the previous consultation and correspondence has been reviewed.

Uncertainty as to what has been recommended in terms of resources –

the timetable is clearly set out in the report, and is resourced. There is a requirement for officers to investigate extra resources for an accelerated timetable, but this is not incompatible.

No consultation has been carried out in roads falling outside of Zone A extension i.e. roads south of Dyke Road/Dyke Road Avenue in Hove –

There has been consultation, residents previously rejected a parking scheme, this issue is addressed in the report, appendix D

Working group to look at Wish Ward – this is an open offer made by the Cabinet Member and officers are ready to actively engage in the process.

Attachments –

- **ECMM report 4th October 2011**
- **Environment Committee Report 24 January 2008 (includes previous timetable)**

Owen McElroy LLB, DMPR.cert, MIHE
Project Manager

Agenda Item 23
Appendix 5 attachment

Item no. 118 on agenda

Brighton & Hove City Council

For general release

Meeting: Environment Committee

Date: 24 January 2008

Report of: Director of Environment

Subject: Increasing Capacity for Controlled Parking Scheme consultation and implementation

Ward(s) affected: all

1. Purpose of the report

- 1.1 To give background information on how the controlled parking scheme programme is presently delivered.
- 1.2 To seek approval to tendering and letting of a new contract for consultants to work on controlled parking schemes alongside in-house staff.
- 1.3 To seek approval for a new timetable based on increased capacity to carry out work on such schemes.

2. Recommendations

- 2.1 That Environment Committee agrees to the parking scheme consultancy service to be competitively tendered and let for a five-year period.
- 2.2 That the Director of Environment is given delegated powers to award the contract to the contractor with the most advantageous tender.
- 2.3 That Environment Committee agrees to the new timetable at point 6.13

3. Information/background

- 3.1 Following the city's adoption of DPE (Decriminalised Parking Enforcement), consultation and implementation of the first DPE

controlled parking schemes in Brighton & Hove were carried out by a consultancy firm, JMP. Meanwhile, in-house experience and resources were built up, and in the past three years, new parking schemes have been introduced using in-house officers.

- 3.2 In 2006 and 2007, the consultants completed reviews of the Area H zone and the central Brighton zones. These reviews represented the final work by the consultants. No contract is in place for any further work by these consultants.
- 3.3 In-house resources are sufficient to carry out consultation, design and implementation of one major scheme at a time. It takes approximately 2 years to introduce a Controlled Parking Zone from start to finish, including data surveys, extensive consultation with residents, businesses and elected members, analysis and reports to Environment Committee at all stages, the preparation and advertising of the legally required Traffic Orders and the final implementation where signs, lines and machines are installed, and permits are distributed.
- 3.4 A report to Environment Committee in November 2006 proposed a timetable which used all available in-house resource to carry out major consultation on schemes in large geographically-defined areas. Committee agreed this on 9 November 2006.
- 3.5 However, there is demand for parking controls from several areas of the city, and this demand outstrips the council's available resources. Whilst it is not possible to work on proposed parking schemes in every area at the same time (due to the immense logistical problems that this would cause), it is possible to increase capacity to work on more than one area at a time.
- 3.6 Due to the problems experienced with recruitment, it is proposed to engage the services of a consultant to work alongside in-house staff. The consultancy services would enable the council to produce one additional major scheme every 2 years.
- 3.7 In-house resources from the Traffic Regulation team, Parking Services and Environment Initiatives will still be required to:
 - Work on schemes as agreed in the November 2006 timetable.
 - Project manage the consultants' work and ensure liaison between relevant contractors and in-house teams.
 - Manage the permit allocation and other such tasks for every new scheme.

-

- Manage the consultation process and produce reports and briefings for elected members for every new scheme.
- 3.8 It is proposed that the consultancy service is procured for a period of five years. Such procurement qualifies for a tendering process under European Union regulations and all relevant Financial & Procurement Standing Orders must be followed. A timetable for this procurement process is attached at Appendix A.
- 3.9 It is therefore proposed to tender and let a contract for the parking scheme consultancy services.

4. The consultation process

- 4.1 There are no internal staffing or TUPE issues arising from any procurement for parking scheme consultancy services.
- 4.2 Residents and ward councillors from various areas in the city have made strong representation over several years for inclusion in controlled parking schemes.

5 Financial information

- 5.1 Under this proposal, in-house resources will increase slightly (one additional member of staff), to support the in-house project management work required. The adjustments needed to the Traffic Regulation team will require a pump priming budget increase of £29,000 per annum which has been identified from within Sustainable Transport's budgets.
- 5.2 The cost of consultation, physical works and consultancy for parking schemes are borrowed against future income. Therefore apart from the staffing costs, all other costs are budget neutral to the council providing a scheme's income can pay back the borrowed money within a 7-year period.
- 5.3 The consultancy option will generate the most income and gives the greatest flexibility to increase or decrease the number schemes being implemented each year.
- 5.4 All costings are based on implementing full schemes. It should be noted that although light touch schemes are cheaper to implement, due to the lack of pay and display machines, they

have been found to struggle to repay their borrowing costs incurred from implementation. The lack of funding has resulted in light touch schemes receiving cross funding from full schemes from around the City.

- 5.5 If an additional full scheme is implemented it will generate an estimated £500,000 per annum (starting from when the scheme is up and running). All surpluses predicted include the cost of increased enforcement.
- 5.6 Based on previous costs of using consultants for controlled parking schemes, the approximate total cost per scheme is £730,000. This is based on a geographical area roughly the size of most existing schemes, and includes all data surveys, public consultation, consultants' costs, preparation and advertising of relevant documents, signage, lining and machine installation.
- 5.7 Approximate repayment costs, based on an estimated £730,000 per scheme, would be £130,000 per year per scheme over 7 years. Total repayment costs per year if 2 schemes are being put in place will be £260,000.
- 5.8 It should be noted that the council is seeking to procure services against future income prior to obtaining consensus from residents or approval to proceed with a controlled parking scheme. There is therefore a financial risk in borrowing consultants' costs in advance. Representations to the council would indicate very strongly that certain roads in the city are keen to be included in a controlled parking scheme but the council cannot be sure of majority approval in any area until consultation has been carried out. Consultancy costs would cover only what work has actually been carried out rather than payment in advance for a scheme from start to finish. The costs incurred would be similar to the costs incurred for in-house work on any proposed new scheme e.g. data research and initial consultation.

6. Parking Scheme Timetable

- 6.1 The original timetable, as agreed by Environment Committee on **8 December 2005** was as follows:

Area	Work to begin	Completion Date	Review Starts
Review of Hove Station (Area T)	Spring 2006	Spring 2008	N/A
London Road Station	Summer 2006	Summer 2008	Late 2008

Preston Park Station	Late 2006	Late 2008	Summer 2009
Westbourne Extension review	Early 2007	Early 2009	N/A
Prestonville Extension review	Summer 2007	Summer 2009	N/A
Review of any extension of Queens Park (Area C).	Autumn 2007	Autumn 2009	Spring 2010
Hanover	Spring 2008	Spring 2010	Autumn 2010
Portslade Station	Late 2008	Late 2010	Summer 2011
Shirley Drive area	Summer 2009	Summer 2011	Late 2011

- 6.2 The current timetable was agreed by Environment Committee in **November 2006**, following the principles of consulting larger areas to avoid displacement issues, and to incorporate reviews into these larger areas rather than keeping new areas waiting longer for any consultation.

Area	Work to Begin	Completion Date
Central Brighton Parking Review	January 2007	April 2007: Complete
Urgent Issues (amendments to existing schemes)	December 2006	Summer 2007: Complete
Preston Park station, Reigate Road, Shirley Drive area	Spring 2007	2009
Hanover, Elm Grove, Queen's Park & St Luke's	2009	2011
Westbourne, Wish, Portslade Station & Hove Station		
London Road station & St Peter's area		

- 6.3 The consultancy option would increase Brighton & Hove's ability to offer consultation & design on **two** major areas at any one time (i.e. one additional large area alongside the area identified in the timetable). If more than one additional area of any major size is required, resources would have to increase at a similar level for each additional scheme.
- 6.4 The procurement process will take approximately 7 months. Please see procurement timetable in Appendix A, produced by the council's Procurement Team.
- 6.5 This means that the contract would not be in place and work on any additional schemes could not start until summer 2008 at the earliest.
- 6.6 If consultants are engaged to work on an additional scheme alongside council officers (who will continue working to the area identified first on the list above), the council can bring forward the timetable for all schemes on the list.
- 6.7 Work can begin on a scheme every year instead of every two years. This can only be done if the additional resources are agreed.
- 6.8 The council has received consistent and continued representation from the London Road station area to re-prioritise this area. In the original timetable agreed by Environment Committee in December 2005, this area was one of two at the top of the list. It was moved in November 2006 to a lower priority because of more recent developments and pressing demands in other areas. However, London Road station area has been campaigning for years for controlled parking, and residents and ward councillors feel that the November 2006 timetable did not take into account the full facts of this area's situation and pressures. The area is at the confluence of the A23 and A27 with a principal commuter station in its midst. The housing consists of narrow terraced properties with little or no off-street parking. The area is above capacity for parking with practices such as extensive chevron-style parking in some roads, which causes safety concerns (highlighted by the police and residents). The New England Quarter (Brighton station) development has impacted on this area. There is a likelihood that this area could be more "squeezed" if schemes go ahead in Preston Park station area and Hanover.
- 6.9 The council has also received requests from ward councillors and residents in roads adjacent to the Area H parking scheme. This

“extension” area was consulted during the Area H review and detailed designs have already been drawn up. This area has been severely affected by the opening of the new children’s hospital at the Royal Sussex County and will be further affected by developments at the Marina and the proposals for the Royal Sussex County Hospital to become a regional centre for critical care, placing further parking pressure on mainly residential streets. Officers accept that the situation has changed dramatically since the previous consultation. These are narrow roads with safety and access problems caused by double parking and parking across pedestrian dropped kerbs. The housing is of terraced properties with little or no off-street parking. Refuse and recycling trucks have experienced problems getting to properties because of double-parking. As detailed design already exists, and it is a demarcated geographical area with a natural boundary along Wilson Avenue, this area could be included as a small project alongside any additional major schemes.

6.10 Since summer 2007, the council has received sustained representation from residents in roads just outside the extended Westbourne (Area R & W) who feel that they have suffered from vehicle displacement once the scheme extension became live (September 2007). Although residents in particular roads have campaigned to be included, there is no clear boundary along this stretch of west Hove, and council officers are not clear about how many roads wish to be included in a scheme. It is recommended that this area should be considered only as part of a major scheme, with consultation including residents up to the Brighton & Hove – West Sussex boundary. Bolsover Road would be included in this consultation. If only a few roads are included in a scheme, officers believe that the displacement problem will simply be shifted further along, resulting in unhappy residents facing a similar situation all along the south- west of the city. In November 2006, Environment Committee agreed important principles for the introduction of parking schemes, including that areas should be looked at holistically and that we should not knowingly introduce a scheme that will cause vehicle displacement into adjacent areas (See Appendix C). There are other areas around the city that have been on the list for several years, and have been experiencing parking problems for much longer. It is important that this whole area is considered and consulted at some stage, because West Sussex County Council have indicated that their area next to our boundary may be consulted – officers from the relevant authorities keep in touch and it is not thought to be on WSCC list for some years yet.

6.11 Hanover, Elm Grove and a review of the St Luke’s/Queen’s Park

area constitutes a major scheme. Representation is received on a regular basis from ward councillors and residents regarding the need for parking controls. There is heavy commuter parking here because of its proximity to the city centre and to major employers in the city such as American Express. The housing is of narrow terraced properties, with no off-street parking and a large proportion of shared housing. Officers believe that this will be an extremely complex area, and will require a lengthy design process, due to the narrowness of the roads, limited parking capacity and a whole range of parking and access issues. As this is a major undertaking, this area cannot be combined with any other parking scheme projects.

6.12 Appendix C lists the criteria for considering areas for parking schemes as previously agreed by Environment Committee and presented in Sustainable Transport's strategy and policy. Parking schemes should only be introduced where there is a genuine need i.e. where there are genuinely insufficient parking spaces for residents because of the impact of commuter or other types of parking, and where the available parking capacity needs to be controlled in order to balance the need of residents and other vehicle users.

6.13 The recommendations for the new timetable, if additional resources are agreed, bring forward all future proposed schemes. The recommendations are:

- Preston Park station area/Shirley Drive/Preston Park Avenue continues, as an initial letter drop has already gone to residents and this area has been on the timetable for several years.
- As soon as consultants are in place, London Road station area and Area H extension area are undertaken. The first is a medium size scheme, the second a scheme for which detailed design already exists; both are within very discrete natural boundaries. By committing resources to undertake these together, it represents good value for residents and the council to provide 2 schemes within a two-year timescale and brings relief to residents who have been waiting for a considerable time.
- The next scheme on the list is Hanover, Elm Grove and Queen's Park, as this would keep to the timetable of November 2006, and would ensure consideration is given to an area currently under pressure and bounded on three sides by existing parking schemes.
- In the following year after Hanover area, the West Hove, Portslade & Hove station area is undertaken. This is a major

scheme that will require considerable resources, and for the reasons given above in 6.10, in accordance with the principles agreed in November 2006, it is felt that the area should be consulted as a whole rather in a piecemeal fashion. On the new timetable, this area would be brought forward by one year.

6.14 So the timetable proposed is:

	Year	2007				2008				2009				2010				2011				2012			
	Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Priority	Area																								
1	Preston Park station/Stanford/Preston Park Avenue	████████████████																							
2	London Road station area/Area H extension					████████████████																			
3	Hanover/Elm Grove/St Luke's Review/Queen's Park Review									████████████████															
4	West Hove/Portslade station													████████████████											

Meeting/Date	Environment Committee – 24 January	
Report of	Director of Environment	
Subject	Increased capacity for consultation and implementation of Controlled Parking Schemes	
Wards affected	All	
<p>Financial implications</p> <p>The increased revenue pump priming cost of £29,000 has been identified from within the current budget allocation.</p> <p>The capital cost of an average scheme will be in the region of £730,000 and will be funded through unsupported borrowing with an annual repayment cost of £263,000. The increased capacity will generate an additional £500,000 of income assuming that individual scheme proposals are accepted by committee.</p> <p><i>Finance Officer consulted: Alasdair Ridley. Date: 30/11/2007</i></p>		
<p>Legal implications</p> <p>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. As far as is practicable, the Council should also 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. If new parking schemes are proposed following consultation, the Council will need to consider what traffic regulation orders it needs to make to implement these schemes.</p> <p>The estimated value of the proposed consultancy work is over the EU threshold for services (£144k), therefore the Council is required to comply with EU procurement directives and the corresponding UK Regulations. The procurement process and timetable set out in the report are appropriate for the Council to comply with its legal requirements in this regard. All contracts in excess of £50,000 must be in a form approved by the Head of Law and shall be given under the Common Seal of the Council.</p> <p>No human rights implications have been identified that appear to preclude the Council from proceeding with the recommended proposals.</p> <p><i>Lawyer consulted: Elizabeth Culbert Date: 14th December 2007</i></p>		
<p>Corporate/Citywide implications</p> <p>Continued improvements to residents' parking will assist in improving "liveability" and developing a safe and prosperous</p>		<p>Risk assessment</p> <p>There is a risk that the procurement programme and/or the parking scheme consultation may not be delivered to the projected</p>

city.	timescales.
<p>Sustainability implications Sustainability requirements will be included in the tender documents and subsequent contract.</p> <p>The proposed timetable should achieve a much more efficient approach to managing and using parking (less unnecessary circulation) and help to deliver a more reliable and attractive public transport system.</p>	<p>Equalities implications Equalities requirements will be included in the tender documents and subsequent contract.</p> <p>A simplified approach to parking management will provide greater access to spaces. Re-investing income in sustainable transport benefits those without access to a car.</p>
<p>Implications for the prevention of crime and disorder There are no direct implications for the prevention of crime and disorder although introduction of parking controls will help to reduce the likelihood of illegal parking.</p>	
<p>Background papers Environment Committee November 2006, December 2005</p>	
<p>Contact Officer Christina Liassides/Charles Field – Highway Operations Anne Drysdale - Procurement Team</p>	

Parking Scheme Consultancy Tender No. 763

Procurement Timetable

Documents ready by:

14.12.07 (Friday) PQQ to be ready for consultation

04.01.08 (Friday) PQQ to be ready for issue
24.1.08 (Thursday) Committee Report ready

08.02.08 (Friday) ITT to be ready for consultation

28.02.08 (Thursday) ITT to be ready for issue

24.01.08 (Thursday) Committee approval
25.01.08 (Friday) OJEU advert to be drafted by

procurement
01.02.08 (Friday) Advertise PQQ and OJEU placed

by procurement
01.02.08 (Friday) Advertise on council's web site by

procurement
01.02.08 (Friday) Advertise

01.02.08 (Friday) – 03.03.08 (Monday) Tenderers to apply for PQQ

10.03.08 (Monday) PQQ returned by tenderers

10.03.08 (Monday – 19.03.08 (Wednesday) PQQ evaluation completed
and letters issued to tenderers by
procurement

20.03.08 (Thursday) ITT issued by procurement – min.
40 days needed

24.04.08 (Thursday) Closing date for tenderers'
questions

01.05.08 (Wednesday) Closing date & return of ITT

02.05.08 (Friday) – 23.05.08 (Friday) Tender evaluation

SCHEDULE PRESENTATIONS IF NECESSARY? Part of the evaluation

26.05.08 (Monday) Notify contract award and
procurement to advise
successful/unsuccessful

Forward Evaluation Report to
Anne Drysdale

Minimum of ten calendar days
must be allowed between the
notification of the
Award decision and the contract
conclusion

09.06.08 (Monday)

Details to Legal for contract
formation/signing – contract
conclusion

10.06.08 (Tuesday)

Despatch of contract award of
OJEU after contract seal

30.06.08 (Monday)

Commencement date

Specification for Tender

Introduction

The Council is looking for a professional consultancy service with experience in the implementation of Controlled Parking Zones.

The scope of the work may include dealing with a number of Controlled Parking Zones at the same time so the Consultancy would need to be committed to providing all services required on time, within budget and to the highest professional standards, using staff with the appropriate qualifications and experience. It is expected that no more than 3 Controlled Parking Zones would be worked on at the same time although this figure is only for guidance.

The Consultancy would also need an understanding of, and a willingness to pursue a customer focused approach to service delivery.

Tasks

The Consultancy would be required to follow the council's process for consulting on, designing and implementing Controlled Parking Zones:

1. A timetable is drawn up, scheduling which areas will be consulted.
2. The consultants will carry out traffic data surveys (e.g. vehicle capacity, amount of time parked) within the identified area to gauge traffic movements, likely boundaries and parking capacity. These types of surveys may not be conclusive and not all may be required on every scheme. This information will be supplied to the council who will produce an initial letter for residents. The council will analyse the residents' responses and produce a report for elected members.
3. The consultant will draw up the detailed design for the agreed area. This will be supplied to the council who will send a leaflet to all residents in the identified area. The consultant, in liaison with the council, will consider the setting up of public exhibitions as an additional information point for members of the public. The council will analyse the residents' responses and produce a committee report in the relevant format with the required information for elected members. An example of previous reports will be provided but this will only be guidance and each scheme will have specific needs that will need addressing differently.

4. Traffic Order legal articles and schedules drawn up and advertised for 21 days. The consultant will analyse responses received and produce a report for the council.
5. Implementation of proposed scheme including on-site visits to determine placement of signs and machines, liaison with contractors and residents and attention to relevant health & safety requirements.
6. Permit ratios calculated (Amount of resident permits allocated to the amount of parking spaces available).
7. Amendment order prepared and advertised for any changes made on the ground during implementation or as a result of subsequent minor requests from the public or council officers.

Elected members must approve each stage before officers and Consultants can proceed on to the next stage. The Consultancy would be required to work with council officers to produce documentation in the relevant format and with the required information. They would also need to ensure parking schemes are consistent with existing parking schemes throughout the city.

The council will have overall project management responsibility for each scheme and a qualified council officer will be assigned to work with the Consultancy in each area.

A full parking scheme involves:

- Setting aside large parts of the roadside for residents and other permit holders only. Restrictions are in place Monday to Saturday.
- Setting aside some roadside to be shared between permit holders and Pay & Display parking. In many places Pay & Display parking would be limited to a maximum stay of four hours. Permit holders could use these spaces for any length of time without a charge.
- Setting aside some roadside close to shops and businesses for Pay & Display parking only with a maximum stay of two hours.
- Setting aside some roadside for motorcycle parking.
- Double yellow lines would be placed at junctions for safety and across driveways with dropped kerbs to prevent obstruction. The overriding double yellow line waiting restriction for the area would be 24 hours a day.
- As a move for greater consistency throughout the city and to reduce the pressure on permit bays, parking by disabled badge

holders within residents' bays would not be permitted. Disabled badge holders living within the residents parking scheme would be able to obtain a permit for £5 to cover administrative costs.

- While the proposals have been designed to give priority to residents and other permit holders, the shared areas would also be available for those without a permit to park by buying a Pay & Display Ticket.
- The shared areas are designed so that when some permit holders leave the area during the day, those travelling into the area to work, visit or shop would be able to make use of the available space. Similarly, permit holders who vacate permit bays during the day would leave these spaces available for permit holders wishing to come and go throughout the day. The scheme would make it easier for permit holders to find a space by reducing the number of spaces that can be used by commuters.

Experience and Qualifications

We would need a Consultancy that are specialists in transport services and have a comprehensive range of supporting services. The Consultancy would need commitment to the work, technical skills and a cost effective approach to project delivery.

The Consultancy would need to outline their level of experience including any previous work on implementing controlled parking zones and any relevant qualifications.

Environmental issues / Sustainability.

The Consultancy would need an Environmental Policy and consideration of sustainability within their services. This may include objectives to monitor and improve the environmental impacts of office-based activities and energy efficiency, and to encourage employees to use sustainable methods of transport for commuting and business travel.

Health & Safety

This will be addressed in the Pre-Qualification Questionnaire (PPQ).

The Consultancy has an obligation to consider health, safety and welfare arrangements for all employees.

They would also need to be committed to the CDM 2007 policy and CHAS. Persons performing duties and responsibilities under these

policies should receive information, instruction and training so as to be able to perform duties and responsibilities.

Regular monitoring should also take place to allow continual development and improvement. The Council would want to see training records. Refresher training is essential and the Council would require the Consultancy to report yearly on staff training and refresher training.

There may also be the requirement to provide a CDM manager under CDM 2007 policy.

Financial information

The Consultancy must be able to provide innovative, clear and robust financial information.

They also need to outline their payment costs by the hour for each level of staff as well as committing to staying within the scheme budgets.

Equal Opportunities

The Consultancy would need to be able to demonstrate a commitment to the principles of Equalities and to be able to carry out duties in accordance with the Council's Equalities Policy.

Criteria and principles governing inclusion in parking scheme timetable

From Environment Committee 8 December 2005 – Review of Parking Programme for 2006 onwards:

- 3.1 These [areas identified on the list] have resulted from the outcome of the review process for individual areas, which also covers displaced vehicles in adjacent areas, or the need to tackle conflicting demands for parking spaces such as those generated by any combination of different requirements e.g. residents, offices, shops, and train stations.

From Environment Committee 26 November 2006 – Central Brighton on-street parking review:

- Other parking issues elsewhere in the City have led officers to re-consider the way that residents parking schemes are progressed.
- Predominantly residential areas of the city that are less central require a more complex, joined-up approach to get the right scheme in place and to avoid displacement issues.
- Learning from experiences of the last year, a revised timetable has been drawn up which looks at bigger, joined-up schemes, taking into account the impact on a whole area, rather than the smaller and more isolated schemes that were originally proposed.
- For example, Preston Park station review is now joined with Reigate Road area and Shirley Drive area. This will involve major consultation, and careful design of different types of scheme for each different section's requirements. However, this will also mean that no one section will suffer from displacement by another whilst having to wait years for this to be rectified.
- Officer and contractor capacity is limited, so need to be directed in a focused way. With this approach, the team can work on the complexities of each area, only carrying out "one" scheme at a time, but covering much larger areas.

From the Sustainable Transport operational policy document – Residents' Parking Schemes – Assessment:

1. New areas will be considered only when adequate enforcement is available.
2. New areas will be considered on a sequential priority basis in and adjacent to areas of greatest parking demand and conflict.
3. A new area will only be installed as part of a controlled parking zone or other comprehensive parking controls.
4. A new area will be recommended for funding provided there is a majority of respondents of that area in favour of such a scheme following a public consultation.
5. Isolated areas will be considered only around a major generator of parking – e.g. Railway Station, Hospital.
6. Schemes may be of separate* or shared** nature.
7. Residents' Parking Schemes shall be self-financing.
8. The number of permits sold may exceed the number of spaces available.

Note:

* A "separate" scheme is one where parking places are provided for use only by Permit Holders during the hours of operation of the scheme.

** A "shared" scheme is one where Permit Holders and non-Permit Holders may use the same parking spaces but the latter are subject to a time limit during the hours of operation of the scheme.

