

**Subject:** Parking Bay Suspension Fees TRO Objection  
**Date of Meeting:** 25 June 2019  
**Report of:** Executive Director, Economy, Environment & Culture  
**Contact Officer: Name:** Paul Nicholls **Tel:** 01273 293287  
**Email:** paul.nicholls@brighton-hove.gov.uk  
**Ward(s) affected:** (All Wards);

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 The council in its capacity as traffic authority under the Road Traffic Regulation Act 1984 proposes to make the following three amendment orders which would amend existing traffic regulation orders–

Brighton & Hove Various - -Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 201\*

Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment No.\* 201\*

Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2018 Amendment Order

1.2 The Council have received one written objection from Southern Water specifically to the proposal to increase the cost of suspending a parking bay for utility company works.

1.3 The proposed charges are below:

<b>Description</b>	<b>Existing charge (£)</b>	<b>New charge (£)</b>
Suspension of Parking Place (see note below):		
Daily charge for non-utilities	40.00	No change
Community Events (Daily charge for attendance 15K or less)	20.00	No change
Daily charge for Utilities in zones M, Y & Z (longer than 4 weeks increases to £80.00)	40.00	60.00
Daily charge for Utilities in all zones except M, Y & Z (Longer than 4 weeks increases to £60)	40.00	50.00
Admin Charge (50% reduction for residents)	n/a	30.00
Amendment/Cancellation fee	n/a	25.00
Daily charge for skips (longer than 4 weeks =£25)	20.00	No change
Daily charge for building works (Longer than 4 weeks =£50)	40.00	No change

## **2. RECOMMENDATIONS:**

### **2.1 That the Committee approves the three amendment orders –**

Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 201\*

Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment No.\* 201\*

Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2018 Amendment Order

## **3. CONTEXT/ BACKGROUND INFORMATION**

3.1 The council processes over 2,000 applications to suspend parking bays every year. The current cost of suspending a bay is £40 per bay per day and there is no cancellation fee. At least 7 working days' notice is required to allow our enforcement contractor to carry out a site visit in advance and to print and place suspension notices on nearby lamp posts. This gives residents at least 48 hours advanced warning of the suspension.

3.2 Bays can be suspended for a range of reasons and out of the 6,300 bays suspended every year, on average there are;

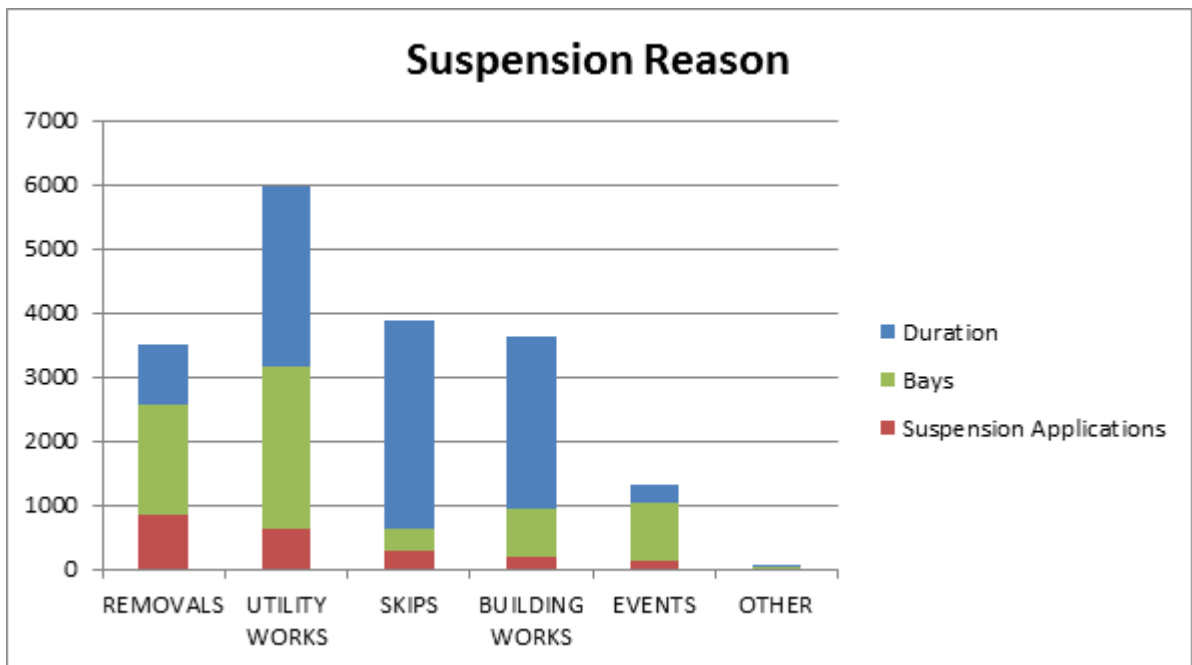
- 2,600 suspensions for utility works.
- 1,800 requests for suspensions from residents (for example for removals)
- 900 suspensions for events (there is a 50% discount for small events of community interest)
- 700 suspensions for building works
- 300 suspensions for skips

3.3 Parking bay suspensions can inconvenience residents and visitors who may wish to park in an area where bay suspensions occur because they limit the amount of space available.

3.4 The parking team have received complaints from residents concerning the number of bays suspended for utility works and without work seen to be taking place. Complaints have also been received in appeals against penalty charge notices issued to vehicles for being in bays suspended for utility works. Appellants have often commented that the space suspended wasn't being used.

3.5 Analysis of bay suspension applications took place in August 2018. The study looked at application data for financial year 2017-18. The analysis was based on suspension duration, the number of bays suspended and the amount of applications processed. This enabled us to identify how bay suspensions were impacting the city.

3.6 The analysis identified bay suspensions for utility works have the biggest impact on the parking infrastructure due to the number of parking bays suspended and the duration of the suspension. A graph illustrating this is below:



3.7 Analysis also compared the suspension duration, number of bays and applications for each parking zone. This confirmed parking zones C (Queens Park), H (RSCH area), M (Brunswick & Adelaide) N (central Hove), Y (Central Brighton North) and Z (Central Brighton South) were the most popular zones for parking suspensions.

3.8 Resident permit waiting lists are operational for parking zones Y and Z; M is very close to maximum capacity. Parking pressures within these zones are higher than those with greater occupancy and bay suspensions have a greater impact.

#### 4. COMMUNITY ENGAGEMENT & CONSULTATION

4.1 The order was advertised from 15<sup>th</sup> March to the 5<sup>th</sup> April 2019. The notice was published in the Brighton & Hove Independent newspaper on 15<sup>th</sup> March.

4.2 The order was available on the Council website and could be viewed using the public computers at Customer Service Centres at Bartholomew house, Bartholomew Square, Brighton and Hove Town Hall, Norton Road, Hove.

4.3 The Ward Councillors were consulted as were the statutory consultees including the Emergency Services, the Freight Transport Association and the Road Haulage Association

4.4 The written objection from Southern Water was received on 25<sup>th</sup> March 2019 and stated “*these 3 TRO's will increase parking suspension costs for utility works in Brighton & Hove CC's area. In some cases the costs will be increasing by 50%. How do Brighton & Hove CC justify the increase in costs, which will ultimately be passed onto Utility customers (and BHCC customers)? At present costs, recent works with 12 days suspension of parking bays cost Southern Water £960.00 – with the new cost of £60.00 per bay per day this would increase the cost by 50% to £1440.00. By comparison, suspension of 2 parking bays in Maidstone, Kent was £70.00 for 7 weeks.*”

## 5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 5.1 The option of not proceeding with the proposed changes was considered but this will not encourage utilities to only suspend bays while works are being carried out and to minimise the number of bays suspended. It will also mean that the costs of cancelling or amending a suspension will not be covered under the existing fees structure.
- 5.2 Other Local Authorities particularly in London charge higher fees to utility companies to encourage bays only being suspended while works are in force. We are also exploring ways by which contractors can put suspended bays back into public use as soon as works have been completed, through the use of stickers.

## 6. CONCLUSION

- 6.1 The proposed charges will discourage applicants from suspending space that isn't necessary and the higher charges for zones M, Z and Y will be introduced for the same reason and reflect the parking pressures these zones have due to the waiting lists for residential permits.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The estimated net impact of the proposed changes to parking bay suspension charges for utility companies will be £0.032m over a full financial year. This takes into account the likely demand loss if fewer bays are suspended before and after use as a result of the proposed change.
- 7.2 Parking charges are subject to the Corporate Fees and Charges Policy. As a minimum, charges will be reviewed annually as part of the budget and service planning process.

*Finance Officer Consulted: Gemma Jackson*

*Date: 29/05/19*

### Legal Implications:

- 7.2 When considering making a traffic regulation order (TRO), local traffic authorities are required under the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 to consult with a number of specified bodies including any other organisations likely to be affected by any provision in the proposed TRO.. A proper consultation process requires the consultation to be undertaken when the proposals are still at a formative stage so that the results of the consultation can be taken into account when deciding whether to make or what provisions to include in the proposed TRO.
- 7.3 Before making the TRO the traffic authority must consider all objections made and not withdrawn. Under the council's scheme of delegation to committees, the Environment, Transport & Sustainability Committee considers and makes decisions on proposed TROs where objections have been received and not withdrawn or otherwise resolved. The Committee can decide to make the TRO

unchanged, make it with modifications or not to proceed with it.

*Lawyer Consulted: Stephanie Stammers*

*Date: 29 May 2019*

Equalities Implications:

7.3 None identified

Sustainability Implications:

7.4 None identified

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Background Documents**

1. None

