

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Agenda Item 70

Subject: Elm Grove parking proposals

Date of meeting: 17th January 2022

Report of: Executive Director – Economy, Environment & Culture

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Ward(s) affected: Hanover & Elm Grove

For general release

1. Purpose of the report and policy context

1.1 This report has been brought forward following an agreed amendment made to the previously presented report at the last ETS Committee on the Elm Grove pavement parking ban proposal.

1.2 It was requested officers explore alternative parking provisions for Elm Grove residents and report back to this committee before proceeding directly to the advertisement of a Traffic Regulation Order. This would be based on the implementation of alternative parking provisions for residents of Elm Grove, including but not limited to on-street angle/echelon parking bays which could form part of a Controlled Parking Zone.

2. Recommendations

2.1 That Committee agrees to option 4 which is to proceed directly to the advertisement of a Traffic Regulation Order for the Elm Grove Pavement parking ban. This would include reviewing Elm Grove further as part of the Liveable Neighbourhood proposals for the area or at a later date when and if funding is identified.

3. Context and background information

3.1 Councillors have continued to receive complaints about pavement parking on Elm Grove. Therefore, during Chair's communications at ETS Committee on 21st June, the Chair asked officers look to take forward proposals if no pavement parking legislation was forthcoming from Central Government.

3.2 At the same Committee meeting in June a deputation from residents in Elm Grove requested that "a Local Traffic Order will be put in place on Elm Grove by September if legislation on pavement parking has not been passed, making parking on Elm Grove residents only, and only in marked bays". The chair responded that "Tackling pavement parking is one of our number one priorities and despite continued lobbying of the government, we

still await a clear announcement about if or how it will give local authorities the necessary powers to effectively deal with it. Its consultation asking whether a change of existing pavement parking legislation should occur finished in November 2020, so if we don't hear anything soon, then we will need to seriously consider a separate Traffic Regulation Order to deal with the unnecessary obstruction and danger that this anti-social behaviour can cause in the local street". Many of these vehicles can only access spaces on verges by driving illegally along the pavement, and many residents have witnessed this outside their own homes. This is particularly dangerous in a street on which there's a school and parents have noted 'near misses'. As there has been no update on this legislation a report to the ETS Committee on November 15th 2022 outlined the way forward to tackle the pavement parking issue on Elm Grove.

3.3 At the ETS Committee meeting on 15th November an agreed amendment was made to the recommendations. It was requested officers explore alternative parking provisions for Elm Grove residents and report back to this committee before proceeding directly to the advertisement of a Traffic Regulation Order. This would be based on the implementation of alternative parking provisions for residents of Elm Grove, including but not limited to on-street angle/echelon parking bays which could form part of a Controlled Parking Zone.

3.4 Officers in the Transport department have been liaising on the different options available taking into consideration, funding, road safety, traffic management, Department for Transport guidance and engineering constraints. The following 4 options have been identified and analysed;

Option 1 – Do Nothing

3.5 This option simply means that nothing will happen in isolation and Elm Grove will continue to be reviewed as part of the Liveable Neighbourhood proposals or at a later date when and if funding can be identified for a full scale review of the area.

Option 2 – Implement Echelon parking where available on existing road space on Elm Grove between Lewes Road and Tenantry Down Road.

3.6 To introduce echelon parking on Elm Grove within the existing road space would result in a major change to the strategic road network as there is insufficient room to accommodate such a change without making the section of Elm Grove from Lewes Road to Queens Park Road one way. This would impact on the strategic route to urban areas such as Woodingdean as traffic would be displaced onto other routes, placing more pressure on them. Queens Park Road would be significantly impacted with increased traffic leading to congestion and a number of bus services would have to change routes, increasing journey times as a direct result of the change.

3.7 In terms of road safety a one way road results in increased vehicle speeds and likely to increase to risk of crashes. Elm Grove is relatively straight so a

one way flow in either direction would be placing cyclists and pedestrians at risk. The Liveable Neighbourhood proposal for the Hanover area currently being developed would have to be reconsidered as a significant change such as this would mean that the design would have to be changed due to the new routes that residents would have to take.

- 3.8 The Council have also received representations from the Bricycles team outlining their concerns with echelon parking proposals in this option (and option 3). Particularly in terms of any potential future cycling infrastructure on Elm Grove as Echelon parking proposals could compromise this.
- 3.9 It's also important to note that financial implications have not been considered at this point.
- 3.10 In conclusion introducing echelon parking within the existing road space is not recommended as it will impact on the strategic road network and there are very real concerns related to road safety.

Option 3 - Implement Echelon parking by using the existing verge / pavement on Elm Grove between Lewes Road and Tenantry Down Road.

- 3.11 To introduce echelon parking on Elm Grove by using the existing verge / pavement there are a number of things to consider particularly from a road safety, traffic management, cost and engineering perspective.
- 3.12 From a Road Safety point of view it is not recommended to reverse into a live traffic lane so all traffic would need to reverse into the bays and drive out. This manoeuvre will hold up traffic in the main running lane, including buses. Vehicles will have to drive past the space and reverse backwards into this space causing delays or inviting others to overtake into oncoming traffic. If drivers choose not to reverse into the space, which often happens, they will be forced to reverse out into the live lane against Highway Code advice. On a busy road such as Elm Grove this type of manoeuvre is not recommended and creates extra hazards for vulnerable road users such as cyclists, as well as traffic and buses.
- 3.13 Any echelon parking provided would have to be at a very shallow angle to allow for hard sided vans to be able to use their mirrors to reverse out of them. If it was deemed necessary to cut into the hardened verge it would mean that at every tree the parking would have to be stopped as this would impact on the roots. This would mean that overall there could be a net loss of parking as all parallel parking would be removed.
- 3.14 Please note these are the recommendations from an initial assessment of the area but have been endorsed by a qualified road safety auditor. Some of the road safety points above also apply to option 2.
- 3.15 In terms of air quality and public health, it would also be best practice to avoid exhaust pipes pointing at ground floor and basement residential uses as fumes can collect and linger in porches and stairwells. This risk would be

influenced to a degree by the distance of the vehicle from property frontages.

- 3.16 The estimated cost to cut into the verge / pavement and widen the parking bay areas by 0.6 metres would be around £1 million which is based on the sections right up to Tenantry Down Road. For just the section between Lewes Road and Queens Park this would be around £500,000. This is a very rough estimate and there are several considerations and constraints to this estimated cost which may increase costs further. This would include underground services, trees, lamp columns, bus shelters, drainage and telegraph poles plus any other street furniture that is in the way such as sign posts, bins, benches and cycle stands.
- 3.17 It is important to note that this Elm Grove is a main distributor road for the area, is a bus route and has a hospital and ambulance station on it yet currently has substandard running lane widths of approximately 2.7 metres where we should have 3.2 metre widths. Therefore, any changes as part of this option or a further review would need to take this into consideration.

Option 4 – Continue with Pavement Parking Ban proposal and review Elm Grove further as part of the Liveable Neighbourhood proposals for the area or at a later date when funding is identified.

- 3.18 It is proposed that the Council takes forward pavement ban proposals similar to those introduced in Portland Road, Craven Vale and Carden Avenue. This would mean zone entry signage at all entry points and repeater signage to allow Civil Enforcement Officers (CEO's) to enforce the restrictions linked to vehicles parked on the pavement. The restriction would be along the whole stretch of Elm Grove from the junction with Lewes Road to the junction with Tenantry Down Road. It may also need to include small stretches of the side roads leading into Elm Grove.
- 3.19 A parking survey (Appendix A) was also undertaken in early December 2022 with the total number of illegally parked vehicles column being the sum of the last 3 columns. Technically vehicles parked on the pavement aren't illegally parked under current legislation as the Council can't issue them with a Penalty Charge Notice. This survey demonstrates there is currently no shortage of non-pavement parking in the parking scheme Zone S. Zone V is less clear as it will depend how many of those parked on the pavement would qualify for resident permits as opposed to how many are visitors to the area taking advantage of the lack of enforcement.
- 3.20 Due to the recent Committee decision not to go ahead with a parking scheme in the Roedean area there is space in the parking scheme priority timetable to allow for staff resources to be allocated to this project. Therefore, it is proposed that the Elm Grove pavement parking ban replaces this on the timetable as highlighted in the ETS Committee report of 15th November 2022 (Appendix A of that report). The original parking scheme priority timetable was agreed at this Committee in November 2021 and will be reviewed in 2023 with an update report to this Committee in late 2023.

3.21 It's important to note that this would involve a large amount of signage implemented on Elm Grove. Therefore, there will be a significant signage cost to this proposal of an estimated £25,000 and the funding required for the infrastructure for this project would be from the Hanover & Tarner Liveable Neighbourhood scheme.

4. Analysis and consideration of alternative options

4.1 The four options are outlined above and it is recommended by officers that option 4 is taken forward.

5. Community engagement and consultation

5.1 The proposal would be taken forward by preparing a Traffic Regulation Order that would be advertised as soon as possible. This would be for the following statement of reasons;

- to prevent obstruction to pedestrians. Cars and other vehicles parked on footways or at pedestrian crossings can make life difficult and dangerous for pedestrians, in particular for wheelchair users, people with pushchairs and the visually impaired. Vehicles parked in front of driveways block access to and from the premises.
- to prevent damage to the footway. Unlike road surfaces, footways are not designed to take the weight of cars or other motor vehicles. Much of the damage to footways (cracked or sunken paving slabs etc) is caused by vehicles parking illegally on the footway. Repairs cost significant amounts each year, and tripping on damaged footways is the cause of many pedestrian injuries
- to maintain footways as an amenity. The presence of cars and other vehicles parked on footways, verges and other pedestrian areas is detrimental to the urban environment.
- Driving onto and off the footway is a danger to all pedestrians, especially the young, elderly and vulnerable.

5.2 Notices would be put up on street to allow comments to be made during the 21 day consultation period and if significant objections were received (6 or more) then the proposals would be brought to this Committee early next year to agree the way forward. Otherwise it would progress directly to the implementation stage.

6. Conclusion

6.1 It is recommended that option 4 is taken forward by a Traffic Regulation Order process due to the reasons outlined in this report.

7. Financial implications

7.1 The funding required for the infrastructure for this project would be from the Hanover & Tarner Liveable Neighbourhood scheme as the Elm Grove

pavement ban is linked to the scheme. This is estimated to be in the region of £0.025m.

- 7.2 The Traffic Regulation Order will be funded from the existing Parking Design & Implementation budget. Ongoing maintenance costs associated with the scheme will also be met from existing budgets.
- 7.3 Future Penalty Charge Notices (PCN's) issued would fund the enforcement costs associated with enforcing this restriction. Enforcement income will also need to fund any maintenance costs.
- 7.4 Use of surplus income from parking charges and penalty charges is governed by section 55 of the Road Traffic Act 1984. Once the direct costs of traffic management have been met, the use of surplus is legally ringfenced to the provision of public transport services and to road, air quality and environmental improvements.
- 7.5 Parking charges are subject to the Council's Fees and Charges Policy. As a minimum, charges will be reviewed annually as part of the budget and service planning process.
- 7.6 Funding has not been identified for options 2 & 3

Name of finance officer consulted: John Lack Date consulted: 19/12/2022

8. Legal implications

- 8.1 The Council's powers and duties under the Traffic Management Act 2004 and the Road Traffic Act 1984 must be exercised to ensure the expeditious, convenient and safe movement of all types of traffic.
- 8.2 The recommendation contained in this report demonstrate that the Council is exercising its powers in order to comply with its statutory duties.
- 8.3 Before making Traffic Orders the Council must consider all duly made unwithdrawn objections. The Council can decide to make a Traffic Order unchanged, to make it with modifications or not to proceed with it. Proposed orders can usually be modified provided any amendments do not increase the effects of the advertised order.

Name of lawyer consulted: Alice Rowland Date consulted 5/12/22

9. Equalities implications

- 9.1 The Pavement Parking Ban will help support the community by provision of unobstructed and safer access to their homes, services and premises by removing vehicles obstructing the pavement.

10. Sustainability implications

- 10.1 No sustainability implications identified.

Supporting Documentation

1. Background documents

- 1) ETS Committee Report – 15th November 2022 – Elm Grove Parking ban – Agenda Item 50

