

# Brighton & Hove City Council

## Transport & Sustainability Committee

## Agenda Item 47

**Subject:** Parking Technical Policies Update

**Date of meeting:** 5 December 2023

**Report of:** Executive Director, Economy, Environment & Culture

**Contact Officer:** Name: Jenny Mitchell  
Tel: 01273 292245  
Email: [jenny.mitchell@brighton-hove.gov.uk](mailto:jenny.mitchell@brighton-hove.gov.uk)

**Ward(s) affected:** All

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 The purpose of this report is to update Committee on technical amendments made to various procedural Policies within Parking Services. This further Committee approval is required due to the changes being proposed.
- 1.2 The amendments include technical amendments to the Customer Services policy, technical amendments to Parking Design & Implementation policies and new policies for Barrier-Controlled Car Parks, Parking Bay Suspensions and Parking Services Penalty Charge Notice Debt Policy.
- 1.3 This report summarises the formalisation of the procedures already in place, promotes consistency and supports officers in their decision making as well as formalising new policies within Parking Services.
- 1.4 This report also highlights a number of improvements for customers and certain groups and takes into account Fraud and Audit Report recommendations made and actioned over the last few years.

### **2. Recommendations**

- 2.1 That Committee approves the updated Customer Service Policy (Appendix A). This policy will establish a formalisation of the procedures linked to the new IT system which will be used to promote consistency and support officers with their decision making.
- 2.2 That committee approves the new policy for barrier-controlled car parks (Appendix B). This policy will establish a formalisation of the procedures that have been historically used to promote consistency and support officers with their decision making.

- 2.3 That Committee approves the new policy for parking bay suspensions (Appendix C). This policy will establish a formalisation of the procedures that have been historically used to promote consistency and support officers with their decision making.
- 2.4 That Committee approves the Parking Services Penalty Charge Notice Policy (Appendix D). This policy will establish a formalisation of the procedures that have been historically used to promote consistency and support officers with their decision making.
- 2.5 That Committee approves the updated policy for Parking Design & Implementation (Appendix E). This policy will establish a formalisation of the procedures that have been historically used to promote consistency and support officers with their decision making.

### **3. Context and background information**

- 3.1 The additions and technical amendments made to the Customer Service Policy outlined in red in Appendix A are the proposals linked to the review of Parking Permits as agreed at the Environment, Transport & Sustainable Committee in September 2022.
- 3.2 The addition of a policy for barrier-controlled car parks (Appendix B) is linked to ongoing reviews of working practices within the Transport Monitoring Team. This policy will formalise and standardise the responses that are used and provide clear guidance to officers on how they manage customer enquiries and requests.
- 3.3 The policy for Parking Bay Suspensions (Appendix C) will allow the Parking Strategy & Contracts team, along with the Parking Enforcement Contractors to provide a consistent service. Clear guidance for refunds, timelines and the charging structure will also allow the team to provide clear guidance to customers. The additions of a policy for Parking Services Penalty Charges (Appendix D) will formalise and standardise the responses that are used and provide clear guidance to officers on how they manage debt recovery.
- 3.4 The additions and technical amendments made to the Parking Design & Implementation Policy (formally Parking Infrastructure Policy) in Appendix E are updates to those previously agreed at the Environment, Transport & Sustainable Committee in June 2021.

### **4. Analysis and consideration of alternative options**

- 4.1 The alternative is to not consider the additions and amendments to existing Policies. This would mean the Parking Policy Statement would not cover existing processes. (Appendices A & E)
- 4.2 The alternative is to not consider the Barrier-Controlled car parks Policy. (Appendix B) This would mean that officers may be inconsistent in their

responses to customer queries and would not have a relevant policy document to refer to.

- 4.3 The Alternative would mean there is a risk of providing an insufficient service that isn't fit for purpose. (Appendix C) In addition, if unauthorized bay usage occurs, the bays affected won't be available for their designated purpose which could have knock on impacts to the network.
- 4.4 The alternative would mean we would not meet the requirements set by the Ombudsman service. (Appendix D) The Ombudsman have written to the Council advising that they expect the vulnerability aspect of the policy to have been approved by Committee by the 12th December. If this is not in place by then they will consider the matter non-compliant with a resulting penalty being applied to the Council.

## **5. Community engagement and consultation**

- 5.1 The Parking Policies are also directly linked to improving access to the City for people with a mobility disability by allowing Blue Badge holders to continue to park in permit bays in Light Touch parking schemes and encouraging residents to make choices that support the Council's Carbon Neutral Strategy.
- 5.2 These policies have been discussed across teams in Parking Services to ensure the formulation of these Policies is consistent and meets the needs of the whole service.

## **6. Conclusion**

- 6.1 As set out in the body of the report and the recommendations, the report seeks formal approval of the additions and amendments to the Parking Policies laid out in Appendices A to E.

## **7. Financial implications**

- 7.1 The costs associated with the recommendations of this report will be contained within existing Parking Services budgets and/or funded from additional parking income generated.
- 7.2 Use of surplus income from parking charges and penalty charges is governed by section 55 of the Road Traffic Regulation Act 1984. Once the direct costs of traffic management have been met, the use of surpluses is legally ringfenced to the provision of public transport services and to road, air quality and environmental improvements.
- 7.3 Parking charges are subject to the Council's Corporate Fees and Charges Policy. As a minimum, charges will be reviewed annually as part of the budget and service planning process.

Name of finance officer consulted: David Wilder Date consulted 14/11/2023

## **8. Legal implications**

- 8.1 Under the constitution this Committee is responsible for the Council's functions relating to highways management, traffic management and transport, parking and sustainability. As such this Committee's approval is required to implement the policies as requested in this report.

Name of lawyer consulted: Katie Kam      Date consulted 16/11/23

## **9. Equalities implications**

- 9.1 No Implications identified.

## **10. Sustainability implications**

- 10.1 No Implications identified.

## **11. Other Implications [delete any or all that are not applicable]**

- 11.1 No Implications identified.

### **Crime & disorder implications:**

- 11.2 No Implications identified.

### **Public health implications:**

- 11.3 No Implications identified.

## **Supporting Documentation**

### **Appendices**

1. Appendix A – Parking Customer Service Policies
2. Appendix B – Barrier Controlled Car Parks Policy
3. Appendix C – Parking Bay Suspension Policy
4. Appendix D - Parking Services Penalty Charge Notice Policy
5. Appendix E – Parking Design & Implementation Policies

## **1. Background documents**

1. ETS Committee – 21st January 2020 – Agenda Item 63
2. ETS Committee – 22nd June 2021 – Agenda Item 16
3. ETS Committee – 20th September 2022 – Agenda Item 26