

Subject:	Amex Community Stadium Resident Parking Scheme – Formal consultation		
Date of Meeting:	30 April 2013		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Owen McElroy	Tel: 293693
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Ward(s) affected:	Hollingdean & Stanmer, Moulsecoomb		

FOR GENERAL RELEASE.**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The purpose of this report is to address comments and objections to the draft traffic regulation orders. The traffic orders outline proposed match and large event day resident parking schemes for the Coldean (B) and Moulsecoomb (D) areas of Brighton.

2. RECOMMENDATIONS:

- 2.1 That having taken account of all duly made representations and objections, Transport committee approve as advertised the following orders:

- (a) The Brighton & Hove (Coldean & Moulsecoomb) Event Days) Parking Order 20** (TRO-9a-2013)
- (b) The Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No. * 20** (TRO-9b-2013)

- 2.2 That any subsequent requests deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 In September 2012 an information leaflet, map, questionnaire and pre paid envelope for reply was sent to 1169 property addresses in Coldean and 2810 property addresses in Moulsecoomb.
- 3.2 Plans for the Coldean Scheme could also be viewed at exhibitions staffed by officers from Brighton & Hove City Council at Larchwood Community Café, Waldron Avenue, Coldean on Thursday 27 September 2012, 1.30 pm to 7.30pm.
- 3.3 Plans for the Moulsecoomb scheme could also be viewed at exhibitions staffed by officers from Brighton & Hove City Council at Moulsecoomb Leisure Centre, Moulsecoomb Way on Monday 24th September 2012 1.30pm to 7.30 pm.
- 3.4 There was also an unstaffed exhibition for both schemes at Hove Town hall, Norton Road, Hove from Monday 1st October to Friday 26 October, 2012, 9am to 5.30pm
- 3.5 In Coldean 345 responses were received giving a response rate of 29.5%. Overall 78.55% of respondents were in favour of the proposals for a match and large event day residents parking scheme in the Coldean Area.
- 3.6 In Moulsecoomb 505 responses were received giving a response rate of 18%. 68% of respondents were in favour of the proposals for a match and large event day parking scheme.
- 3.7 Therefore, the recommendation on 15 January 2012 in the report to Transport Committee was that both these match and large event day resident parking schemes be progressed to final design and advertised through a traffic regulation order.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The draft Traffic Regulation Orders (TRO) were advertised on 15th March 2013 with the closing date for comments and objections on 5th April 2013.
- 4.2 The ward councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.
- 4.3 Notices were put on street for 15th March 2013 which outlined the proposal and after a week any missing notices were replaced. The notice was also published in the Argus newspaper on 15th March 2013. Detailed plans and the TROs were available to view at Hove Library, Jubilee Library and at the City Direct offices at Bartholomew House and Hove Town Hall.
- 4.4 The documents were also available to view and to respond to directly on the council website.

Moulsecoomb

- 4.5 There were 38 items of correspondence received in relation to the proposed Moulsecoomb scheme. The comments and objections are listed in appendix A

Coldean

- 4.6 There were 4 items of correspondence received in relation to the proposed Coldean scheme. The comments and objections are listed in appendix A

Comments and conclusions, Moulsecoomb and Coldean

- 4.7 A number of objections received are to the issue of just one free transferable visitor permit per resident under the schemes. As part of the scheme the council is offering one free annual visitor permit per adult resident. This permit is transferable and can be displayed in any vehicle. In addition up to 25 additional one day scratch card visitor permits can be purchased each year at the cost of £2.60. As part of the s106 planning agreement (deed of variation) a financial limit was agreed on Brighton & Hove Albion Football Club's (BHAFC) contribution to maintain the scheme. It is estimated that this will only allow the issue of one free visitor permit per adult resident without incurring financial risk to council tax payers.
- 4.8 There are also objections on the grounds that either the proposals are simply a money making exercise for the council and/or it is intended to make the scheme a full paying scheme at a later date. This scheme is paid for by BHAFC subject to the terms set out in the deed of variation to the S106 planning agreement. There is a financial cap imposed on the council and the scheme has been designed so as not to exceed these costs. BHAFC has agreed to pay the costs of maintaining and enforcing the scheme into the future and there is no need or intention to extend the scheme to non event days or introduce additional charges.
- 4.9 In response to a petition letter distributed to residents in Widdicombe Way 27 pre printed objection letters and one separate post card were received from residents of Widdicombe Way, Moulsecoomb opposed to the scheme. The printed form states opposition to the plans for resident and visitor parking permits and says there will be a negative impact on resident visitors. It also states that Widdicombe Way is not affected by football parking and that Widdicombe Way is in Higher Bevendean and not Moulsecoomb as set out in the public notice. If the scheme is approved it is not recommended that Widdicombe Way is excluded as it is likely to experience displacement parking from vehicles in surrounding streets that are in the scheme. The public notice is valid as it clearly refers to all the streets that are proposed to be included in the scheme.
- 4.10 One objector states that the scheme will displace football parking to adjacent areas and that a bigger car park should be built for the stadium. The proposed boundaries of the scheme are believed to be large enough to deter displacement parking although this is still possible. Parking and transport arrangements for the stadium were fully consulted upon and considered as part of the planning process. The club has agreed to a travel management plan and to funding the proposed residents parking schemes as part of mitigation measures
- 4.11 General messages of support have been received by representatives of Sussex Police and Brighton and Hove Bus Company.
- 4.12 Ward members for Hollingdean & Stammer and Moulsecoomb have expressed support for the schemes.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The full costs of advertising and implementing the parking schemes, up to a limit of £153,000 will be met by BHAFC under the obligations set out in the deed of variation to the S106 planning agreement. In addition, BHAFC will also pay up to £57,000 per annum, for maintenance which also covers enforcement costs. This sum will be net of any income received in respect of parking permits and penalty charge notices. The scheme elements have been designed so as not to exceed these figures.

Finance officer consulted: Jeff Coates

Date: 27/03/13

Legal Implications:

- 5.2 The traffic orders have been advertised according to the Road Traffic Regulation Act 1984 and the relevant procedure regulations. As there are unresolved objections and representations they are now referred to this meeting for resolution.

In carrying out consultation the Council is under a general duty to ensure that any consultation is fair. This means that it must be carried out when proposals are being formulated, that adequate time and information about proposals must be given to consultees to ensure that they can provide a proper response, and that any consultation responses must be properly considered in reaching the decision.

The Council is under a legal duty as a public authority to consider the human rights implications of its actions. Parking and traffic restrictions have the potential to affect the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them where this is necessary, proportionate and for a legitimate aim.

Lawyer Consulted: Carl Hearsom

Date: 05/05/13

Equalities Implications:

- 5.3 The proposed measures will be of benefit to many road users and include the conversion of advisory disabled parking bays to enforceable bays and the creation of bus stop clearways which will improve access to public transport.

Sustainability Implications:

- 5.4 The new bus stop clearways and waiting restrictions at junctions will facilitate easier access for public transport.
- 5.5 Managing parking through the scheme will support local residents parking and increase turnover and parking opportunities for all

Crime & Disorder Implications:

- 5.5 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 5.6 Any risks have been identified and monitored as part of overall project management. Parking is a corporate critical budget. The main risk is that the costs of setting up and running the schemes will exceed the limit set by the s106 deed of variation agreement between BHAFc, the council and other parties. However income from additional scratch card visitor permits and penalty charge notices can be applied to offset any potential liability.

Public Health Implications:

- 5.7 Effective management of parking on match and large event days may help to reduce traffic congestion in the area, and thereby reduce the harmful effect of air pollution and injuries sustained in road traffic collisions.

Corporate / Citywide Implications:

- 5.8 Proposals to manage parking are expected to reduce congestion locally during match and large event days and contribute to the following corporate priority in the Corporate Plan 2011-15 “creating a more sustainable city”

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The main alternative is to do nothing. However proposals to fund implementation of resident parking schemes, subject to consultation, are a planning obligation arising from the further development of the Amex Community Stadium, therefore it is the recommendation of officers that it is carried out.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the implementation stage of the schemes after taking into consideration the duly made representations and objections. These proposals and amendments are recommended to be taken forward for the reasons outlined in the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A table of representations and objections to proposed Moulsecoomb and Coldean schemes
2. Appendix B copy notice of traffic order
3. Appendix C copy statement of reasons

4. Appendix D Map of proposed Coldean scheme
5. Appendix E Map of proposed Moulsecoomb scheme

Documents in Members' Rooms

None

Background Documents

1. Item 49 Transport Committee Meeting 15 January 2013