

Subject:	VARIOUS CHANGES TO PARKING RESTRICTIONS		
Date of Meeting:	8th October		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
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Wards Affected:	Brunswick & Adelaide, Central Hove, East Brighton, Goldsmid, Hangleton & Knoll, Hanover & Elm Grove, Hollingdean & Stanmer, Hove Park, Moulsecomb & Bevendean, North Portslade, Patcham, Preston Park, Queens Park, Regency, Rottingdean Coastal, St Peter's & North Laine, South Portslade, Westbourne, Wish, Withdean, Woodingdean.		

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

- 1.1 The Parking Infrastructure Team receives a number of requests for alterations to parking restrictions. These requests are most often from residents, but can also be from businesses, local members, or other teams within the Council such as Road Safety. After investigation, if it is decided that the request is justified then it is advertised on a Traffic Order. These amendments often help to improve sustainable transport, for example by providing additional motorcycle bays or improved accessibility for disabled people by providing disabled parking bays.
- 1.2 This report considers the comments, support and objections received to an amendment Traffic Regulation Order, which contains proposals and amendments for over 100 roads.

2. RECOMMENDATIONS:

- 2.1 The Committee is recommended to (having taken into account of all the duly made representations and objections):

Approve the Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.* 201* and Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 amendment Order No.* 201* with the following amendments:

- a) The proposed removal of disabled parking bays outside No.1 & 11 Batemans Road, Nos.101 & 105 Dean Gardens, No.9 Highview Way, No.3 The Forge

Kingsthorpe Road and No.75 St Leonard's Road are to be removed from the Traffic Order as these bays are still required by local residents.

- b) The proposed disabled parking bays to be made enforceable outside No.10 Edburton Road and No.15 Grange Road are to be removed from the Traffic Order as these bays are no longer required by local residents.
- c) The proposed disabled parking bay to be made enforceable outside No.75 Princes Crescent is to be removed from the Traffic Order as this bay has recently been advertised on Area J Extension Traffic Order
- d) The proposed Motorcycle bay extension in Wordsworth Street is to be removed from the Traffic Order due to the reasons outlined in section 3.6.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 This combined Traffic Order includes proposed restrictions for over 100 roads. A number of objections were received to the advertised Traffic Regulation Orders. The comments, support and objections are summarised and explained in detail in Appendix A and plans showing the proposals which have received comments/objections are shown in Appendix B. Although proposals with no objections do not need to be agreed at the meeting a summary of overall proposals are detailed in Appendix C so the Committee is aware of what is being taken forward.

3.2 In particular objections were received in relation to the following proposals:

- a) Brunswick Square and Brunswick Terrace (Brunswick & Adelaide – Controlled Parking Zones M) – proposed removal of disabled parking bays in these roads.
- b) Wilbury Road (Central Hove – Controlled Parking Zone N) – proposed relocation of doctors' bays.
- c) Wordsworth Street (Westbourne – Controlled Parking Zone R) – proposed motorcycle bay extension.
- d) Richardson Road (Westbourne – Controlled Parking Zone W) – proposed car club bay.
- e) Bath Street (St Peter's & North Laine – Controlled Parking Zone Y) – proposed removal of disabled parking bay.

3.3 Letters of support were received in relation to the following proposals:

- a) Brunswick Square and Brunswick Terrace (Brunswick & Adelaide – Controlled Parking Zone M) – proposed removal of disabled parking bays in these roads.

Summary of Objections

3.4 **Brunswick Square and Brunswick Terrace** - There have been 8 objections and 2 items of support to the proposal to remove 7 disabled parking bays in these roads. This

was requested by residents due to the shortage of permit parking spaces and a survey was carried out on 6th November 2012 to see if the disabled bays were still required. There were no responses during the 14 day consultation period. Therefore, the removal of the disabled bays was included in the traffic regulation order. During this consultation, objections were received. The main reason for objection is that the bays are a local amenity as they are by the gates of Brunswick Square gardens. This reasons for objection was considered and as a compromise the following has been proposed;

- 3 of the disabled bays in Brunswick Square will be changed from at any time to Monday to Sunday 9am to 6pm Maximum Stay 3 hours (No Return within 1 hour)
- The bay opposite No.42 Brunswick Square will remain 24 hours as a resident has now sent in an application for the bay and has met the criteria.
- In Brunswick Terrace one of the disabled bays (in a double bay) will remain as a resident has objected while the other bay will be removed.
- The disabled bay in Brunswick Place (which is currently not within any legal traffic order) will be removed on the ground

3.5 **Wilbury Road** – There has been 1 objection to the proposed relocation of the two doctors' bays. This was requested by the surgery who had informed us they had moved from No.28 Wilbury Road to No.40 Wilbury Road and wanted to relocate the two doctors' bays to the new address. This proposal will not affect the number of parking spaces in the road and the doctors' bays are better located outside the surgery, therefore, it is proposed to proceed with this proposal

3.6 **Wordsworth Street** – There has been 1 objection to the proposed extension to the motorcycle bay outside No.69. The extension was requested by a resident as the bay is well used. However, the resident who requested the bay would like the extension to be more across his property and not as large as proposed. Therefore due to the request of the resident we are recommending this proposal be removed from this Traffic Order and re-advertised on our next Traffic Order due to be advertised in October 2013 to meet the needs of the resident.

3.7 **Richardson Road** – There have been 2 objections to the proposed Car Club Bay. This was requested by the Car Club Company following a meeting with the Ward Councillors who have agreed to support the bay in this road. Therefore, it is proposed to proceed with this proposal.

3.8 **Bath Street** - There has been 2 objections to the proposed removal of a disabled parking bay. The removal of the bay was requested by a resident as the original applicant no longer required the bay. It is proposed to proceed with the removal of the disabled parking bay as no resident has sent in an application form applying for this bay.

4. CONSULTATION

4.1 The Traffic Regulation Order was advertised between the 7th June 2013 and 28th June 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 also put on street on the 5th & 6th June 2013; these comprised of the notice as well as a plan showing the proposal and the reasons for it. The notice was also published in The Argus newspaper on the 7th June 2013. Detailed plans and the order were available to view at Hove Library, Jubilee Library, the Customer Service Centres 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.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial implications:

- 5.1 The full cost of advertising the order and having the lining and signing amended will be covered from the existing traffic revenue budget.

Finance officer consulted: Jeff Coates

Date: 21/08/2013

Legal Implications:

- 5.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. Procedural regulations require public notice of orders to be given and any person may object to the making of an order. Any unresolved objections to an order must be considered by the Transport Committee before it can be made.

The Council is under a duty to exercise its powers under the Act secure the safe and convenient movement of traffic and the provision of adequate on and offstreet parking facilities. It must also take into account any implications that orders would have for access to premises, local amenity, air quality, public transport provision and any other relevant matters.

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: 28/08/13

Equalities Implications:

- 5.3 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 5.4 The new motorcycle bays will encourage more sustainable methods of transport.

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 will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 5.7 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined in Appendix A and within the report.
- 6.2 For the proposals outlined as being removed from the order in the recommendations the only alternative option is taking these forward. However, it is the recommendation of officers that these proposals are not taken forward for the reasons outlined in the recommendations.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the Traffic Order with amendments after taking into consideration of the duly made representations and objections.

SUPPORTING DOCUMENTATION

Appendices

1. Appendix A – summary of representations received
2. Appendix B - Plans showing the proposals
3. Appendix C – Summary of proposal put forward

Documents in Members' Rooms

1. None

Background Documents

1. None

