

Subject:	Fiveways (Area F) / Hollingbury Road & Ditchling Gardens (Area G) Traffic Amendment Order		
Date of Meeting:	28th June 2016		
Report of:	Acting Executive Director of Environment, Economy & Culture		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
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Ward(s) affected:	Preston Park, Hollingbury & Stanmer.		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to consider support, comments and objections to an Amendment Traffic Order for the recently implemented Fiveways parking scheme area (Area F) and Hollingbury Road & Ditchling Gardens (Area G). Permission to proceed with the scheme was agreed at the Environment, Transport & Sustainability (ETS) Committee meeting on 19th January 2016.
- 1.2 This Amendment Traffic Order includes a number of changes made during the implementation of the schemes along with the proposed relocation of a taxi rank from Hollingbury Terrace to Ditchling Road (Appendix A) and double yellow lines in Adams Close.

2. RECOMMENDATIONS:

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

Approve the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2015 Amendment Order No.* 201* (Ref: TRO-11a-2016) and Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2013 Amendment No.* 201* (Ref: TRO-11b-2016)

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At the Environment, Transport & Sustainability Committee on 13th October 2015 Members agreed that a new resident parking scheme be considered within the Fiveways area and that this proposal be progressed to the final design with the Traffic Order advertised to allow further comment.
- 3.2 During implementation of the scheme a number of minor changes were made to the scheme e.g moving or removing a motorcycle bay and these have been advertised as amendments to the relevant Traffic Orders.
- 3.3 As part of the Traffic Order process a number of concerns were outlined regarding moving the taxi rank from Hollingbury Terrace (all day) to overnight only (6pm-6am) on Ditchling Road. There were also concerns about the legal TRO process in regard to Taxi Ranks so this has been discussed with Legal

Services and re-advertised to ensure it meets the additional requirements for Hackney Carriage stands under the Local Government (Miscellaneous Provisions) Act 1976.

- 3.4 Due to road safety concerns from possible vehicle displacement outlined by residents, double yellow lines have been included on the amendment Traffic Orders for parts of Adams Close

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The main alternative option is doing nothing which would mean the proposals would not be taken forward.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Traffic Regulation Amendment Orders were advertised on 29th April 2016 and members of the public had until 27th May to outline support, comments or objections. The Ward Councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.
- 5.2 Notices were also put on street for the 29th April 2016 in relevant locations; these comprised of the notice and the reasons for it. The notice was also published in the Brighton & Hove Independent newspaper on the 29th April 2016. Detailed plans and the Orders were available to view at the Customer Service Centres at Bartholomew House and Hove Town Hall.
- 5.3 The documents were also available to view and respond to directly on the Council website.
- 5.4 The Amendment Traffic Orders include minor changes to the two recently implemented parking schemes, the taxi rank relocation from Hollingbury Terrace to Ditchling Road and double yellow lines in parts of Adams Close. A number of comments, support and objections were received to the advertised Traffic Regulation Orders.
- 5.5 The comments, support and objections are summarised and explained in detail in Appendix B and a plan showing the taxi rank proposals which has received comments/objections is shown in Appendix A.

Summary of comments, support and objections

- 5.6 31 items of support and 4 objections were received in relation to the relocation of a 24 hour taxi rank in Hollingbury Terrace to an overnight taxi rank (6pm-6am) in Ditchling Road. In addition a petition was received by the taxi trade with 164 signatures outlining objections to the removal of the taxi rank.
- 5.7 The 31 items of support for the removal of the Taxi rank outlined two main reasons. Firstly 26 of the responses outlined that the bay is rarely used while 21 of them outlined it would be better utilised for parking for residents and their

visitors or for other purposes such as double yellow lines, pedal cycle parking bay etc

5.8 The 4 objections to the removal of the taxi rank came from the taxi trade and outlined the following reasons;

- Mainly used in daytime so if replaced should be 6am to 6pm rather than other way round. (2 taxi drivers comments)
- Established bay and no evidence to date that taxis do not use it. Confirmed that it is used to wait for hiring or waiting for radio bookings
- Residents say rank not used but no constructive evidence in support of this and this is refuted by evidence provided by Streamline
- Pressure to remove rank is due to increase in parking restrictions
- Proposed bay is unacceptable
- Shared proposed bay is contrary to section 64 (1) of the 1976 act
- Deprive residents access to bay during day
- Deprive residents of access to bay during night if loaders making use of facility
- Doesn't take into account the demand by the public for Hackney Carriages – returning to another stand will mean
 - i. Greater delay for public in getting a taxi by both waiting at rank or via radio
 - ii. Environmental damage by taxis having to do more mileage
- New proposed rank smaller – reduce the service to the public
- New proposed rank more difficult to travel northwards and not so close to bus stops
- More taxis given plates a year, but no more extra rank space

5.9 A petition was also received by the taxi trade with 164 signatures outlining objections to the removal of the taxi rank which were;

- Shared proposed bay is contrary to section 64 (1) of the 1976 act.
- Deprive residents easy access to bay during day.
- Deprive residents of access to bay during night if loaders making use of facility or if rank is abused.
- Established bay and no evidence to date that taxis do not use it.
- Additional noise and inconvenience to residents during the daytime hours due to unloading.
- New proposed rank smaller which will reduce the service to the public
- The current rank is in regular use.

5.10 As the comments show there is a variation in what the taxi trade outline and nearby resident observations. The Council needs to be able to provide a balance in parking and local residents clearly do not believe that the rank is of use to them, if the local customer base have lost faith that taxis will be available in the rank then is arguable that the bay is no longer respected.

5.11 The proposed shared bay for taxis and loading, will not permit loading during the times it is a taxi rank, it will also not allow taxis to wait during the hours it is a loading bay. It will be a taxi rank only during the hours of 6pm to 6am, therefore the proposed shared bay is not contrary to section 64 (1) Local Government (Miscellaneous Provisions) Act 1976.

- 5.12 Two items of support were also received to the proposed double yellow lines in Adams Close

6. CONCLUSION

- 6.1 It is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.
- 6.2 The Committee is recommended to approve the Traffic Orders as advertised which include relocating the taxi rank from Hollingbury Terrace (all day) to Ditchling Road (6pm-6am) and double yellow lines in Adams Close.
- 6.3 To consider the concerns outlined by the taxi trade the Council will work with the Hackney Carriage Officer and taxi trade to consider the taxi rank requirements in nearby locations in the area. If suitable locations and funding are agreed then this could be advertised through a Traffic Order at a later date.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The capital costs associated to implementing the parking schemes is estimated to be £0.100m, which will be funded by borrowing. The annual income from the scheme is forecasted to be approximately £0.068m, which after the estimated costs of managing the scheme would generate sufficient surplus income to fund the borrowing repayments. The recurring financial impact of the scheme will be reflected within the service revenue budget and reviewed as part of the budget monitoring process.

Finance Officer Consulted: Steven Bedford

Date: 01/06/2016

Legal Implications:

- 7.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. The procedure for making such orders is contained in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which require public notice of proposed orders to be given and for the relevant documents to be placed on deposit for public inspection. Any person may object to the making of an order. Any unresolved objections to an order must be considered by the Environment, Transport & Sustainability Committee before the order can be made.

Proposals for hackney carriage stands are also governed by s63 of the Local Government (Miscellaneous Provisions) Act 1976. Publicity is similar to the publicity requirements under the 1996 Regulations referred to above save that the period allowed for representations is 28 days under the 1976 Act as opposed to 21 days under the 1996 Regulations.

The legality of the proposed shared taxi and loading bay is noted in the report.

It is not considered that any adverse human rights implications arise from the report.

Equalities Implications:

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

Sustainability Implications:

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

Any Other Significant Implications:

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

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Proposed change to the taxi rank

Documents in Members' Rooms

1. None

Background Documents

1. ETS Committee – 19th January 2016
2. ETS Committee – 13th October 2015

