

**BRISTOL CITY COUNCIL
CABINET**

21st July 2011

Report of: Service Director, Transport

Title: Residents' Parking Scheme update

Ward: Citywide

Officer Presenting Report: Peter Mann, Service Director, Transport

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RECOMMENDATION

1. To agree that a statutory consultation process regarding the proposed amendments to the Kingsdown Residents' Parking Scheme (RPS) detailed in this report is carried out.
2. To agree to engage with Neighbourhood Partnerships to seek their views regarding the development of potential schemes in other areas.

Summary

The Kingsdown Residents' Parking Scheme became operational on 4th January 2011. Officers have been carrying out a review of the scheme, in conjunction with ward members and local residents, to identify any operational issues and to establish where minor amendments to the scheme would be appropriate.

The vast majority of the feedback that has been received has been positive, which has demonstrated that RPS areas can bring significant benefits to local communities. Feedback from outside the Kingsdown area indicates that other communities face similar parking problems to those experienced by Kingsdown residents prior to the introduction of the scheme. In light of this, the report also considers the potential to engage with these communities regarding the development of other RPS areas.

The significant issues in the report are:

- The positive response to the Kingsdown RPS.
- The proposal to proceed to statutory consultation in order to promote the possibility of making minor amendments to the scheme.
- The proposal to engage Neighbourhood Partnerships in discussions regarding the potential to develop residents' parking schemes for other local communities.

Policy

1. RPS areas can improve neighbourhoods by enabling residents, businesses and their visitors to park more easily. This can lead to improved air quality and a safer environment, due to the reduction in unsafe parking and vehicles circling the area searching for a space.
2. Effective demand management, including the introduction of RPS areas, is a key component of sustainable urban transport policy. By restricting commuter parking in residential areas, the introduction of RPS areas can make a significant contribution towards tackling congestion, improving road safety and air quality and increasing the use of public transport and cycling by reducing the number of people commuting into the city by private car. The Joint Local Transport Plan 3 2011-2026 provides a framework for introducing residents' parking as part of the integrated transport strategy for the sub-region.

Consultation

3. Internal

Ward members for Cabot and Cotham wards
Parking Services

4. External

In May 2011, all households and businesses within the Kingsdown RPS area were contacted to invite feedback on the scheme. The majority of responses received were from individuals, but some were from local community groups and organisations, as follows:

Kingsdown Conservation Group
Rowantree Kindergarden
Highbury Residents' Association
Bristol Community Family Trust
University of Bristol

Context

Kingsdown RPS

5. The Kingsdown RPS covers an area of approximately 2,800 households and 300 businesses. It aims to prioritise the available parking in the area for the use of residents, businesses and their visitors. This is achieved through the introduction and enforcement of a permit system. To provide flexibility for residents and to facilitate better access to local businesses and community facilities, some pay & display parking is also provided within the area.

6. The scheme became operational on 4th January 2011. Officers have been monitoring it since its implementation in order to assess its impact on the area and to identify any issues that need to be resolved.

Feedback from residents

7. In May 2011, a letter was sent to each property within the RPS area to invite feedback about the scheme. This generated a very positive response. 216 responses were received, of which 146 were positive comments about the scheme, 10 were negative and 60 were requesting minor amendments.

8. Local ward members carried out a separate survey in Cabot ward, which found that 79.4% of the 117 respondents are now in favour of the scheme, whereas only 56.4% of them had been supportive of it prior to its introduction. 21 respondents were undecided prior to the introduction of the scheme; of these, 17 are now supportive.

9. A complete list of the responses received is included as Appendix A of the report. The key benefits that the local community have reported are summarised below:

- Greater community cohesion as residents are less stressed and are more communicative with one another;
- Improved quality of life as residents find it much easier to use their car when they need to without worrying about being able to park it again afterwards;
- The streets are quieter and safer now that vehicles are not circling the area searching for a parking space, particularly early in the mornings;
- It is easier and safer for pedestrians to walk around the neighbourhood;
- Access to properties has improved, which has benefited people with limited mobility and will ensure access for emergency vehicles and deliveries is as easy as possible;
- The introduction of pay & display has improved access to local amenities, particularly as parking is free for the first 15 minutes.

10. As mentioned in paragraph 7, a number of residents have requested that amendments be made to the scheme. Officers have considered each request, as well as feedback from ward members and community groups, and are proposing to make several changes to the scheme as a result. These fall into five broad categories:

- Minor changes to individual roads, for example increasing or decreasing the lengths of parking places and / or double yellow lines (see Appendix B).
- The conversion of some permit-holders only parking places to shared use parking facilities, which can be used by either permit holders or people using pay & display facilities (see Appendix B).
- Broader changes that affect the way in which the scheme is operated and administered, for example changes to permit eligibility criteria (see Appendix C).
- Increasing the maximum stay in pay & display parking places from two hours to three hours throughout the scheme area.
- Minor amendments to the relevant Order to ensure that it matches the on-site installation of lines and signs (see Appendix D).

11. A list of the proposed changes is attached as Appendices B-D. Each proposed change requires an amendment to the Order for the scheme. Approval is sought to proceed to statutory consultation regarding the proposed amendments to the Order.

12. Overall, the reaction to the introduction of the scheme has been extremely positive and demonstrates that such schemes can deliver significant benefits to local communities as well as meeting policy objectives.

Additional RPS areas and the role of Neighbourhood Partnerships

13. The Council is aware that many other communities close to the city centre are experiencing parking problems that are comparable to those that existed in Kingsdown prior to the introduction of the scheme.

14. Indeed, since the Kingsdown scheme has been in operation, a number of requests have been received for the consideration of similar arrangements to be put in place in other local communities. An initial assessment has been carried out of potential RPS areas.

15. Cotham, St Paul's, Redcliff and Easton/St Philip's have been identified as local areas where residents' parking schemes could potentially be delivered.

16. In addition to this, discussions are underway with the North Bristol NHS Trust regarding the development of Southmead Hospital; similar controls could be considered on residential streets surrounding the site.

17. Neighbourhood Partnerships potentially have a key role in marshalling such requests, triggering community engagement and providing key input to the development and approval of proposals should the principle be supported.

Proposal

Kingsdown RPS

18. As outlined earlier in the report, all households and businesses located within the Kingsdown RPS were invited to provide feedback on the operation of the scheme and to request that amendments be made to it. In addition to this, discussions were held with local ward members and other interested parties such as the Kingsdown Conservation Group in order to identify anything that may need improving in order for the scheme to operate as effectively as possible and provide the maximum benefit to the local community.
19. The vast majority of the responses received during this process were positive, with some residents and businesses that had originally been opposed to its introduction being fully supportive of it now that it is in place.
20. However, the Council received a number of requests to make changes to the scheme. Each request was fully considered by officers and has resulted in a proposal to take some of these amendments forwards to statutory consultation. The amendments that it is proposed to take through this process are set out in detail in Appendices B-D.
21. Appendix C lists four proposed changes to the way in which the scheme operates. The rationale behind these proposals is discussed below.

Eligibility criteria for business permits

22. Business permits are provided to enable vehicles that are used for operational business need, as opposed to commuting to work, to park within the scheme area. When the scheme was introduced, the eligibility criteria required the applicant to have the vehicle registered in the name of the business. In practice, many businesses found it difficult to meet this requirement. Therefore, it is recommended that applicants could provide confirmation that the vehicle is insured for business use as an acceptable alternative.

Permits for landlords

23. Officers have received several requests for permits from landlords who

own a property in the scheme area but live outside the area. As they are not based within the scheme area, they have not been eligible for permits and have had to rely on obtaining visitors' permits from tenants or utilising pay & display facilities in order to visit their property. It is proposed that the scheme be amended to enable the owner of a property within the scheme area to purchase one business permit at the standard cost of £100 per annum. Owners of several properties would be able to purchase 1 permit for every 10 properties that they own, up to a maximum of 10 permits.

Pay & display provision

24. When the scheme was introduced, a maximum stay limit of two hours was applied throughout the scheme area to facilitate turnover of spaces. The Council has received some requests to extend this to cater for people attending classes that last for two hours and therefore need to park in the area for slightly longer than that. It is proposed to increase the maximum stay to three hours throughout the scheme area.
25. The scheme was designed to prioritise the majority of parking spaces for permit holders, ie residents, businesses and their visitors. A small quantity of pay & display bays and bays that could be used by either permit holders or pay & display customers were also included to provide some flexibility to the scheme and increase access to local amenities. Since the operation of the scheme began, officers have received several requests to increase the availability of pay & display parking in the area, as this increases the overall flexibility of the scheme in terms of providing for visitors. With this in mind, officers are proposing to change the type of parking provided in some locations from permit holders only bays to shared use bays. These proposals are set out in detail in Appendix B.

Visitors' permits

26. Each household within the scheme area is eligible to apply for up to 100 days of visitors' permits per annum, with additional permits being made available to residents with specific care needs. It is felt that this limit is appropriate overall. However, it has been found that it is causing some difficulties in instances where residents move into a property part-way through the year and have found that the previous occupants have already used the household's annual allocation. As the permits are not vehicle specific, there is a risk of undermining the scheme if multiple allocations are issued to the same household during the year. However, officers recognise that this could leave new residents in a difficult position. To resolve this, it is proposed that up to 50 permits be made available to new residents at a cost of £1 per permit.

Additional RPS areas

27. Potential RPS areas have been identified in Cotham, St Paul's, Redcliff and Easton/St Philip's. In addition, discussions are underway with the North Bristol NHS Trust regarding the development of Southmead Hospital. Similar proposals could be considered for the residential streets surrounding the site.
28. It is proposed to approach each of the relevant neighbourhood partnerships to seek their views on the potential for schemes. As with Kingsdown, if any scheme were to come forward for implementation, it would be subject to an operational review during its first six months.

Other Options Considered

Kingsdown RPS

29. Some of the requests for changes to the scheme are not recommended to be put forwards as part of this process. These are set out below.

Operating hours

30. The Kingsdown RPS operates from 9am – 5pm Monday – Friday. The Council received 33 requests to amend its operating hours; of these, 30 were in favour of extending the hours and three requested that they be reduced. In addition, 18 people commented that there are parking problems outside the hours of operation, either in the evenings, on weekends or both.
31. There was no consensus about how to change the operating hours and the number of requests compared to the number of households within the scheme is small. On this basis, it is not proposed to make any changes to the operating hours of the scheme.

Pay & display provision

32. Various comments and requests were made regarding the provision of pay & display facilities within the scheme. Some of these were not considered to be suitable, such as enabling people to purchase time slots of less than an hour and removing pay & display from the scheme. As outlined above, feedback received regarding a number of issues suggested that increasing pay & display provision is appropriate, as it provides greater flexibility for residents and businesses to accommodate

visitors. It is also generally felt that the charge of £1 per hour with the option of a free 15 minute stay is appropriate.

Visitors' permits

33. A number of changes to the way in which visitors' permits are operated were requested. These included making permits valid for a 24 hour period rather than one day; making the permits available in half hourly or hourly slots; making less permits available and making more permits available. On balance, it is considered that the number of permits that each household is entitled to is appropriate.
34. Officers feel that the issue of making the permits available for time periods of less than one day would be beneficial to the scheme as it provides greater flexibility, in that residents will not have to use up a ticket that could last a day if someone visits for an hour or two. However, the introduction of a system that enables visiting time to be bought in hours rather than days is likely to require the introduction of new technology. Therefore, it is not proposed that any changes be made as part of this review; instead, officers have undertaken to investigate options regarding the potential to introduce this system.

Permits for tradespeople

35. Officers have received some requests to make permits available for tradespeople working on properties throughout the area. This has been carefully considered, but it is felt that the provision of additional pay & display facilities, the increase in maximum stay time to three hours and the existing ability to suspend a parking place at a cost of £52 per week should be sufficient to meet the requirements of residents and businesses who need to have work carried out.
36. In addition, some requests for changes to parking provision have not been brought forward in this report. This is often because officers have received opposing views about how to manage parking in a particular street, or because the request made cannot be met for technical reasons. Wherever possible, officers have sought to accommodate requests to ensure that the scheme meets the requirements of the local community.

Additional RPS areas

37. An initial assessment has been carried out of some twenty possible additional RPS areas. This has considered issues such as the impact of unnecessary commuter traffic on the network, indications of support drawn from the outcome of previous consultation as well as more

recently expressed support and the overall benefit that a scheme could bring to the area.

Risk Assessment

38. Other changes to the Kingsdown RPS were carefully considered during the course of the review of the scheme. The reasons for not making these changes are set out in paragraphs 30-36.

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 8b) A draft screening Equalities Impact Assessment has been completed for the Residents' Parking Scheme (see Appendix E). Although equality issues have been previously raised with reference to the needs of older people and the disabled who may need to have care / support

from either family, friends or organisations, it has been possible to mitigate these by increasing the number of permits provided so therefore it has not been necessary at this stage to progress to a full equalities impact assessment.

Monitoring of the current scheme will be necessary to help establish positive and negative elements that will then help to inform future schemes in other areas.

Further equalities work with stakeholders may need to be progressed as possible proposals move forward and consideration is given to further areas where the scheme could be implemented. The outcome of this work will help determine whether or not a full equalities impact assessment will need to be completed.

Environmental checklist

An ecological impact assessment was conducted before the Kingsdown RPS was implemented; this was presented to the Council's Cabinet in July 2010. The assessment has been considered in light of the proposed changes to the scheme outlined in this report and is still applicable. Therefore, a full re-assessment has not been required.

Legal and Resource Implications

Legal

The Council, as local traffic and highway authority for the whole of its area, has a key role to play in delivering the policies and objectives of the Joint Local Transport Plan. In devising a residents' parking scheme, the Council must exercise its powers taking into account lawful considerations with the aim of traffic management policy.

In this context, the Council also needs to be mindful of its network management duty under the Traffic Management Act 2004. Briefly, this duty obliges local traffic authorities to manage their road network with a view to achieving, so far as may be reasonably practicable (having regard to their other obligations, policies and objectives) to secure the expeditious movement of traffic on its road network. This may involve the exercise of any power to regulate or co-ordinate the uses made of any road in the network. This has an obvious relevance in connection with residents' parking schemes.

The relevant statutory basis for establishing a residents' parking scheme requires the promotion of an order under the Road traffic regulation Act 1984. However, this process can include a preliminary non-statutory consultation exercise to assist in preliminary design principles. This report addresses the feed back from such a preliminary consultation.

The promotion of an order under the Road Traffic Regulation Act 1984 must be in accordance with the prescribed statutory procedures, namely: the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. These procedures involve in due course advertisement of the proposals and invitation of objections. The Council is under a legal duty to consider any objections received in response to the statutory consultation process before the relevant decision-maker (such as the Council's Cabinet) can make any decision. This report seeks Cabinet endorsement to proceed with such consultation.

(Legal advice provided by Peter Malarby, Senior Solicitor, Highways & Transport)

Financial

(a) Revenue

The proposed amendments to the scheme will not reduce the net levels of operating surpluses previously forecast. The Scheme costs were to be repaid from these surpluses over a five year period and this will therefore remain the case

(b) Capital

The costs of the proposed amendments can be met from the funding currently available for the Scheme

Financial advice given by: Mike Harding, Finance Business Partner, Neighbourhoods and City Development

Land

Not applicable

Personnel

Not applicable.

Appendices:

- Appendix A – General feedback about the Kingsdown RPS.
- Appendix B – Proposed amendments to parking provision in the Kingsdown RPS.
- Appendix C – Proposed amendments to the operation of the Kingsdown RPS.
- Appendix D – Proposed amendments to the TRO to ensure that it precisely reflects the lines and signs on site.
- Appendix E – Equalities Impact Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:

None.