

**Roger Elkins, Cabinet Member for Highways and Infrastructure**

**Road Space Audits**

**Report by Executive Task and Finish Group Chaired by Andrew Barrett-Miles**


**Executive Summary**

This report presents the findings of the Executive Task and Finish Group (TFG) into the potential for the expanded use of Road Space Audits (RSA) across West Sussex and the latest developments in respect of verge parking.

**Recommendation(s)**

The Cabinet Member for Highways and Transport is asked to consider the following recommendations.

- (1) That RSAs can be made available as an approach to parking management across West Sussex
- (2) That WSCC adopts a priority programme for funding and resource allocation according to the County's Economic Growth Strategy. Priority locations are proposed to be Crawley, Burgess Hill and Worthing.
- (3) That WSCC develops a toolkit that allows RSAs to be progressed by other authorities outside of the priority programme albeit at their own expense.
- (4) That WSCC should await the outcome of the Government's consideration of verge parking before taking action on a countywide basis. However consideration should be given to a localised trial.

**1. Background and Context**

- 1.1 West Sussex County Council's approach to parking management is described in the Integrated Parking Strategy. Parking in many towns and villages across West Sussex is characterised by limited supply in those areas of greatest demand as well as associated access/safety problems caused by indiscriminate parking. In many areas, the introduction of waiting restrictions, including Controlled Parking Zones, has facilitated some degree of traffic management but invariably, the parking problem is merely moved into an unrestricted area.
- 1.2 Beyond this, the level of new development across West Sussex is likely to exacerbate parking problems in many of our towns. A more progressive approach, known as a Road Space Audit (RSA) is currently being piloted in Chichester to determine if there are other ways to consider existing and future parking demands.

- 1.3 In order to determine whether the Chichester pilot RSA was more generally appropriate across West Sussex, the Cabinet Member for Highways and Transport requested that an Executive Task and Finish Group be convened. The membership and terms of reference of the TFG can be found in Appendix 1.
- 1.4 The TFG met on three occasions between October and December 2016 and considered evidence from various officers and the final written RSA report for Chichester. This report represents the output of that work and makes a number of recommendations to the Cabinet Member.

## **2. Road Space Audits**

- 2.1 In order to ensure that local parking policies take into account the whole place both now and in the future, a RSA considers wider place/locality based planning. The outcome of a RSA is to inform the production of a strategic blueprint for a particular place that defines how parking, various alternative travel solutions (bus, rail, cycling, walking etc), infrastructure improvements, safety considerations and future development (e.g. housing) can be integrated so that the road network is used and managed in the most efficient way possible.
- 2.2 RSAs seek to provide essential technical data that identifies and assesses the current demands upon the road network and parking stock (i.e. how it is currently being used), whether these demands are actually being met as well as residents and users views. RSAs identify potential future demands/pressures and may make recommendations for improvement. RSAs may also assess what measures and resources might be required in order to meet these challenges, adjust supply and ultimately optimise the efficiency of the road network and parking stock.
- 2.3 Following a review of the Chichester RSA trial, the TFG saw the value of RSAs as a tool in parking management and their ability to be applied elsewhere in West Sussex. It was accepted that:
- RSAs provide vital technical data that informs decision making around parking and broader place based transport policy.
  - By considering the whole place, both off and on-street now and in the future, RSAs may be used to determine parking management plans that balance the needs of residents, businesses and visitors. In doing so, revised parking plans can be created that do not simply move a problem from one place to another.
  - A longer term plan that might be linked to development will help to manage the impacts of additional demand and feed into infrastructure planning.
  - The County Council's needs to advise the District/Borough Council's in greater depth on parking and road use issues in their local plans and this approach may be a useful tool for this purpose.

- 2.4 The TFG accepted that there was a risk that RSAs could be seen as a panacea to all of an area's problems. Whilst a RSA can seek to identify an approach for remedying parking/transport problems at a strategic level, it must be recognised that more localised issues require more detailed consideration; conceptual design, feasibility assessments and modelling etc.
- 2.5 A RSA is an enabling document and the locality in question has to be of the opinion that existing and future parking demand needs broader study and be willing to consider the proposals made.
- 2.6 There are key determinants that should decide whether, and at what level of detail, a RSA might be made available as a tool for parking management across West Sussex. These are:
- RSAs should only be progressed where local authorities and key stakeholders are in agreement.
  - The ability to define and agree a study area
  - RSAs may be staged with data collection being the first step and the consideration and implementation of specific measures taking place when as and when required/ready.
  - County Council resources are limited and so there needs to be a priority programme and the opportunity via a toolkit enables Districts and Boroughs / Parish Councils and other interested parties to undertake an RSA at their own expense.
  - RSAs can identify the potential impacts of development within the constraints of planning guidance.
  - RSAs are more appropriate where high levels of growth are expected albeit elements of the approach would be suitable for smaller places.
  - The RSA is an enabling document and the locality has to have a view of what future parking will look like and be ready to accept the proposals and changes in order that it might work successfully.
- 2.7 On considering the above, the TFG concluded that the core components of the RSA methodology should be applicable to all types of settlements across West Sussex. These core components include (full list can be found in Appendix 2):
- Data collection;
  - Development of a range of concepts, informed by the baseline data and the forecast impact of any planned future development;
  - Stakeholder consultation, to invite feedback on the emerging concepts and capture local knowledge;
  - Options development and recommendations.
- 2.8 There is a minimum level of survey data and consultation that should be carried out as part of an RSA to ensure the robustness of the audit.

However there should be no maximum limit assuming funds are available. Therefore expenditure on RSA's could vary significantly between areas.

### **3. Priority Programme**

3.1 It is accepted that the need for RSAs and other parking studies exceeds the Council's ability to meet concurrently in terms of both funding and staff resources. The TFG considered that the council therefore needed to develop a method by which the resources of the Parking Team is focused on priority locations whilst also allowing other Council teams or external authorities to also progress such studies. The TFG therefore considered potential prioritisation criteria for RSAs and agreed that priority places would have the following characteristics:

- Greater priority should be afforded to larger urban areas as defined in the County's Economic Growth Strategy.
- The extent to which an area has a clear vision for how the residents and businesses want a place to evolve, as a RSA can then serve to enable that vision and make the case for reallocating road space.
- High level of agreement and support from local authorities and key stakeholders.

3.2 A three tier programme of RSAs is therefore proposed for West Sussex.

#### **Priority Growth Areas**

Crawley, Burgess Hill, Worthing – significant growth programmes for these areas have now been prioritised for further capital investment and form a key part of the County Council's forward economic vision. RSAs are seen as integral to the development of each growth programme beginning in the financial year 2017/18.

#### **Pipeline Areas**

Horsham, Bognor Regis, Littlehampton and Shoreham – growth plans for potential investment and the progression of strategic development locations will continue for these areas and in due course, a prioritised programme will emerge. RSAs would be appropriate as required to feed into this overall programme. In addition and depending on local development requirements RSAs may be considered for those towns where there is a train station and attempts to address parking issues at one station, may have knock –on effects at nearby stations

#### **Locally Identified Areas**

Ad hoc RSAs or Parking Management Plans\*\* to be undertaken by District/Borough/Parish Councils e.g. Barnham, East Grinstead.

\*\* Smaller towns or villages present a different set of issues and could be better suited to a light touch version of RSA process, which could incorporate the core components but the level of detail for the data

collected, range of solutions available and scale of consultations would need to be commensurate to the study area. In this respect population, local employment, attractors, place function, extent of parking stress and transport issues would be important criteria for scoping the study. It may be that in some cases more localised issues can be resolved through a single scheme (e.g. a parking management plan) without requiring a more comprehensive strategy.

#### **4. Resourcing RSAs**

- 4.1 The following funding and resourcing approaches are recommended for each tier as follows:

**Priority Growth Areas** - the On-Street Parking Fund would fund the highest priority study in each financial year. Funding for other tier 1 locations should they need to be progressed in advance of available parking account funds would need to be fully/part funded by other contributions e.g. S106/DC/BC contributions

**Pipeline Areas** - the parking account may begin to fund such studies following the completion of tier 1 studies. Should these schemes need to be funded in advance other sources of funding will need to be identified.

**Locally Identified Areas** - to be fully funded by relevant DC/BC/PC or other funding

- 4.2 For all tiers, funding for on-street modifications and other infrastructure improvements will need to be found from a combination of the parking account / WSCC capital funding / external funding from other authorities and developers.
- 4.3 The Parking Strategy Team would be available to provide a toolkit / guidance on tender specification as well as periodic support on particular elements of the study e.g. stakeholder consultation.
- 4.4 Irrespective of who was project managing a particular RSA, the funding and implementation of the provisional outcomes from any study are not guaranteed to occur. Any such recommendations would require full approval from the relevant members of the County Council and specific measures would be subject to the necessary prioritisation and funding criteria.

#### **5. Verge and Pavement Parking**

- 5.1 The TFG considered the current issues and concerns in relation to verge and footway parking in West Sussex. All members were of the view that parking on a footway/verge can cause considerable damage as well as other problems;
- Obstructs vulnerable road users who use the verge or footway;
  - Obstructs road users entering and leaving properties;

- Can cause access issues for emergency service vehicles;
  - Causes congestion by parking on narrow streets without suitable provision (i.e. half on the footway, half on the carriageway);
  - Reduces visibility at junctions, bends and narrow roads;
  - Is unsightly and can cause environmental damage;
  - Causes damage to underlying drainage and utility services networks;
  - Parking prevention measures (e.g. bollards) require maintenance and add to street clutter and can also impact upon grass cutting.
- 5.2 It was agreed that the Traffic Regulation Order (TRO) process remains the most effective way to prevent footway/verge parking. Where a TRO is in place on the carriageway of a road, adjacent to the area where verge or footway parking takes place, and if the order prohibits or restricts waiting in any way (e.g. yellow lines), then a Penalty Charge Notice (PCN) can be issued against a vehicle parked on the adjacent verge or footway. This is because the power of a yellow line applies not just to the carriageway, but to the back of the highway boundary.
- 5.3 Members noted that it was also possible for WSCC to promote a TRO for footway and/or verge parking bans within a specified area. One authority that has implemented such a TRO is Brighton and Hove and further details from this case study are contained in Appendix 3.
- 5.4 Some local authorities have also tried to overcome the problem through the use of byelaws. Authorities can request the provision of warning signs and posts to deter verge parking at specified locations, supported by a byelaw prohibiting parking but the reliance on a byelaw means that enforcement is very difficult as it involves the authority taking action on a case by case basis and comes at considerable financial cost.
- 5.5 At a national level, there has been a Private Members Bill (Car Parking on Pavements Bill 2015-16) submitted to Parliament that seeks to prevent footway parking in the same way as it currently happens in London, whereby all footway parking is restricted unless signs/markings indicate otherwise. This Private Members Bill was withdrawn at second reading on the understanding that the Department for Transport would investigate the issues associated with footway parking and report back over the summer of 2016. Although no report has yet been forthcoming, the previous Cabinet Member for Highways and Transport received the following communication in October 2016:

***'The Department believes that local authorities are in the best position to decide where and whether pavement or verge parking should or should not be permitted. They should take account of all road users when taking decisions on pavement parking restrictions or permission.***

***Following a roundtable with stakeholders in March 2016, the Department does not wish to impose a blanket ban on pavement***

***parking outside of London. The Department is instead considering the general improvement of the traffic regulation order (TRO) making process, including whether more can be done to make it easier for local authorities to tackle problem areas in a consistent way. Work is ongoing and no decisions have been taken at this stage'.***

5.6 In sum, the TFG considered it appropriate to wait for the DFT to report before looking at strategic work on footway/verge parking. This was to make sure that local work would not quickly be superseded by national legislation. However the TFG accepted that a number of issues still needed to be clarified/discussed and considered that these are best tested by way of a trial.

- If parking were to be made permissible on a particular footway or verge, it is likely that underlying statutory apparatus would need to be relocated and/or the footway or verge strengthened in order to take the weight of vehicles. This is likely to have a substantial cost.
- How the public be made aware of which footways have a ban upon them and which do not.
- Imposing a footway parking ban could potentially have a significant effect in a number of residential streets, as residents would be forced to park elsewhere. Not only might this prove extremely unpopular but it could create safety/access issues in other areas.
- The added street clutter created by any new signage &/or bollards.
- The amount of officer time required to prepare, advertise and consult on possibly many new TROs (introducing footway parking bans) at a time when resources are already stretched. There was also the cost of manufacturing and installing the required new signage.

## **6 Conclusions and Recommendations**

6.1 RSAs do not offer a speedier resolution to parking problems across the county, nor will they necessarily result in the introduction of new parking schemes. A RSA is essentially intended as an advisory/enabling document that complements existing statutory plans and emerging studies in respect of transport infrastructure, parking policy and spatial planning. It must be recognised that even after the completion of an audit, localised parking/traffic issues will require more detailed consideration, conceptual design, feasibility assessments/modelling and funding.

6.2 The TFG has considered the evidence provided by officers and concludes that there are key determinants that should decide whether, and at what level of detail, a RSA should be conducted. Furthermore there are core components of the RSA methodology that should be applicable to all types of urban area across West Sussex.

6.3 The Cabinet Member for Highways and Transport is therefore asked to consider the following recommendations of the TFG.

- 1) That RSAs can be made available as an approach to parking management across West Sussex.
- 2) That WSCC adopts a priority programme for funding and resource allocation according to the County's Economic Growth Strategy. Priority locations are proposed to be Crawley, Burgess Hill and Worthing.
- 3) That WSCC develops a toolkit that allows RSAs to be progressed by other authorities outside of the priority programme albeit at their own expense.
- 4) That WSCC should await the outcome of the Government's consideration of verge parking before taking action on a countywide basis. However consideration should be given to a localised trial.

## **7 Financial Impact**

- 7.1 The methodology contained within RSAs ties in with a number of existing County Council policies, including the Integrated Parking Strategy. Managing the demand for car use and parking also supports measures to tackle congestion and pollution, improve alternative modes of transport, particularly public transport, and improve road safety and residential amenity.
- 7.2 Experience from the pilot RSA in Chichester suggests that a typical study in a large urban area could cost between £30K and £60K. The total cost of the pilot RSA was £31,200 although a number of 'optional extras' were not taken up. It should be noted that expenditure on data collection, in addition to other activities such as stakeholder consultation, would be a matter for partners to agree in advance of the RSA being progressed and could therefore vary significantly between areas.
- 7.3 For smaller rural towns/villages, it is recognised that a lighter touch RSA approach and/or parking management plan would require a smaller financial outlay of between £10K - £30K.
- 7.4 For any RSAs directly commissioned by the County Council's Parking Strategy Team (e.g. Crawley), funding would be available from the County Council's On-Street Parking Account. The account also caters for any on-going review/maintenance costs.

## **Appendices**

1. The membership and terms of reference of the TFG
2. RSA Core Components
3. Brighton and Hove Footway Parking Case Study

**Aim**

Having considered the initial results of the pilot study in Chichester, The Cabinet Member for Highways and Transport wishes to appoint an Executive Task and Finish Group (TFG) to help him determine if/how RSAs might be refined, prioritised and applied in the future to other towns and villages within the rest of West Sussex.

**Purpose**

The TFG will be supported by the Head for Transport and Countryside as well as the Lead Professional in the Parking Strategy Team.

The TFG will assist officers in the following actions:

- Consider the evidence, issues, and options identified in the Chichester Pilot Study and whether/how these can be applied to other towns and villages across the county.
- Consider the prioritisation criteria for RSAs and provide recommendations to the Cabinet Member to inform the drafting of a potential RSA programme.
- Establish the potential for having an online tool kit for external providers to carry out their own RSA
- In carrying out its deliberations, work alongside officers to review the lessons learnt from the Chichester Pilot Study.
- If applicable, consider how future engagement with all stakeholders should best be undertaken.
- How verge and pavement parking might best be managed

In support of this work consultants working on the Chichester Pilot Study have already been commissioned propose a criteria and method by which a RSA could be applied to other areas as well to review the lessons learnt from the pilot study.

**Timescale**

The TFG will meet on a minimum of two occasions between October and December 2016. It will present its findings and recommendations to the Cabinet Member in early 2017.

**Membership**

The TFG will consist of up to seven members of the County Council, be cross-party if possible, with the final membership decided by the Cabinet Member for Highways and Transport.

**Notes/Terminology**

RSA – Road Space Audit

CPZ – Controlled Parking Zone (AKA Residents Parking Scheme)

### 1. Data Collection

- An outline of the current number and type of on-street parking bays within a pre-defined study area (including free limited waiting, pay and display, coach/mini bus/community transport/motorcycle/taxi).
- If a Residents' Parking Scheme (RPS) is in existence, reference should also be made to residents only/shared use bays, the number of permits currently taken up by residents and other users within the RPS, parking compliance/turnover data, permit waiting lists, tariffs and numbers/locations of non-residents permits within the RPS.
- An outline of the number/types of off-street spaces (including coach/mini bus/community transport/lorry/motorcycle parking) the District/Borough Council currently owns and manages within the study area as well as any data on usage (including seasonal fluctuations), season tickets, tariffs and waiting lists.
- As above but applied to car parks run by other/private organisations e.g. Hospital.
- An outline of any workplace parking strategies/travel plans developed by major employers (e.g. hospital, university or retail units) located within the study area.
- An outline of County/District/Borough (and neighbourhood plan) parking standards currently applied to new residential and business developments within the study area.
- An outline of existing car ownership/use and travel habits as well as alternative transport provision and patronage within the study area e.g. bus/rail services/routes, car club bay locations and membership, taxi provision and pedestrian/cycle links.
- Pedestrian/Cycling Environment Review Systems and Bus Route Audits. These are a nationally recognised approach for undertaking qualitative assessments of pedestrian/cycling environments to a consistent format against a set range of criteria. The outputs are a series of scores that attribute a quality rating for each defined area. Bus route audits would entail a review of the core bus corridors throughout a study area, including passenger waiting infrastructure provision and quality, bus priority measures and key bottlenecks or causes of poor journey time reliability.
- A detailed site appraisal of the study area in order to identify any accesses, build-outs, road alignments and any other features that could determine the nature of a future review of waiting restrictions and/or potential infrastructure improvements (e.g. verge replacement or new cycle routes). The appraisal should also identify key attractors such as retail outlets, hospitals, education or leisure facilities as well as areas of road space which could potentially be subject to improvement and/or used differently.
- Link and Place Classifications. These provide a tool for planning and designing streets, recognising both their function as a link (for people to pass through) and as a place (a destination in their own right). The approach considers how streets have a differing balance between link

and place status, which in turn shapes the priorities for different parts of the network, reflecting the different requirements of users.

- On-street vehicle/use surveys in a number\* of roads within the study area (including the existing RPS) in order to identify specific types of parking demands/durations as well as occupancy. It is recommended that at least two separate surveys be undertaken (one during term time and another during the summer holidays), each to be on two weekdays as well as a Saturday, preferably at three-hourly intervals between 7am and 7pm (the final survey being at 7pm).

number\* - officers would suggest no fewer than 30 pre-determined roads within the study area (including the RPS) although this figure could be revised for smaller studies such as in villages.

- An outline of the expected future transport/travel trends, including parking, within the study area as outlined in existing studies and documentation e.g. the Local Transport Plan, relevant place/development plans.
- An outline of any potential/planned changes in off-street regulations, tariff structures and overall capacity e.g. introduction of evening charges, car park expansions, park and ride.
- An outline of planned/anticipated development scenarios/proposals (residential, business and retail) and the parking/wider transport demands and provision associated with them as well as any known infrastructure/transport improvements already identified in the Integrated Works Programme (e.g. cycle network) or any of the District/Borough/Parish Council's forward plans as well as neighbourhood plans.

## **2. Development of a range of concepts**

To include an appraisal of whether the current road network, parking stock and wider transport provision in the study area is operating efficiently and meeting the demands placed upon it.

## **3. Stakeholder consultation**

To include a comprehensive public/stakeholder engagement and communications strategy, in order to obtain and analyse the views of stakeholders, interest groups and members of the public on the current use and efficiency of the road network in the study area as well as what future measures/concepts are desired. The information collected as part of the public/stakeholder engagement will be integrated with the technical data and comparisons and conclusions drawn from all of this information.

## **4. Options development and recommendations**

To include realistic (i.e. financially viable) and fully reasoned recommendations for potential changes and improvements to the road space, car parks and alternative transport provision in particular areas and the management of it. These recommendations may be split into three sections, namely short term gains (i.e. quick wins or relatively minor measures that could reasonably be implemented within a 5 year period), medium term gains (i.e. more substantial measures that could be implemented within a 10 year period) and long term gains (i.e. large scale projects that could be implemented within a 15 year period).

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

Agenda Item 30

Brighton & Hove City Council

Subject: Verge & footway parking restrictions

Date of Meeting: 8 October 2013

Report of: Executive Director Environment Development & Housing

Contact Officer: Owen McElroy Tel: 293693

Ward(s) affected: North Portslade, Patcham & Withdean

**1. SUMMARY AND POLICY CONTEXT:**

1.1 The purpose of this report is to address representations and objections to the draft traffic regulation order detailed below.

1.2 The strategic city wide parking review (the review) commissioned by the Cabinet Member for Environment in October 2011 examined a wide range of parking issues raised by residents and other stakeholders including parking on grass verges and footways.

1.3 The review confirmed existing policy that the council does not condone parking on verges and footways due to safety, maintenance, access and environmental impacts. The final report was approved by Transport Committee in January 2013 and identified two areas of the city where verge and footway parking was of particular concern.

1.4 In 2010 the Department of Transport authorised new area based signing which allows council civil enforcement officers (CEOs) to issue penalty charge notices (PCNs) to vehicles parking on highway verges and footways.

**2. RECOMMENDATIONS:**

2.1 That having taken account of all duly made representations and objections Environment Transport & Sustainability Committee approve The Brighton & Hove (Various Roads) (Prohibition of Stopping and Waiting on Verges and Footways order 20\*\* (TRO-15-2013) subject to the following amendments.

2.2.1 Item 2 Schedule 1 shall be amend description to "From its junction with Surrenden Road to a point 88 metres south of the junction with Carden Avenue."

2.2.2 Delete item 9 schedule 1 Varndean Road

2.3 In response to safety audit recommendations officers are to prepare measures to mitigate any adverse effects that have been identified in that audit subject to monitoring and evaluation of these locations.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 Verge and footway parking is mainly experienced in residential areas outside of controlled parking zones due to vehicle oversubscription.

3.2 Footway parking can be inconvenient for pedestrians and especially hazardous for disabled and elderly people, those who are visually impaired and people with pushchairs and double buggies. Rule 218 of the Highway Code says: "Do not park partially or wholly on the footway unless signs permit it".

3.3 Parking on grass verges can be obstructive and dangerous, particularly at junctions but objections are often made on environmental and aesthetic grounds. Persistent parking on verges is unsightly and can lead to significant erosion. The erosion can undermine the adjoining road or footway. Replacing verges with tarmac can have a negative impact on surface drainage and bollards can also be unsightly, require upkeep and impede verge cutting.

3.4 Every year the council receives dozens of complaints from residents about parking on footways and verges. Sixteen representations were received on this subject during the Review.

3.5 Driving on the footway or verge, except over a properly constructed crossover is also an offence under both section 72 of the Highways Act 1835 and section 34 of the Road Traffic Act 1988. Obstruction of the verge or footway can amount to a criminal offence if the passage of pedestrians is significantly impeded. All these offences can only be enforced by the police or by Police Community Support Officers (PCSOs) whose resources are limited and priorities focused on other areas such as property crime.

3.6 The East Sussex Act 1981 is a local Act of Parliament containing provisions that allows local authorities in East Sussex to prohibit driving vehicles on grass verges. Notice must be given and traffic signs erected. A number of signs have been erected and maintained in areas of Patcham and Withdean including the proposed streets. This offence can again only be enforced by the police or PCSOs.

#### **Physical survey**

3.7 A site visit was conducted in the evening of 22<sup>nd</sup> October 2012 in the Mile Oak area accompanied by the ward councillors. Dozens of vehicles were found parked on grass verges in the area in particular in Chalky Road near the Sports Centre where vehicles were observed skidding across the verge onto the footway and mud was strewn over the footway and road. Several instances of obstructive footway parking were also noted in Mile Oak Road and Graham Avenue.

3.8 A site visit was conducted during the day in the Surrenden area on 3<sup>rd</sup> October 2012. Several dozen vehicles were parked on verges in the area; examples were near the school/college entrances in Surrenden Road, on verges in Surrenden Crescent and Braybon Avenue adjacent to properties with off road parking, and at the bottom end of Varndean Road where there was significant soil erosion.

#### **Road safety audits**

3.9 A combined stage 1 & 2 Road safety Audit has been carried out on the proposals to assess any negative impact and possible mitigation (Appendix F). The following issues have been highlighted

## **Mile oak area**

3.10 Chalky Road is a bus route with reduced carriageway width. There are some areas of unrestricted parking at the eastern end near the junction with Broomfield Drive and Hamilton Close. Should vehicles displace from verge areas onto these sections two way traffic flow could be impeded leading to a possible increase in collisions. Consideration should be given to extending existing no waiting at any time restrictions. Officer's response: Post implementation the sites should be monitored and measures prepared for this eventuality.

## **Surrenden Area**

3.11 In Braybon Avenue there is a risk of displacement of vehicles from the verges to the vicinity of the unrestricted junctions of Old Farm Road/Braybon Avenue & Woodland way/Greenfield Crescent & Braybon Avenue. There is a risk of vehicles parking on the highway reducing visibility and carriageway width increasing the likelihood of vehicle collisions. Consideration should be given to introducing no waiting at any time restrictions at the unrestricted junctions. Officer's response: Post implementation the sites should be monitored and measures prepared for this eventuality.

3.12 In Varndean Road at eastern end a number of vehicles are parked on the verge. The carriageway width is not sufficient to facilitate safe two way passing movements over a 250 metre length. Given the likelihood that vehicles would be displaced onto the street consideration should be given introducing a number of lengths of no waiting at any time close to uncontrolled pedestrian crossing points. Officer's response: The reduction in parking could amount to over 20 spaces further reducing the already scarce parking in the area. It is proposed that Varndean Road should be removed from the order with further consultation to take place with ward councillors with a view to finding an appropriate solution for this location, subject to resources and priorities.

## **Displacement**

3.13 It is accepted that some displacement of vehicles will occur but officers do not believe this will have an unduly negative effect on surrounding roads. It is also believed that some vehicles will transfer to private parking or to other transport modes.

3.14 In Mile Oak area it is expected that vehicles currently parking on verges outside the Sports Centre, Chalky Road will use the college car park 200 yards away which is currently under capacity. In other streets there is either capacity on street, in adjacent roads or on private driveways.

3.15 In the Surrenden area much of the verge parking is discretionary particularly in Surrenden Crescent, Braybon Avenue and parts of Surrenden Road with off street parking available. The council is working with the schools and colleges in the area to promote more sustainable means of travel which the colleges encourage. Disabled parking places are available for staff and students on the college grounds. There is a greater potential for displacement in Varndean Road with up to 20 vehicles using the verges. In this road there is only limited off street parking and there is little capacity in adjacent roads. There is anecdotal evidence from residents that some vehicles are parked in order to make onward journeys by bus from London Road. Some of these vehicles may transfer to the Withdean Stadium Park and Ride or transfer the whole of their journey to public transport. However all of the objections to Varndean Road have come from local residents.

## **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

4.1 The first phase of the parking review consisted of officers attending 40 community meetings, addressing around 600 people such as resident groups, tenants associations and Local Action Teams. Parking on verges and footways was raised as an issue at several of these meetings.

4.2 The second phase comprised of an ongoing dialogue with stakeholders and ward members and this resulted in the two pilot areas being identified. The areas were selected on the basis of evidence of highway damage or obstruction, a long standing problem, significant evidence of community support and alternative parking being available whether on private drives, off street car parks or adjoining streets.

4.3 The principle of controlling verge and footway parking was discussed at two Overview and Scrutiny meetings and two special scrutiny panels in 2011/12. There were mixed views as to its impact across the city with some scrutiny members feeling it was a problem in their area and others not.

4.4 Parking on verges and footways was identified as a key issues raised by residents and resident groups at the October 2011 Environment Cabinet member meeting and in the Interim report on the city wide parking review at May 2012 Environment Cabinet Member Meeting.

4.5 The draft traffic regulation order was advertised on 30<sup>th</sup> July 2013 with the closing date for comments and objections of 21 August 2013.

4.6 The ward councillors for the areas were consulted, as were the statutory consultees such as the emergency services. The local PCSO for North Portslade notified officers of problem footway parking in Graham Avenue during school pick up/drop off and of problematic verge parking in the evenings in Chalky Road. .

4.7 There are a number of schools and colleges in the area and since the notice period was during the school holidays they were contacted in advance by officers to ensure that staff and students were aware and would have an opportunity to comment.

4.8 Notices were put on street and missing notices were replaced after one week. The notice was also published in the Argus newspaper on 30<sup>th</sup> July 2013. Detailed plans and the Traffic Regulation Order were available to view at Hove library, Jubilee Library, the City Direct offices at Bartholomew House and Hove Town Hall. A plan detailing the proposals is shown at appendix E.

4.9 The documents were also available to view and to respond to directly on the council website.

4.10 A total of 63 representations have been received over both areas. Representations are summarised in appendix D “summary table of representations to the draft traffic order”

## **Mile Oak area**

4.10 A total of 8 representations were received, 4 in favour and 4 against. Three objections came from Mile Oak Road and one from Graham Avenue. The objections were mainly on perceived road safety grounds arguing that if the vehicles were to park wholly in the road rather than partly or wholly on the footway or verge they would cause a hazard to traffic (including buses). The road safety issues are addressed in paragraph \*.

4.11 Two residents, the bus company and one of the local ward members wrote in support of the proposals. The bus company argued that car parking on the footway made it more difficult for passengers to access bus stops.

## **Surrenden area**

4.12 A total 55 representations were received, 35 in favour (34 of which were from the area) and 20 against. Of the 209 against, 6 were mainly concerned with Braybon Avenue and stated that if vehicles were to park on the road then a hazard would be caused to traffic including buses. Two objectors were under the mistaken impression that this was a proposed clearway order.

4.13 13 objections have come from Grosvenor Court flats at the western end of Varndean Road. The main concern is the lack of alternative parking available, and this has also been expressed by two of the local ward councillors. Several years ago yellow lines were placed on the opposite side of the road and the wooden bollards installed to protect the verge but parking has now concentrated on the south side verges which are damaged after wet weather. Several residents have argued that these verges should become formalised parking and two have asked for permit parking.

4.14 A local community group "Campaign to Save Grass Verges" have written in support of the measure as have the Surrenden Holt residents association. One local ward member from both Patcham and Withdean wards have also written in support. The local bus company has written in support.

## **General**

4.15 Several representations have stated the lack of alternative parking and the possible impact on neighbouring streets of displaced parking as a reason not to proceed or instead to replace verges with tarmac suitable for vehicles or widen the carriageway. Displacement is dealt with in paragraphs 3.10 to 3.12 above. Replacing verges with tarmac can have a negative impact on surface drainage due to rapid run off. Also this would not meet the objective of preserving the amenity value of wide verges. "Grasscrete" or "meshcrete" has been suggested but this will not preserve the integrity of the verge and only works in areas of occasional use such as lay-bys for service vehicles and is not recommended for areas of regular parking.

4.16 Some objectors suggest cutting back footway or formalising parking on the footway with road markings. It is not recommended to proceed since this would significantly reduce the footway available to pedestrians.

4.17 Some objectors claim that they have acquired a right to park on the footway/ verge on account of long standing use without enforcement. It is not possible in law to gain adverse possession or an easement to park on a public highway through long use.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

5.1 February 2013 Budget Council approved a £125,000 one off revenue contribution in 2013-14 to support verge parking restriction pilot schemes. It is now estimated that the scheme will cost less than budgeted as it has been confirmed that there are reduced signing requirements and the physical scope of the scheme has been reduced. Any variance to the budget will be reported as part of the Targeted Budget Management reporting process.

5.2 Savings could be expected in terms of long term reductions in maintenance costs for highway verges and footways and the adjoining carriageway although this is difficult to quantify in advance.

Finance Officer Consulted: Steven Bedford

Date: 03/09/13

### Legal Implications:

5.3 The Council has power to make traffic orders in order to secure traffic management objectives under the Road Traffic Regulation Act 1984. The orders have been advertised in accordance with the relevant procedure regulations. As there are unresolved objections they are now referred to this meeting for consideration.

5.4 Relevant Human Rights to which the Council should have regard are the right to respect for family and private life and the right to protection of property. These are qualified rights and there can be interference with them in appropriate circumstances.

5.5 Other legal implications are considered in the body of the report.

Lawyer Consulted: Carl Hearsum

Date: 03/09/13

### Equalities Implications:

5.6 An equalities impact assessment has not been carried out. However the measure is expected to assist vulnerable road users in particular pedestrians using the footways and verges by improving access to these areas.

### Sustainability Implications:

5.7 By preserving wide grass verges the proposed measures will support sustainable drainage, protect existing trees and shrubs and promote biodiversity.

#### Crime & Disorder Implications:

5.8 If approved the proposed traffic order will provide an additional method to deter and enforce existing road traffic offences by making parking on the verges and footways liable to a penalty charge notice.

#### Risk and Opportunity Management Implications:

5.9 Any risks have been identified and monitored as part of the overall project management

#### Public Health Implications:

5.10 There are no significant public health implications.

#### Corporate / Citywide Implications:

5.11 The proposed verge and footway parking restrictions will contribute to the following priorities in the 2011-15 corporate plans; tackling inequality and creating a more sustainable city.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 The main alternative is to do nothing. However the proposals were a specific recommendation of the city wide parking review approved by transport committee in January 2013.

6.2 A further option in respect of grass verges is to replace them with tarmac/concrete mesh or to widen the carriageway. Officers do not recommend this for the reasons given in paragraph 4.15.

6.3 A further option in respect of footways is to legally allow parking on them or to widen the carriageway. Officers do not recommend this for the reasons given in paragraph 4.16.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 To seek approval of measures to manage verge and footway parking in the identified areas in accordance with the recommendations of the councils strategic city wide review of parking