



NOTICE OF MEETING

CABINET MEMBER FOR TRAFFIC & TRANSPORTATION

THURSDAY, 18 FEBRUARY 2016 AT 4.00 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Joanne Wildsmith Local Democracy Officer Tel: 9283 4057
Email: joanne.wildsmith@portsmouthcc.gov.uk

CABINET MEMBER FOR TRAFFIC & TRANSPORTATION

Councillor Ken Ellcome (Conservative)

Group Spokespersons

Councillor Lynne Stagg, Liberal Democrat
Councillor Stuart Potter, UK Independence Party
Councillor Yahiya Chowdhury, Labour

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 Apologies
- 2 Declarations of Members' Interests
- 3 LB Zone Residents' Parking Zone (Pages 1 - 8)

The report by the Director of Transport, Environment & Business Support represents the information on LB zone, enabling the decision taken at the 26 November 2015 Traffic & Transportation meeting to be reviewed, as per the Scrutiny Management Panel decision made on 17 December 2015.

RECOMMENDED that the Cabinet Member authorises either:

- (1) 3-week consultation on the LB zone via a permanent TRO on amending and reducing the size of the LB zone (while the zone remains in place)**
or
- (2) 6-month consultation on the LB zone via an experimental TRO on amending and reducing the size of the LB zone (while the zone is suspended)**
or
- (3) That no action is taken regarding the LB zone (zone continues unchanged)**

4 Palmerston Road South Area Review (Pages 9 - 30)

The purpose of the report by the Director of Transport, Environment, and Business Support is to consider the responses to the public consultation on the proposals under ETRO 10/2014, Palmerston Road (south), and ETRO 2/2015, Villiers Road.

RECOMMENDED that the Cabinet Member for Traffic and Transportation:

- (1) Makes the provisions of ETRO 2/2015 (Villiers Road) permanent to allow traffic to use Villiers Road in a westbound direction from The Vale to Palmerston Road (south)**
- (2) Makes provisions of ETRO 10/2014 (Palmerston Road (south)) permanent and in turn authorise the following:**
 - (i) Authorises the advertisement of a new permanent TRO to implement a ban on left hand turns from Auckland Road West into Palmerston Road, to include engineering measures (to discourage use of Netley Road and Auckland Road West by vehicles wishing to access Palmerston Road (south))**
 - (ii) Acknowledges difficulties experienced by visually impaired pedestrians as highlighted in the Equality Impact Assessment, and instructs officers work with Portsmouth Disability Forum to improve usability for all users of the shared space area on Palmerston Road (south)**

5 Lonsdale Avenue Speed Reduction Scheme - results of public consultation (Pages 31 - 38)

The report by the Director of Transport, Environment and Business Support sets out the proposed speed reduction scheme proposed for Lonsdale Avenue

RECOMMENDED

That the Cabinet Member for Traffic & Transportation supports the installation of speed reducing measures as detailed in this report. The design for this is included at Appendix A.

6 Waltham Street Proposals (TRO 82/2015) (Pages 39 - 46)

The report by the Director of Transport, Environment and Business Support is to consider the response to the public consultation on proposed double yellow lines under TRO 82/2015. When objections are received to proposed Traffic Regulation Orders, it is a statutory requirement to consider them at a formal decision meeting.

RECOMMENDED that 3 metres of double yellow lines are implemented in Waltham Street to maintain access to the rear of the Charter House and Beddow Hall buildings.

7 Parking Enforcement Guidelines and Vehicle Removal Guidelines (Pages 47 - 78)

The report by the Director of Transport, Environment and Business Support seeks approval for the revised and updated:

- Parking Enforcement Guidelines
- Vehicle Removal Guidelines.

RECOMMENDED that the Cabinet Member approves the revised guidelines as attached at Appendix (A) and (B) and agrees that they will supersede all previously published guidelines and policy.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Agenda Item 3



Portsmouth
CITY COUNCIL

Title of meeting:	Cabinet Member for Traffic and Transportation
Date of meeting:	18 February 2016
Subject:	LB residents' parking zone, Southsea
Report by:	Director of Transport, Environment & Business Support
Wards affected:	St Thomas
Key decision:	No
Full Council decision:	No

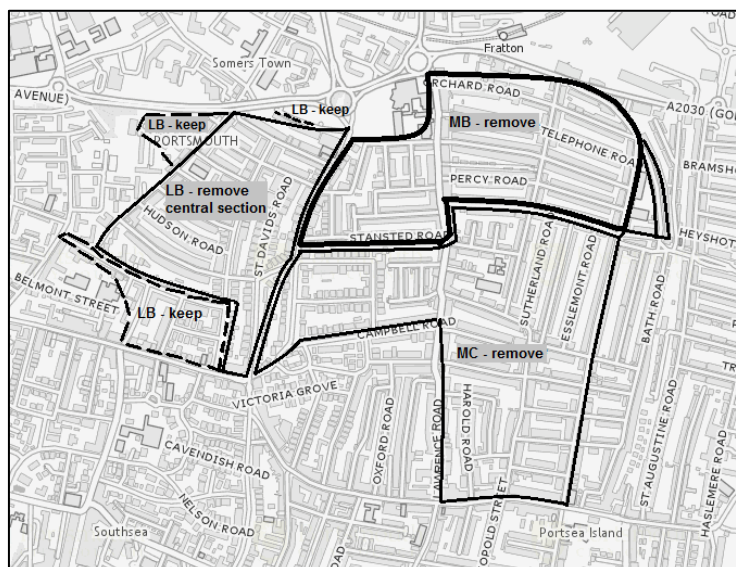
1. Purpose of report

To re-present the information on LB zone, enabling the decision taken at the 26 November 2015 Traffic & Transportation meeting to be reviewed, as per the Scrutiny Management Panel decision made on 17 December 2015.

2. Recommendation

That the Cabinet Member authorises either:

- 2.1 3-week consultation on the LB zone via a permanent TRO on amending and reducing the size of the LB zone (while the zone remains in place)
or
- 2.2 6-month consultation on the LB zone via an experimental TRO on amending and reducing the size of the LB zone (while the zone is suspended)
or
- 2.3 That no action is taken regarding the LB zone (zone continues unchanged)



(Larger plan available at Appendix A)

3. Background

- 3.1** At the Traffic & Transportation meeting held on 26 November 2015, the decision was taken to suspend the majority of the LB zone, due to its impact on residents of neighbouring roads.
- 3.2** That decision was called in and subsequently evaluated by the Scrutiny Management Panel on 17 December 2015. The decision was referred back to the Traffic & Transportation Portfolio Holder for review.
- 3.3** Legal Services confirmed in the 26 November 2015 report the two types of Traffic Regulation Orders (TRO) that are relevant to the recommendations - permanent and experimental: both involve public consultation before any permanent action is taken.
- Permanent TRO: a 21-day public consultation takes place on proposals before deciding whether or not to permanently implement the measures;
 - Experimental TRO: a 6-month public consultation takes place on proposals put in place simultaneously, before deciding whether or not to permanently implement those measures.
- 3.4** The decision to suspend the LB zone reflected the latter option (experimental TRO) to be consistent with suspending the MB and MC zones previously. A public consultation would take place simultaneously during the first 6 months to provide the opportunity for local people to comment on the effects of the suspension.

4. Reasons for recommendations

- 4.1** Following the decision by the Scrutiny Management Panel in December 2015 a review has been undertaken of earlier consultation within LB zone which is reflected in this report.
- 4.2** The March/April 2015 consultation "Have Your Say - Residents' Parking" asked residents of all 35 parking zones whether or not they would like to keep their zones, in light of the £30 charge for a first permit. It indicated that the remaining zones (the zones residents would like to keep) would be reviewed to ensure they operate as effectively and efficiently as possible. Further details can be viewed in the report to the Cabinet Member for Traffic and Transportation on 15 July 2015.
- 4.3** Of those who responded from LB zone to the March/April 2015 consultation on the £30 charge for the first Resident permit:
- 69% voted to keep the zone and 31% voted to remove the zone, representing just under 20% of LB Resident permit holders.
- Those who voted to remove the zone equated to 51 individuals, out of a total of 829 permit holders.
- 4.4** There is an opportunity to improve the effectiveness of the LB zone's operation, whilst potentially reducing the impact of displaced parking on adjacent roads that are outside the zone.

4.5 A petition signed by 97 residents was submitted to the Council requesting a separate zone for residents living in the 'square' of roads made up of Livingstone Road, Lorne Road and Havelock Road. These were previously included as part of the MC zone but not geographically linked to it. The parking problems have been caused by the introduction of the LB zone, contributing to the recommendation within the report of 26 November 2015 to amend that zone to reduce the level of displaced parking.

4.6 Comments and information received from residents in response to the suspension of the MB and MC zones included the following:

Britannia Road	x		Since the restrictions in MB zone were lifted it is increasingly difficult to park near my house. This was never a problem when permit parking was in force. There was only 1 space available in this road today between 1-2pm. We abut the LB zone and usually there are no spaces available here.
Britannia Road	x	x	It's been a year since you unfairly removed permit parking from Britannia Road. I was told the reason for the MB zones removal was complaints from people on the edge of the zone! I would like to complain about the LB zone as I now live on the edge of that! I am a shift worker and when the road had permit parking I never had trouble getting parked on my own road, even when I got home at 22:30 after a late shift. Now however, I often have trouble parking when I get home in the middle of the day after an early shift! This is because people from the streets in the LB zone would rather park on my road and walk to their houses than pay for their permit leaving me no choice but to park on someone else's road and walk back to my house! What are your plans to help the people who are now on the edge of the LB zone? Are you going to get rid of the LB zone so the people parking on my street can park in front of their own houses again?
Livingstone Road	x		The area has become a dumping ground for business vehicles, sometimes 9 vans in this 1 road. I have yet to find a space in my road when returning around 9pm, since the zone was suspended.
Havelock Road	x		2 photos attached: 1 of Havelock Rd where parking restrictions are suspended (fully congested), 1 of Bailey's Rd opposite, part of the LB zone (many empty spaces). Recently approached someone getting out of a car - a student living in halls of residence who took his bike out of the car and cycled off in the university's direction. The 'light touch' enforcement period works, as any 'residents only' period is effective in preventing long-term parking. This also means wardens only have to visit an area once - not return after 2 hours for a second time. More people used their off-road parking when the zone was in place, rather than leaving cars on the street.

- 4.7** Due to the type of housing (largely terraced without off-road parking facilities, with many registered as student accommodation and Houses in Multiple Occupation (HMO)) restrictions on parking such as the permit scheme operating in LB zone, causes the notable student population and those living in HMOs to seek long-term free parking in alternative nearby roads that cannot cater for them.
- 4.8** Parking congestion is a significant issue within Portsmouth, particularly in areas of terraced housing with few off-street parking opportunities available. Whilst the MB, MC and LB parking zones eased parking congestion for residents living within those zones, unfortunately it has been to the detriment of residents living in neighbouring roads, who were already experiencing parking difficulties.
- 4.9** The main reason for smaller sections of the original LB zone remaining in place is their close proximity to well-used amenities, shops and businesses (for example Elm Grove at the southern end and the Somerstown Hub, Civic Offices and the Crown and Magistrates' Courts towards the northern end).
- 4.10** The residential roads that are closest to visitors' destinations, and which fill up first with parked cars, are also the shortest in length and therefore experience the greatest impact. The residents of these roads, such as Cottage Grove, St Ursula Grove, River's Street and Bradford Road, originally petitioned for the parking zone and supported its introduction.

5. Equality Impact Assessment (EIA)

An equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. These include Age, Disability, Race, Transgender, Gender, Sexual orientation, Religion or belief, relationships between groups, and other socially excluded groups.

6. Legal Services Comments

- 6.1** Statutory public consultation on proposals to amend and reduce the size of the adjacent LB parking zone will be required under a new Traffic Regulation Order (TRO). The consultation requirements depend upon the method through which the proposals to alter the LB zone are sought, either through a proposed permanent TRO or through an experimental TRO.
- 6.2** An experimental TRO is suitable where it is necessary to monitor and assess the effect that an amendment and reduction to the LB zone will have. An experimental order allows the Council to consider representations during the first 6 months that such an order is in place and make any changes to the order as necessary. There is no requirement for prior consultation for experimental orders.
- 6.3** A permanent TRO is suitable where the Council is clear as to what it seeks to achieve through the reduction and amendment to the LB zone. In such circumstances that Council is required to undertake consultation at least 3 weeks before making a permanent TRO.

6.4 The Council as Traffic Authority has the duty under section 122 of the Road Traffic Regulation Act 1984 so far as is practicable, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. In performing this duty they are to have regard to:

- the desirability of securing and maintaining reasonable access to premises;
- the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run;
- the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- any other matter appearing to the local authority to be relevant.

6.5 An experimental order is similar to a permanent traffic regulation order in that it is a legal document which imposes traffic and parking restrictions such as road closures, one-way streets, banned turns, bus/cycle lanes, controlled parking and on-street parking places. Such Orders are made under Sections 9 and 10 of the Road Traffic Regulation Act 1984 and all other enabling powers after consultation with the chief officer of police in accordance with Schedule 9 to the 1984 Act.

6.6 Unlike a permanent order an experimental order can stay in force for a maximum of 18 months while its effects are monitored and the Council decides whether or not to make the provisions permanent. There is no public consultation before the experimental traffic order is brought into effect, but from its commencement date there is a 6-month period that allows representations to be submitted based on experience of the traffic scheme in operation.

6.7 A proposed permanent TRO must be advertised and the public given a 3-week consultation period where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account the comments received from the public during the consultation period.

7. Director of Finance's Comments

7.1 The proposed consultation regarding parking zone LB is estimated to cost £2,300. This includes experimental on-street Traffic Regulation Orders and the postal communications to properties within this zone. This will be funded from the on-street parking revenue budget and in effect will reduce the transfer of any operating surplus that would be transferred to the off-street parking reserve.

Signed by:
 Alan Cufley
 Director of Transport, Environment and Business Support

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

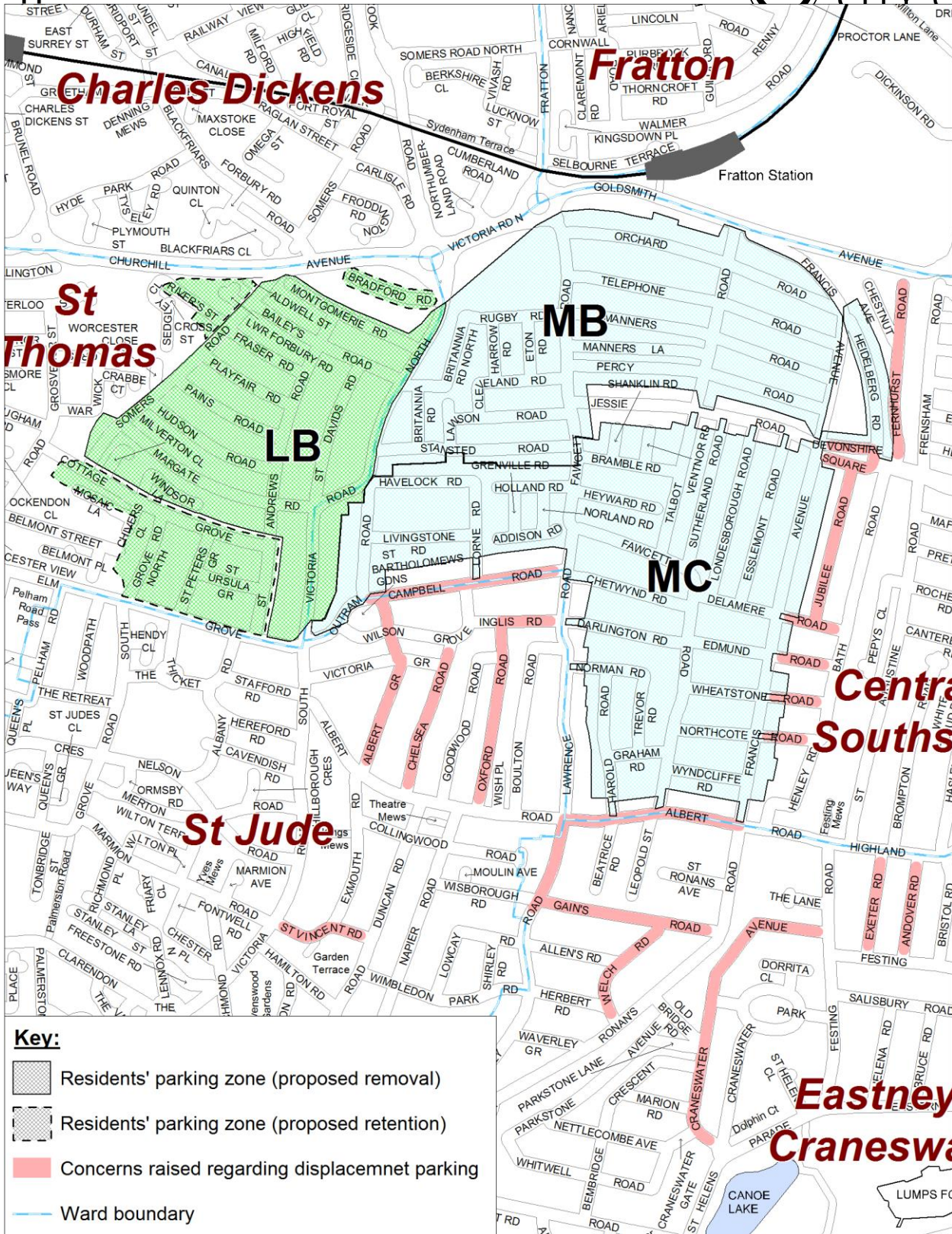
Title of document	Location
17 December 2015 Scrutiny Management Panel report	PCC website, Democratic Services
26 November 2015 Traffic & Transportation report	PCC website, Democratic Services
15 July 2015 RPZ Review Traffic & Transportation report	PCC website, Democratic Services
October 2014 Residents' Petition	Transport Planning, Civic Offices
29 August 2014 Scrutiny Management Panel report	PCC website, Democratic Services
July 2014 Traffic & Transportation report	PCC website, Democratic Services

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on





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 Signed by:
 Councillor Ken Ellcome,
 Cabinet Member for Traffic & Transportation



Appendix A: Plan of the relevant area



Key:

-  Residents' parking zone (proposed removal)
-  Residents' parking zone (proposed retention)
-  Concerns raised regarding displacement parking
-  Ward boundary



(End of Report)

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Agenda Item 4

Title of meeting:	Traffic and Transportation Cabinet Meeting
Date of meeting:	18 February 2016
Subject:	Palmerston Road South area review
Report by:	Alan Cufley, Director of Transport, Environment, and Business Support
Wards affected:	St Jude
Key decision:	No
Full Council decision:	No

1. Purpose of report

To consider the responses to the public consultation on the proposals under ETRO 10/2014, Palmerston Road (south), and ETRO 2/2015, Villiers Road.

2. Recommendations

It is recommended that the Cabinet Member for Traffic and Transportation:

- 2.1 **Makes the provisions of ETRO 2/2015 (Villiers Road) permanent to allow traffic to use Villiers Road in a westbound direction from The Vale to Palmerston Road (south)**
- 2.2 **Makes provisions of ETRO 10/2014 (Palmerston Road (south)) permanent and in turn authorise the following:**
 - 2.2.1 **Authorises the advertisement of a new permanent TRO to implement a ban on left hand turns from Auckland Road West into Palmerston Road, to include engineering measures (to discourage use of Netley Road and Auckland Road West by vehicles wishing to access Palmerston Road (south))**
 - 2.2.2 **Acknowledges difficulties experienced by visually impaired pedestrians as highlighted in the Equality Impact Assessment, and instructs officers work with Portsmouth Disability Forum to improve usability for all users of the shared space area on Palmerston Road (south)**

3. Background

- 3.1 A decision was taken at Traffic and Transportation Committee in July 2014 to implement an Experimental Traffic Regulation Order (ETRO) to allow traffic to travel in a northerly direction on Palmerston Road (south).

ETRO 10/2014 came into effect on 14th November 2014 allowing traffic to use Palmerston Road (south) in a south to north direction.

To facilitate parking in Palmerston Road (south), ETRO 10/2014 contained the following restrictions; Loading only 7AM-11AM, 20minutes limited wait parking with no return within 1hour 11AM-8PM and no waiting except taxis 8PM-Midnight & Midnight-7AM. These restrictions applied to the newly created parking bays on the East side of Palmerston Road between Villiers Road and Clarendon Road.

- 3.2 Consultation was carried out on each of the two Orders for a period of 6 months from the commencement of the orders. In response to ETRO 10 2014 Palmerston Road South, 18 responses were received. In response to ETRO 2 2015 Villiers Road, 29 responses were received.
- 3.3 ETRO 10 2014 - Out of the 18 responses received, 9 responses (50%) were in favour of the road remaining open to one-way traffic, of these, 4 preferred a reversal of the one-way system to a north-south flow and 3 stated no preference for the direction of travel. The remaining 2 respondents were happy with the current arrangement.
- 3.4 2 replies preferred the road to be closed to traffic once more as they considered the arrangement to be dangerous for pedestrians. 1 respondent wanted the road open for two-way traffic. The remaining 6 responses gave no opinion on Palmerston Road (south), and commented on changes to parking arrangements made as part of the wider scheme.
- 3.5 Following a report submitted to the Traffic & Transport Cabinet Member on 18th December 2014, the decision was taken to reopen Villiers Road in a westbound direction and consult on its effects under ETRO 2 2015. There were 29 responses received in total. 15 wanted to see the closure of Villiers Road made permanent, 14 preferred the road reopened. Of those that support the closure, 13 were residents of Villiers Road, 1 supporter was from Maple Road and the final deputation was made on behalf of the Portsmouth Cycle Forum.
- 3.6 ETRO 2 2015 came into effect on the 3rd February 2015 for a duration of up to 18months. This replaced the previous experimental order (ETRO 24 2013) which prevented through traffic to and from Palmerston Road from Villiers Road. ETRO 2 2015 allowed traffic to travel one way from The Vale in a westbound direction to Palmerston Road.
- 3.7 Responses in favour of opening the road were mostly made from residents of surrounding roads who felt with Palmerston Road reopened, Villiers Road

should also be reopened to traffic. A traffic survey undertaken in Villiers Road in April 2015 showed that there was not a significant volume of traffic using the road and speeds were not excessive as feared by residents of the road. Average speeds were 13mph and 85th percentile speed 19mph. 98% of vehicles using the road travelled at 24mph or less; 24.1mph being the prosecutable threshold in a 20mph limit. The volume of traffic using the road was also low suggesting that this is not a popular 'cut-through' route.

- 3.8 A full summary of options considered for Palmerston Road (south) can be found within the attached appendices (Appendix A).

4. Reasons for recommendations

- 4.1 The current arrangement at Palmerston Road (south) has reintroduced traffic flow and parking, providing a link for vehicle traffic between the seafront and the busy commercial area of Osborne Road. It has also presented further opportunity for local businesses to become more visible to passing vehicles whilst maintaining a focus on pedestrian movement and enjoyment of the area. There have been no incidents reported and the introduction of traffic to the road has helped reduce anti-social behaviour at night as taxis are now able to pick up outside the various bars and restaurants.
- 4.2 Of the consultation responses received, the majority of respondents were pleased to have the road open to traffic again and would wish it stay that way. Whilst a reversal of flow was desired by some, taking into account the wider area it is felt that this would result in increased traffic on Lennox Road South.
- 4.3 Residents of Netley Road and Auckland Road West have raised issue with the current layout because they feel there has been an increase in vehicles using these roads to access Palmerston Road (south). This assertion was validated through a CCTV survey. It is therefore proposed to investigate banning the left turn from Auckland Road West. The banned turn would be reinforced with engineering measures. This should discourage much of the unnecessary use of these roads and encourage vehicles to utilise the more appropriate Clarence Parade.
- 4.4 Whilst there have been no reported incidents in the pedestrianised area subsequent to traffic being authorised to use Palmerston Road in a northbound direction; disability groups have reported difficulty negotiating the shared space. These issues are outlined within the attached EIA, and are exacerbated through vehicles parking over the corduroy paving used to distinguish the footway from carriageway.
- 4.5 The recommendation is to make permanent the current south to north direction of travel on Palmerston Road. A reversal of the one way is not recommended due to concerns of creating traffic issues in other areas and the expected uplift of traffic should the direction of travel be changed.

It is proposed to implement the following to support making permanent the current layout of Palmerston Road:

- i) Banning the left turn from Auckland Road West to Palmerston Road to discourage use of Netley Road and Auckland Road West as a cut-through route through the advertisement and making of a new permanent TRO.

And

- ii) Work in conjunction with Portsmouth Disability Forum to address key accessibility issues as raised in the Equality Impact Assessment.

There are concerns surrounding the co-existence of three restrictions on Palmerston Road (south) mainly due to the difficulty for users to determine which restriction is in force and when. Consideration was given to removing one of the three waiting restrictions currently in place within the restricted zone on Palmerston Road (south) however in order to meet the competing demands of businesses, motorists and Taxis it is recommended to retain the current arrangements.

- 4.6 Villiers Road had broadly even numbers of support both for and against keeping the road open to traffic. With Palmerston Road South open to traffic however, the initial justification for closing the road has been removed as there is no 'cut-through' benefit. The results of the traffic survey suggest that vehicle speeds are low with volumes considerably less than the neighbouring Netley Road and Lennox Road South. The recommendation therefore is to continue to allow traffic to travel one way from The Vale to Palmerston Road, retaining as part of the road network.

5. Equality impact assessment

A full EIA has previously been conducted for the scheme to pedestrianise Palmerston Road (South) and has been updated accordingly most recently to include the implementation of ETRO 10/2014 in November 2014.

Consultation has been carried out both formally and informally throughout the Palmerston Road scheme. Through this consultation with various disability groups, issues have been raised as detailed in the previous section of this report. This is also referenced in the EIA attached to this document and is reflected in the recommendations in section 2 of this report

6. Legal implications

The procedural provisions for giving permanent effect to an experimental order is set out in regulations 23 and schedule 5 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (LATOPR 1996).

Regulation 23 provides that an experimental order can be made permanent providing the following requirements are adhered to:

1. *The following statements were included in the notice of making the experimental order:*
 - *that the order making authority will be considering in due course whether the provisions of the experimental order should be continued in force indefinitely*
 - *A person may object to the experimental order continuing for an indefinite period within 6 months of the order beginning on the date the order came into force (or within 6 months beginning on date the order is varied or modified)*
 - *That any objections must be in writing, state the grounds on which it is made and be sent to an address specified in the notice*

2. *The following documents were deposited and kept available for inspection beginning from the date on which the advertisement of the experimental order is first published and ending on the date the order ceases to have effect:*
 - a) *a copy of the relevant notice of proposals and, if the order has been made, of the relevant notice of making;*
 - b) *a copy of the order as proposed to be made or as made (as the case may be);*
 - c) *a map which clearly shows the location and effect of the order as proposed to be made or as made (as the case may be) and, where appropriate, alternative routes for diverted traffic;*
 - d) *a statement setting out the reasons why the authority proposed to make the order including, in the case of an experimental order, the reasons for proceeding by way of experiment and a statement as to whether the authority intends to consider making an order having the same effect which is not an experimental order;*
 - e) *if the order varies, revokes, applies or suspends another order, a copy of that other order;*
 - f) *if the order has been made after the holding of a public inquiry, a copy of the report and recommendations (if any) of the inspector; and*
 - g) *where the experimental order has been modified in accordance with section 10(2) RTRA a statement of the effect of each such modification*

3. *Where the above has been satisfied regulations 6 (consultation), 7 (notice of proposals) and 8 (objections) do not apply*

A proposed permanent TRO must be advertised and the public given a 3 week consultation period where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account the comments received from the public during the consultation period

7. Director of Finance's comments

The proposed Palmerston Road Improvements scheme will cost in the region of £35k. The source of funding will be corporate resources set aside for the delivery of the Local Transport Plan as per the Capital Programme.

Within the 2015/16 capital programme £67k is available for Palmerston Road Improvements.

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Signed by:
Alan Cufley
Director of Transport, Environment and Business Support

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Traffic & Transportation meeting report Dec 2014 (TRO 43/2014 Villiers Road)	
Traffic & Transportation meeting report July 2014 (Southsea Town Centre Improvements)	

The recommendation(s) set out above were approved/ approved as amended/ deferred/
rejected by on

.....
Signed by:
Councillor Ellcome
Cabinet Member for Traffic and Transportation

Palmerston Road South Options	Pros	Cons
<p>Make experimental order permanent</p>	<p>Users are already familiar with the road layout and there would be minimal disruption to residents and businesses when/if remedial works were to be carried out. Costs would be minimal to retain current layout however there may be some additional costs to discourage use of Netley Road as a shortcut by building out kerbs at the end of Auckland Road West and banning a left turn manoeuvre. Retains access for businesses, visitors and Taxis at key times.</p>	<p>The issue of some vehicles using nearby Netley Road and Auckland Road West to access Palmerston road remains however this could be mitigated by banning vehicles from turning left out of Auckland Road West. Triple parking restriction can cause confusion and is difficult to enforce.</p>
<p>Revoke experimental order effectively banning through traffic</p>	<p>There have been comments that users find the shared space arrangement confusing and potentially dangerous to pedestrians. Closing the road again would remove this confusion; however there have been no reported accidents since the road reopened and measures are proposed to mitigate impact</p>	<p>Some businesses will once again be unhappy about 'passing-trade' being removed. This may have a detrimental effect on businesses and would be unpopular with some businesses and residents. Results on the consultation thus far have shown minimal support for closing the road again.</p>
<p>Reverse flow of one way system to North-South</p>	<p>This option has been suggested a number of times during the consultation period and is likely to be popular with residents and businesses. There are minimal costs associated with making this change however there would be a requirement to consult on a new Traffic Regulation Order.</p>	<p>Traffic would still need to travel north at some point, the road most likely to be used for this would be Lennox Road South as it is the closest road and also provides easy access to Victoria Road South. Given historic problems in this road the decision would be controversial and a wider strategy would need to be developed to prevent the projected uplift in vehicles using Lennox Road South should the flow direction on Palmerston Road South be</p>

Implement part-time closure of Palmerston Road similar to Guildhall Walk arrangement

This option would allow access to shops/businesses throughout the day and should reduce the use of Netley Road/Villiers Road by Taxis in the evenings as there would be no access to Palmerston Road at night.

changed.

There is also concern that the current road surface in Palmerston Road South would be unable to cope with the projected increase in traffic using the road and may require significant remedial work to withstand the additional stresses. When the scheme was first implemented, traffic surveys showed that traffic flow was heavier in the southbound direction and as such with the concerns over the block paved surface and the will to discourage the road being used as a major through-route the decision was taken to have a northbound flow.

Police have reported a decrease in anti-social behaviour at night after the introduction of through-traffic to Palmerston Road South. If vehicles were banned at night these incidents could rise.

The decision would also not be supported by the taxi trade and potentially the Police. The closures would also need ongoing resource to manage and a budget assigned to cover this unless an agreement could be reached with a local licensed bar/pub/restaurant to manage as is the case in Guildhall Walk.

Equality Impact assessment

Full assessment form v4 / 2011

www.portsmouth.gov.uk

Service:

Transport and Environment

Title of policy, service, function, project or strategy (new or old):

Palmerston Road Regeneration Scheme

Type of policy, service, function, project or strategy:

New / proposed

Changed

Existing

Lead officer

Steve Flynn

People involved with completing the EIA:

Steve Flynn
Pam Turton
Gina Perryman

Introductory information (Optional)

June 2014 update

The new administration has expressed a wish to reopen Palmerston Road one way, south to north from Villiers Road to Osborne Road. This would be through an 18 month experimental Traffic Regulation Order after which a further consultation will take place with residents and businesses.

The Portfolio Holder for Traffic & Transportation was invited to consider the following two options in July 2014 Traffic and transport committee:

- 1) To remain as is with the installation of gates (Option 1)
- 2) Open to one way traffic with a left turn only (Option 2)

Option 2 was pursued.

October 2014 update

A report was presented at the Traffic and Transport Committee in October 2014 regarding Palmerston Road as an update to the T&T report submitted in July 2014. The Traffic & Transport report in July 2014 stated that Palmerston Road would consist of a left turn only for vehicles travelling north to its junction with Osborne Road. The administration has considered the scheme further and has requested that Officers consider changes to the proposal which would have the effect of changing traffic movements at this junction.

It was determined at this meeting that vehicles will be able to now turn left and right of Palmerston Road at its junction with Osborne Road.

November 2014 Update

The Experimental Traffic Regulation Order enabling south to north running was implemented, commencing a 6 month consultation period with all residents and businesses within the city, as part of the 18 month Order.

Step 1 - Make sure you have clear aims and objectives

What is the aim of your policy, service, function, project or strategy?

To promote economic regeneration within Southsea Retail Centre, through the provision of an improved pedestrian environment, and the creation of improved links between Southsea Retail Centre and Southsea Seafront.

June 14 update

- 1) The scheme proposal for Palmerston Road Option 1 is to provide an improved connectivity for walking and cycling and to provide a pedestrianised zone.
- 2) The scheme proposal for Palmerston Road Option 2 will improve access for vehicle from south to north of Southsea Town Centre. This will have a significant impact on the LSTF objectives and it is imperative that the Option 2 scheme is safe and the street scene for Southsea Town Centre is maintained.

October 2014 Update

A decision was taken at Traffic and Transportation Committee 2014 to enable vehicles will be able to now turn left and right of Palmerston Road at its junction with Osborne Road.

The Experimental Traffic Regulation Order was implemented in November 2014 and will conclude in May 2016. The effect of this Order was to amend the current part-pedestrianisation towards the southern end of Palmerston Road between Osborne Road and Villiers Road, following the decision to allow one-way traffic to use Palmerston Road in a northbound direction. It provides for -

- Enhancement of the pedestrian environment and the connection between town centre and seafront by widening the footway along parts of Osborne Road;
- Additional on-street parking and an increased number of disabled bays and loading bays;
- Improved bus stop facilities;
- Planting to be introduced on the west side in Palmerston Road;
- Areas designated for loading, parking and taxis on the east side of Palmerston Road.

Who is the policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

The scheme is designed to promote the regeneration of the Southsea Retail Centre through the creation of an improved environment.

In terms of physical scheme features, the original scheme was designed to deliver:

- 20mph speed limit street
- prohibition of general traffic between the hours of 11am until 6am, with access permitted only for buses and pedal cycles
- deliveries permitted only between 6am and 11am
- a "shared space" facility on Palmerston Road between Villiers Road and Osborne/Clarendon Road junction
- removal of taxi tanks and access from Palmerston Road, to Portland and Osborne Roads

The positive benefits of this scheme were originally identified as including the encouragement of slower vehicle speeds creating an enhanced pedestrian environment. The widened footways and level surface would increase pedestrian footfall and improve links to Southsea Common and Seafront. In turn, it is anticipated that the economy of the area would improve, benefiting the Southsea retail area as a whole. The level surface would provide positive benefits to those in wheelchairs and with impaired mobility.

Strong reservations regarding the lack of kerb with a differential height have been raised by the blind and partially sighted community. Consultation has been ongoing with these groups as well as advice sought from the Department for Transport research and best practice case studies. Through this consultation, a package of mitigating measure has been developed, seeking to allay the main concerns raised. Whilst not reinstating a kerb with a height differential to the main carriageway, a 400mm tactile corduroy and a 200mm drainage channel of high colour contrast to the carriageway, is proposed to delineate the pavement area and carriageway area. Whilst Guide Dogs are not trained to detect this corduroy it is expected that the Guide Dog User would feel a difference in surfacing underfoot, thereby identifying the location of the carriageway.

June 14 update

Shared space schemes always form divided opinion and this has been expressed by the local community. Both positive and negative views have been received. Some Members have now expressed a wish to reopen Palmerston Road to One Way. However officers recommend that consideration is given to two options for taking Palmerston Road forward. Both options have their merits and careful consideration should be given to their pros and cons before a decision is made. The recommended options for Palmerston Road for consideration are:

Page 19

- 1) To remain as is with the installation of gates (Option 1)

2) Open to one way traffic with a left turn only (Option 2)

The pros for Option 1 are the improved safety of pedestrian access from local bars and shops in the area. The gates once closed will improve the ability for local establishments to enhance their frontages and provide an improved and, controlled amenity area for pedestrians. Option 1 will ensure that the north and south of Southsea Town Centre have consistent pedestrianised areas to aim to encourage the local economy.

The cons of Option 1 are the complexities to ensure that deliveries are controlled and managed before the gates are closed. The gates would also have to be managed effectively to ensure that the pedestrianised area is established after specified delivery that will be enforced by a Traffic Order. In addition there are limited options for large vehicles to turn around to the south of Palmerston Road once the gates are closed.

The pros for Option 2 are the improved vehicle access, under a 20mph restriction, from south to north of Palmerston Road allowing for delivery (up to a certain time under a Traffic Order) and parking provision in the road thereafter and an additional route from the seafront into the Southsea Town Centre.

The cons of Option 2 are the concerns over safety to pedestrians. Additional measures would be required to provide the segregation between the footway and the carriageway due to the lack of kerb line present. Option 2 provides for additional planters to define between the footway and carriageway but this will increase maintenance costs.

Option 2 was proceeded with.

October 2014 Update

A report was presented at the Traffic and Transport Committee in October 2014 regarding Palmerston Road as an update to the T&T report submitted in July 2014. The Traffic & Transport report in July 2014 stated that Palmerston Road would consist of a left turn only for vehicles travelling north to its junction with Osborne Road. The administration has considered the scheme further and has requested that Officers consider changes to the proposal which would have the effect of changing traffic movements at this junction. This update report is for the Portfolio Holder for Traffic and Transport to consider the Officer advice and recommendations on the proposals.

It was determined that that vehicles will be able to now turn left and right of Palmerston Road at its junction with Osborne Road.

November 2014

Implementation of the south to north ETRO, beginning a 6 month consultation period, as part of the 18 month order.

What outcomes do you want to achieve?

Economic Regeneration
Increased Pedestrian Footfall
Improved linkages between the seafront and Southsea Retail Centre

What barriers are there to achieving these outcomes?

Concerns raised by the visually impaired and disability groups
Lack of Support from Members

Step 2 - Collecting your information

What existing information / data do you have? (Local or national data) If you don't have any data contact the Equalities and diversity team for some ideas

The Department for Transport have recently released guidance on shared space schemes following undertaking research including on-street testing;

Department for Transport's (DfT) Local Transport Note 1/11

DfT Shared space project - Stage 1: Appraisal of shared space

DfT research - Shared Space: Operational Assessment

DfT Shared Space: Qualitative Research

Manual for Streets 2

DETR Guidance on the use of tactile Paving Surfaces 1998

Holmes Report 2015

RTI Data

Further research has been undertaken by University College London and promoted by Guide Dogs Charity;

Effective kerb heights for blind and partially sighted people

We have also looked at examples of best practice from other authorities including;

Exhibition Road in Royal Borough of Kensington and Chelsea, London,

Ashford in Kent and have the notes of the Ashford Ring Road Phase 1 Access Workshop 27th January 2009 and Access Workshop- Phase 2 The Design of Shared Space - Ashford's Future - December 2009,

Kimbrose Square in Gloucester,

Felixstowe in Suffolk

Southampton,

Winchester,

and Coventry

Advice has also been sought from Ben Hamilton-Baillie a nationally recognised shared space expert.

June 2014 update

Portsmouth City Council (PCC) undertook consultation to gather opinion from local residents, visitors, stakeholders and any other interested parties on the proposals for Osborne Road / Palmerston Road.

The consultation sought to enable residents and businesses to work together to shape the future of the area, to ensure that the investment that is made within the area is directed in an appropriate way to further promote growth.

A total of 6,000 leaflets/feedback forms were distributed during the consultation period. A total of 581 interested parties submitted feedback forms (either online or by hard copy).

Respondents were then asked for their opinion on improving the current scheme in Palmerston Road and were asked to state a preference between:

- Leaving the scheme as it is and retaining access for buses (and access for loading between 6am and 11am);
- Excluding buses in the pedestrian area with CCTV/bollards placed to prevent access (although access for loading would be permitted between 6am and 11am); or
- Extending the pedestrianised area to Auckland Road and exclude use by buses with CCTV/bollards placed to prevent access (although access for loading would be permitted between 6am and 11am).

Using your existing data, what does it tell you?

There is a plethora of views on the measures needed to make these types of schemes a success.

Advice from the DfT suggests that there is no single solution for the implementation of shared space schemes, that each road a shared surface scheme should be planned for the local community and local context. Depending how heavily trafficked and the use of the street, formal delineation between pavement or safe areas and the carriageway is not necessary in all situations. The Department for Transport recommend that if corduruy surfacing is deemed necessary a width of 800mm is successful and this could be reduced to a width of 600mm.

Advice from the Guide Dogs from the Blind Charity suggest that there should be 800mm corduory surfacing and a minimum of a 60mm kerb to ensure that Guide Dogs can recognise the delineation of the pavement and carriageway.

July 2014 update

From the consultation in June 13, 30% wanted it to same stay the same retaining access to buses
27% of people wanted to extend the pedestrianised area to Auckland Road and exclude use by buses with CCTV/bollards placed to prevent access

22% wanted to exclud buses in the pedestrian area with CCTV/bollards placed to prevent access

18% of people wanted the road fully open to all traffic

2% of people wanted it either fully open to traffic or fully pedestrianise

November 2015 update

A report was published in November 2015 on shared spaces: Accidents by Design: The Holmes Report into Shared Space. The report surveyed 600 users of shared spaces and made recommendations as to what action they believe the DfT should take based on the responses.

A number of recommendations were put forward which are outlined below, however there has been no formal response or comment from the DfT as yet so the official guidance remains as is in LTN 1/11.

The key findings from the report were that:

- People's experiences of shared space schemes are overwhelmingly negative.
- Overzealous councils are risking public safety with fashionable 'simplified' street design.
- Over a third of people actively avoid shared space schemes.
- 63 per cent of people who have used shared space schemes rated their experience as poor.
- Significant under-reporting of accidents in shared space.

Key recommendations:

- Immediate moratorium on shared space schemes while impact assessments are conducted.
- Urgent need for accessibility audits of all shared space schemes and a central record of accident data including "courtesy crossings", which must be defined and monitored.
- Department for Transport must update their guidance so that Local Authorities better understand their responsibilities under the Equalities Act.

2014-2016 ETRO Consultation

Consultation was carried out through the advertising of an Experimental Traffic Regulation Order (10/2014) for the 6months of an 18 month Order, during which stakeholders had the opportunity to give comments about making the experimental order permanent.

During this consultation, a majority of responses preferred the road to remain open to one way traffic however two responses were received supporting a closure of the road on the grounds that the shared space was confusing and hazardous to pedes Page 22 Further to this one objection was received outside

Step 3 - Now you need to consult!

Who have you consulted with?

Portsmouth Disability Forum(PDF), Portsmouth Association for the Blind(PAB), Visually Impaired Action Group(VIAG), Guide Dogs charity, local businesses, transport operators, Ward Councillors, Portsmouth Cycle Forum and other city council departments.

June 13

All residents and businesses in Portsmouth

November 2014 - May 2016

All residents and businesses in Portsmouth through the Experimental Traffic Regulation Order

If you haven't consulted yet please list who you are going to consult with

Please give examples of how you have or are going to consult with specific groups or communities e.g. meetings, surveys

The proposals for the scheme have been presented to PDF continually through the development of the scheme, email updates have been provided along with meetings being held with representatives from PDF, PAB, VIAG and Guide Dogs. Different surfacing and tactile paving options have been presented to the groups for their comments and a the groups visited the area with PCC officers to discuss their particular concerns. This consultation has informed the design of the scheme and allowed the proposed mitigating measures to be achieved.

Meetings held with disability groups include;

16 May 2011 - at PCC offices with Portsmouth Disability Forum and Cllr Eddis

16 June 2011 - at Portsmouth Disability Forum

1 July 2011 - at PCC offices with Guide Dogs Charity, Portsmouth Disability Forum, Visually Impaired Action Group, Local registered blind resident and Cllrs Eddis and Andrewes

30 August 2011 - at Portsmouth Association for the Blind

15 September 2011 - at Portsmouth Disability Forum

22 September 2011 - at Visually Impaired Action Group

22 September 2011 - visit of Palmerston Road with Portsmouth Disability Forum and Visually Impaired Action Group

12 October 2011 - with Portsmouth Disability Forum, Visually Impaired Action Group, Portsmouth Association for the Blind and Cllr Eddis

17 November 2011 - at Portsmouth Disability Forum

The scheme has been subject to statutory consultation in the form of a Traffic Regulation Order which was advertised from 13 September 2011 to 3 October 2011.

June 14 update

The consultation included the following elements:

- Drop-in consultation event at St Jude's Church
- Mobile exhibition in Palmerston Road precinct
- Leaflet outlining the proposals with attached feedback form

- A dedicated consultation page on PCCs website

The Assistant head of Transport attended Portsmouth Disability Forum to discuss the proposals so concerns could be raised.

A 6 months consultation has been undertaken through the 18 month Experimental Traffic Regulation Order 10/2014 with all residents and businesses entitled to make comments.

Step 4 - What's the impact?

Is there an impact on some groups in the community? (think about race, gender, disability, age, gender, religion or belief, sexual orientation and other socially excluded communities or groups)

Generic information that covers all equality strands (Optional)

N/A

Ethnicity or race

No negative impacts have been identified

Gender including transgender

No negative impacts have been identified

Age

Some people may have disabilities which are associated with older age - these are discussed in the section on disability below.

Disability

The inclusion of a level surface has a negative impact on the blind and partially sighted. Mitigating measures have been included in the scheme design following consultation with Portsmouth Disability Forum, Portsmouth Association for the Blind and Visually Impaired Action Group, and have gained support from these groups. However, it must be noted that agreement with the proposals is not universal amongst the membership of the groups.

The inclusion of a level surface has a positive impact on wheelchair users and mobility impaired who will no longer have to negotiate differing kerb heights when crossing the road.

The pedestrian zone limits the areas that blue badge holders can stop. Following responses to the Traffic Regulation Order a proposed amendment is to include a marked short stay disabled bay in Villiers Road and two marked disabled bays in Ashby Place car park.

June 14 update

There are concerns from disabled people especially visually impaired because the kerb line is not going to be reinstated so there is nothing for guide dogs to follow. There is concern with the extra street furniture it will make it more difficult for visually impaired people to navigate although all furniture/ planters are going to be installed on the road side making sure it doesn't impede on the corduroy paving.

There has also been concern from visually impaired people that the first, the zebra crossing West bound approach, with only 4 zig-zags, leaves a seriously compromised view of approaching traffic for pedestrians heading North. Another comment was two-way cycling in Palmerston Road is very likely to cause conflict between pedestrians and cyclists. If South bound cyclists encounter North bound vehicle traffic they will divert onto the 'safe' pavement areas, avoiding the planters. With no physical kerb, cyclists even now cycle on the pavement area, particularly in the area of the zebra crossing near Subway.

Also allowing left and right turns from Palmerston Road South has compromised pedestrian safety in this area especially if they are visually impaired.

Some of the comments from disabled people that are against this were:

- Concerns over safety for pedestrians
- Additional measures would be needed due to lack of curb line
- Increase in maintenance costs
- Concerns about the crossing
- Concerns over Contra Flow cycling
- Concerns over the existing shared surface as the kerb is not being re-installed
- They felt that they are making it a very complicated corner at Palmerston Road and Clarendon Road. Their concerns would be the health and safety aspects with the re-arrangement of the road around that bus stop. If there is a bus and someone goes from south to north they will go across the zigzags.
- We need to make sure there are proper demarcation of bollards
- We need to make they don't obstruct the corduroy paving with any of the demarcation features.

Further consultation responses have been received outlining the the above issues are exacerbated through vehicles parking over the corduroy paving used to distinguish the footway from carriageway.

Religion or belief

No negative impacts have been identified

Sexual orientation

No negative impacts have been identified

Pregnancy and maternity

No negative impacts have been identified

Other socially excluded groups or communities e.g. carers, areas of deprivation, low literacy skills

No negative impacts have been identified

Health Impact

Have you referred to the Joint Needs Assessment (www.jsna.portsmouth.gov.uk) to identify any associated health and well-being needs?

Yes No

What are the health impacts, positive and / or negative? For example, is there a positive impact on enabling healthier lifestyles or promoting positive mental health? Could it prevent spread of infection or disease? Will it reduce any inequalities in health and well-being experienced by some localities, groups, ages etc? On the other hand, could it restrict opportunities for health and well-being?

N/A

Step 5 - What are the differences?

Are any groups affected in a different way to others as a result of your policy, service, function, project or strategy?

No

Does your policy, service, function, project or strategy either directly or indirectly discriminate?

Yes No

If you are either directly or indirectly discriminating, how are you going to change this?

It is felt that a risk of this scheme is that it could be understood to indirectly discriminatory against the blind and partially sighted, due to the feeling that it is harder for visually impaired individuals to navigate the street without a kerb line.

In order to mitigate this, extensive consultation has been undertaken to seek to implement a set of measures which will provide clear guidance of the carriageway and ensure that individuals who are visually impaired can effectively navigate the environment.

A number of shared space schemes are now in operation locally and more widely in the UK. Best practice from these schemes has also been used to inform the development of the scheme design for Portsmouth.

Step 6 - Make a recommendation based on steps 2 - 5

If you are in a position to make a recommendation to change or introduce the policy, service, project or strategy clearly show how it was decided on

This scheme is being presented to Cabinet Members on 5th December, to enable them to consider all views relating to the scheme, and come to a conclusion as to the most appropriate way forward.

June 14 update

The 2 options regarding Palmerston Road are being presented to Traffic and transport committee on the 24 July where members will suggest what option to take forward.

October 14 update

A report is being presented at the Traffic and transport committee on October regarding Palmerston Road as an update to the T&T report that was submitted in July 2014. This update report is for the Portfolio Holder for Traffic and Transport to consider the Officer advice and recommendations on the proposals. The update is that vehicles will be able to now turn left and right of Palmerston Road at its junction with Osborne Road.

January 2016 Update

A report is being presented at Traffic and Transportation Committee in January 2016 regarding making the current ETRO concerning South to North running in Palmerston Road, inviting the Portfolio Holder for T&T Committee to consider the officer recommendation to make the current status quo in Palmerston Road permanent, as well as implementing engineering measures to mitigate the concerns raised through this EIA.

What changes or benefits have been highlighted as a result of your consultation?

The scheme has developed and modified as a result of consultation.

The original scheme included a level surface with no delineation between the pavement and carriageway areas and no contrast in colour. It also made no provision for extra disabled parking bays and stopped any parking in the pedestrian zone area between Clarendon Road and Villiers Road.

As a result of the consultation there is now proposed a clear contrast in colour between the grey footway and red carriageway. Cordoruy paving is included to a width of 400mm alongside a drainage channel of 200mm to provide a physical warning barrier. This helps to address the concerns of the blind and partially sighted to the hazard of the level surface.

The inclusion of a disabled bay in Villiers Road and two in Ashby Place car park have been made to address the concerns of availability of parking for Blue badge holders following the prohibition of traffic in Palmerston Road and the taxi rank 7pm to 11.30pm in place of disabled bays in Portland Road.

As a result of the ongoing consultation and the issues identified within this EIA, a series of engineering measures will be proposed to mitigate where possible the concerns raised as part of the decision to make the ETRO permanent.

If you are not in a position to go ahead what actions are you going to take?

(Please complete the fields below)

Action	Timescale	Responsible officer
	Page 28	

How are you going to review the policy, service, project or strategy, how often and who will be responsible?

Steven Flynn

Step 7 - Now just publish your results

This EIA has been approved by: Alan Cufley

Contact number:

Date:

January 2016

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your full EIA.

Telephone: 023 9283 4789

Email: equalities@portsmouthcc.gov.uk

Agenda Item 5

Agenda item:

Decision maker: Cabinet Member for Traffic and Transportation

Date: 18 February 2016

Subject: Lonsdale Avenue Speed Reduction Scheme – Results of Public Consultation

Report by: Director of Transport Environment & Business Support

Wards affected: Cosham

Key decision (over £250k): No

Budget & policy framework decision: No

1. Purpose of report

1.1 To accept the proposed speed reduction scheme proposed for Lonsdale Avenue

2. Recommendation

2.1 That the Cabinet Member for Traffic & Transportation:

supports the installation of speed reducing measures as detailed in this report. The design for this is included at Appendix A;

3. Background

3.1 Following traffic safety concerns raised by residents and ward councillors from the area, Portsmouth City Council undertook speed surveys along Lonsdale Avenue.

3.2 Lonsdale Avenue is a wide and open road which is covered by a 20mph limit. Residents perceive that there is a high volume of traffic travelling at excessive speeds. Concerns have been raised about dangerous driving in an area that is used by vulnerable road users on their journey to school.

3.3 Analysis of data recorded by Portsmouth City Council's Speed Detection Radar (SDR) Unit in November 2014 revealed that the 85th percentile traffic speed is the speed which 85% of the vehicles are not exceeding). Further analysis revealed that 58% of road users are travelling above the threshold of 24mph.

3.4 An analysis of accident data held by Hampshire Constabulary over the 5 year period (from 03 January 2011 to 29 September 2013) indicates that there have been a total of 3 accidents, two on Lonsdale Avenue and one at the junction of Lonsdale Avenue, Salisbury Road and Knowsley Road. Of these accidents all have been recorded as 'slight'.

3.5 A postal consultation was carried out with residents within the area during November and December 2015. A plan of the consultation area has been included at Appendix B for information purposes. The results were as follows:-

From the 163 letters addressed to residents we received 22 responses (a return of 12%). The breakdown of the results is as follows:

Option 1 - Proposed Road Treatments & Speed Cushions - received 18 votes from residents;

Option 2 - Existing road layout remains unchanged - received 0 votes from residents;

Four responses were received where the resident did not give or vote for a preferred option but did outline their concerns. All responses were recorded on a feedback form and are summarised at Appendix C.

3.6 A consultation exercise was undertaken in the form of a public drop in session on 25 November 2015 at Cosham Baptist Church, Havant Road. Residents from the consultation area were invited to view plans and talk through the proposal with officers. The 12 residents who attended were very positive about the proposals, one was concerned about the impact on his vehicle but this was discussed.

3.7 A Traffic Calming Public Notice was issued on 14 December 2015 to all Statutory Parties (e.g. SSE, Colas, Bus Companies, Police, HFRS), Ward Councillors and relevant PCC parties. The consultation period ran until 18 January 2016.

4. Reasons for recommendations

- 4.1 The support from the letter consultation regarding the implementation of a speed reduction scheme on Lonsdale Avenue would be acceptable to the majority of residents (21 out of 163) that responded. The residents who have responded possess strong concerns regarding pedestrian safety and vehicles travelling at excessive speeds along the road will be satisfied. Some responses did outline concerns which are detailed in Appendix C.
- 4.3 The speed reduction proposals aim to meet the requirements of the Local Transport Plan by seeking to improve Road Safety, Air Quality and Quality of Life;
- 4.4 The implementation of speed reduction methods within the area will seek to increase road safety via reduced speeds. In turn this will improve the habitability of the area for residents and provide a safer environment for all road users.

5. Equality impact assessment (EIA)

- 5.1 An equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

6 Legal comments

- 6.1 The power to make traffic calming works is contained in the Highways (Traffic Calming) Regulations 1999. Where a local authority proposes to construct traffic calming works they shall consult the chief officer of police and such persons or organisations representing persons who use the highway or who are otherwise likely to be affected by the proposed works. The proposed works can include build-outs, chicanes, gateways, islands, overrun area, pinch-points, or rumble devices. Regulations apply to specific traffic calming works and the display of appropriate signs.

7. Director of Finance's comments

The source of funding is the corporate resources set aside for the delivery of the Local Transport Plan as per the capital programme. The 2015/16 LTP capital programme has a budget of £55,000 for Speed Reduction Schemes. This scheme focuses on some of the City's 20mph roads that are currently not performing well and is to deliver Lonsdale Avenue at an estimated £38k (speed bumps, signs and lines).

.....
Alan Cufley
Director of Transport, Environment and Business Support

Appendices:

- Appendix A: Lonsdale Avenue Proposed Layout - 3**
- Appendix B: Plan of consultation area**
- Appendix C: Table - consultation responses**

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

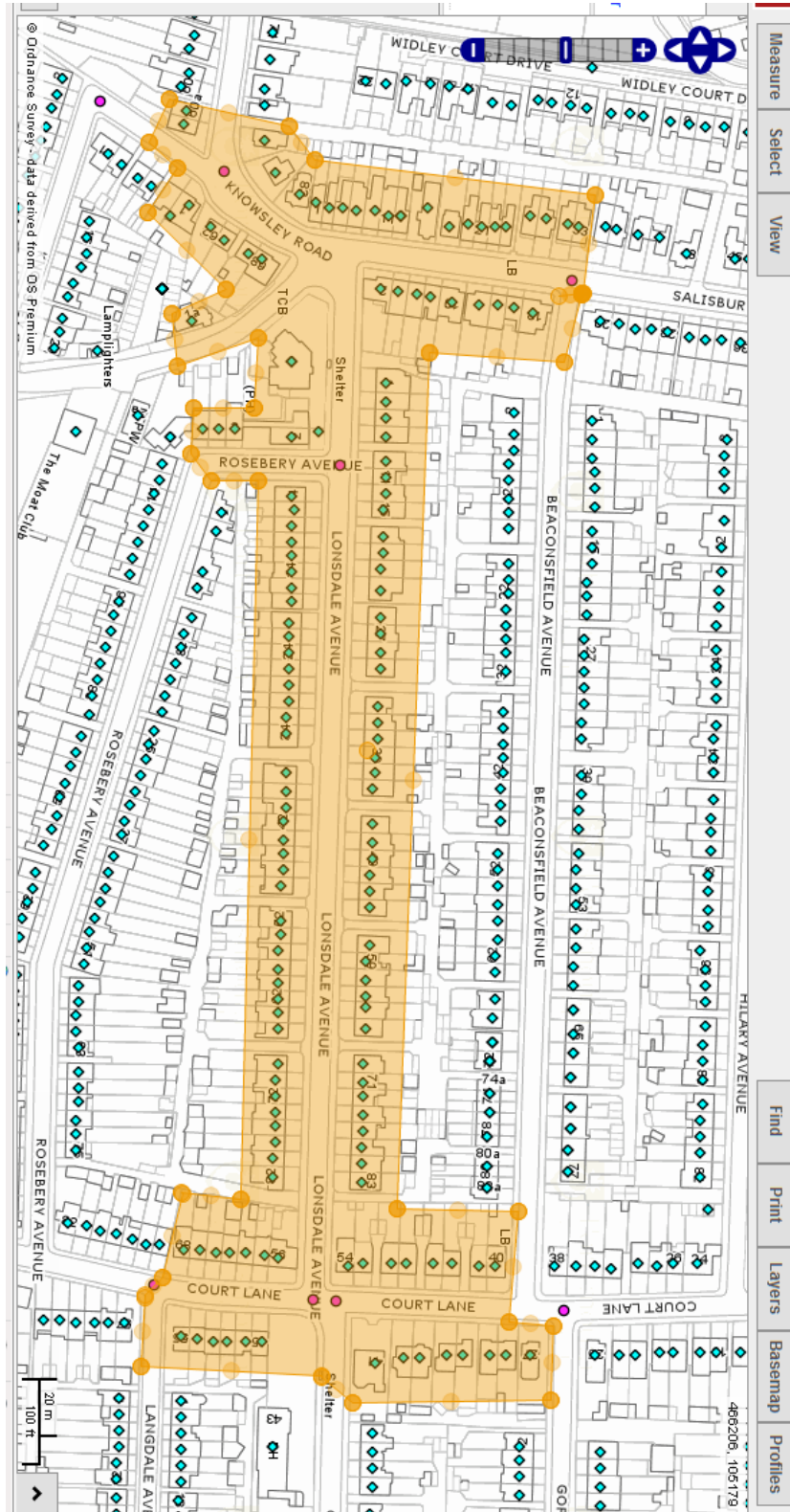
The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by Councillor Ken Ellcome on2016.

Signed.....
Ken Ellcome
Cabinet Member for Traffic and Transportation

Appendix A: LONSDALE AVENUE PROPOSED LAYOUT - 3



Appendix B: PLAN OF THE CONSULTATION AREA



Appendix C: CONSULTATION RESPONSES

Option 1 - proposed speed cushions & surface treatments	Option 2 - Leave existing layout	Comments
1		Greatly appreciated. (problem of cars & motorbikes at night time)
1		The sooner the better. A brilliant idea
1		Concerns over boy racers at night. Hope this option will be chosen
1		Do not want a cushion outside their house as looking to install a dropped curb at some point
1		Supports option 1
1		Has completed speed watch on the road. Concerns over Jewson lorries. Concerns a serious accident will occur if not dealt with. Have had two vehicles damaged by speeding cars.
1		Witnessed numerous near misses and want to see option 1.
1		V Supportive & overdue. Only a matter of time before someone is hurt
1		Supportive. Concerns over speeding vehicles, particularly motor bikes.
1		Supportive. Wish to back option 1
1		No comment
1		No comment
1		Would like to see scheme extended to Grove Road but appreciates finances are an issue.
		Comment only - Concerns over option one (suspension, force drivers into other roads and shift the problem, wants speed cameras).
		Comment only - is concerned that speed cushions would be unsuitable for his classic vehicle. Hopes something can be done without speed cushions
1		Phone response
1		Supportive and welcome option 1
1		In support.
		Comment only - Concerns over the impact this may have on parking on Court Lane. Would like a raised table rather than cushions.
1		Hopes it will help reduce speeding along a busy street.
		Comment only - Concerns over on street parking being reduced.
1		Concerns over noise, road is a rat run, children with disabilities
18	0	

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Agenda Item 6



Portsmouth
CITY COUNCIL

Agenda item:

Title of meeting: Cabinet Member for Traffic and Transportation

Date of meeting: 18 February 2016

Subject: Waltham Street proposals:
TRO 82/2015

Report by: Director of Transport, Environment and Business Support

Wards affected: St Thomas

Key decision: ~~Yes~~/No

Full Council decision: ~~Yes~~/No

1. Purpose of report

To consider the response to the public consultation on proposed double yellow lines under TRO 82/2015. When objections are received to proposed Traffic Regulation Orders, it is a statutory requirement to consider them at a formal decision meeting.

Appendix A: Public notice detailing the proposal (A18)

Appendix B: Plans and location details of Waltham Street and the proposal

2. Recommendation

That 3 metres of double yellow lines are implemented in Waltham Street to maintain access to the rear of the Charter House and Beddow Hall buildings.

3. Background

3.1 The waste collection company has reported regular difficulty accessing the communal bins at the rear of Beddow Hall and Charter House, due to vehicles parking in front of the entrance and gates. This results in return trips and the bins going unemptied if access is not possible.

3.2 Their historic nature means the footway and kerb are level with the carriageway along a significant length of the road, meaning enforcement for obstructing a dropped kerb is not possible. Therefore a proposal for double yellow lines to clearly designate where parking is and is not suitable was put forward for public consultation.

4. Reasons for recommendations

4.1 The following comments have been taken into consideration:

4.1.1 The objection from a resident is based on the grounds that if access is uninhibited, then the waste collection company will be encouraged to service the communal bins at unsocial hours, for example 05:50 in the morning. This has happened in the past and prompted a complaint to Biffa about the noise disturbance. As the impact on adjacent residents is for commercial gain, maintaining access to the communal area is felt to be unreasonable.

4.1.2 The managing agent for Charter House (GD3) is concerned that when the waste bins are not emptied they quickly overflow, and residents leave rubbish around them in the courtyard until the bins can be serviced. Further concerns are prompted over environmental issues, such as attracting vermin, as several of the commercial units are food vendors and regular food waste collection is essential. Charter House is a large building and must be maintained each week in terms of the refuse collections.

4.2.1 There is a legal requirement for domestic and commercial waste to be collected (Environmental Protection Act 1990 (2012) and the Household Waste Recycling Act 2003), as environmental and health issues can arise when waste is left for long periods of time.

4.2.2 Return trips by the waste collection vehicle increases the burden on the highway network and vehicle pollutants, for no purpose if the communal bins cannot be accessed.

4.2.3 The fire escape from Beddow Hall exits into the communal area to the rear, accessed via Waltham Street.

4.3 The proposal was originally advertised as 4 metres of double yellow lines. The reduced length of 3 metres as per the recommendation will ensure the restriction does not encroach in front of the adjacent property.

5. Equality Impact Assessment (EIA)

A full equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. These include Age, Disability, Race, Transgender, Gender, Sexual orientation, Religion or belief, relationships between groups, and other socially excluded groups.

6. Legal Services Comments

6.1 It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to its other obligations, policies and objectives, the following objectives:
(a) securing the expeditious movement of traffic on the authority's road network;
and

(b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

- 6.2** Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.
- 6.3** Traffic Regulation Orders (TROs) can be made for a number of reasons, including avoiding danger to persons or other traffic using the road or for preventing the likelihood of such danger arising, for preventing damage to the road or any building on or near the road, for facilitating the passage on the road of traffic (including pedestrians) or preserving or improving the amenities of the area through which the road runs.
- 6.4** A TRO may make include provisions prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles. A TRO may also make a provision prohibiting, restricting or regulating the use of a road or any part of the width of a road by vehicular traffic of a particular class specified in the order subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.
- 6.5** A proposed TRO must be advertised and the public given a 3 week consultation period (21 days) where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account the comments received from the public during the consultation period.

7. Director of Finance Comments

- 7.1** The implementation costs related to TRO 82/2015 as a whole are estimated to be £2,800. These costs include advertising the TRO, line marking, signage and grounds works, as well as the associated ongoing maintenance costs. This will be funded from the existing on-street parking revenue budget.
- 7.2** The resources required to enforce this traffic regulation order can be met by the parking function and no other additional revenue costs will be incurred as a results of its implementation.

.....
Signed by:
Alan Cufley
Director of Transport, Environment & Business Support

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
4 emails	Transport Planning, 4 th floor, Civic Offices

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:
Councillor Ken Ellcome, Cabinet Member for Traffic & Transportation



Appendix A: Proposals section of public notice for TRO 82/2015

26 November 2015

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (RESTRICTIONS ON WAITING AND AMENDMENTS) (NO.82) ORDER 2015

Notice is hereby given that Portsmouth City Council is consulting the public on proposals within the above Order under Sections 1 – 4, 32, 35, 36, 45 and 46 of the Road Traffic Regulation Act 1984.

The effect would be as detailed below:

A) PROHIBITION OF WAITING AT ANY TIME (double yellow lines)

- | | |
|-----------------------------------|--|
| 1. Allcot Road | Both sides, a 1m length westwards from its junction with Ayles Road |
| 2. Ayles Road | (a) West side;
(i) a 1m length both north and south of its junction with Allcot Road
(ii) a 1m length both north and south of its junction with Gatcombe Ave
(iii) a 1m length both north and south of its junction with Locarno Road
(b) Both sides, a 1m length southwards from its junction with Green Lane |
| 3. Bruce Road | Both sides, a 3m length southwards from its junction with Salisbury Road |
| 4. Devon Road | (a) Both sides, a 1m length northwards from its junction with Green Lane
(b) West side;
(i) a 1m length both north and south of its junction with Lovett Road
(ii) a 1m length both north and south of its junction with Wesley Grove |
| 5. Gatcombe Avenue | Both sides, a 1m length westwards from its junction with Ayles Road |
| 6. Glenthorne Road | Both sides, a 1m length southwards from its junction with Ninian Park Rd |
| 7. Green Lane | (a) North side, a 1m length both west and east of its junction with Devon Rd
(b) South side, a 1m length both west and east of its junction with Ayles Rd |
| 8. Gurney Road | Both sides, extend by 2m to reinstate the original 5m lengths from Dunbar Rd |
| 9. Helena Road | Both sides, a 2m length southwards from its junction with Salisbury Road |
| 10. Locarno Road | Both sides, a 1m length westwards from its junction with Ayles Road |
| 11. Lovett Road | Both sides, a 1m length westwards from its junction with Devon Road |
| 12. Lower Drayton Lane | East side, an 8m length north and a 5m length south of its junction with Stroudley Avenue |
| 13. Military Road | South side, a 25m length opposite the entrance to the new development, up to Rampart Gardens |
| 14. Ninian Park Road | South side, a 1m length both west and east of its junction with Glenthorne Rd |
| 15. River's Street | Northwest side, a 11m extension to the existing double yellow lines, in front of the new disabled bays |
| 16 Salisbury Road, Eastney | South side;
(a) a 3m length both west and east from its junction with Bruce Road
(b) a 2m length west and a 1m length east from its junction with Helena Road |
| 17. Stroudley Avenue | Both sides, a 5m length eastwards from its junction with Lower Drayton Lane |
| 18. Waltham Street | West side, a 4m length in front of the gates, rear of Beddow Hall and Charter House. |
| 19. Wesley Grove | Both sides, a 1m length westwards from its junction with Devon Road |

B) REMOVAL OF DOUBLE YELLOW LINES

- | | |
|--------------------------|--|
| 1. River's Street | Southeast side, a 9m length opposite the new disabled bays |
|--------------------------|--|

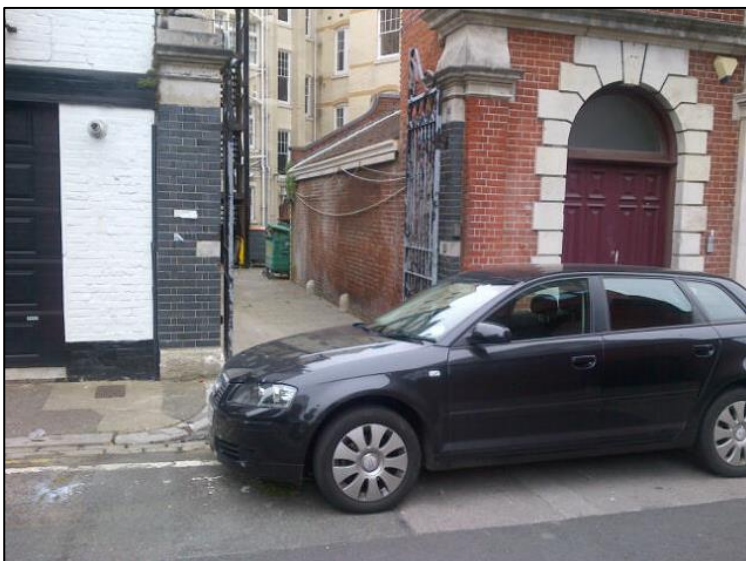
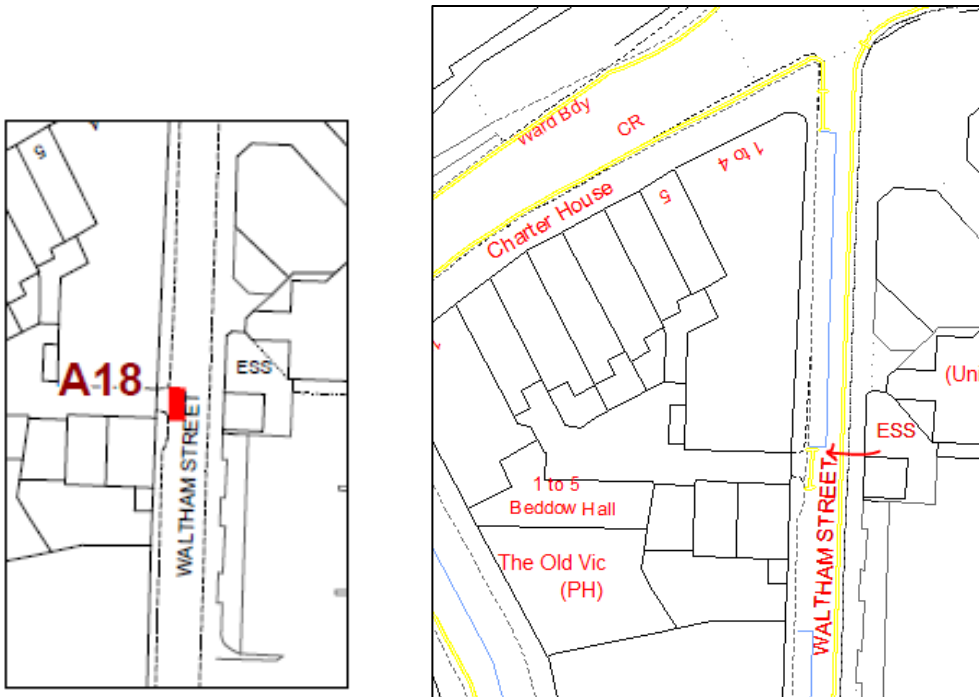
C) EXTENSION TO OPERATING TIMES OF SCHOOL ZIG ZAGS FROM 4PM TO 5PM

- | | |
|-------------------------|--|
| 1. Mayfield Road | Both sets of markings outside Mayfield Infant School |
|-------------------------|--|

D) CHANGE FROM DOUBLE YELLOW LINES TO: GOODS VEHICLE LOADING BAY

- | | |
|--------------------------|---|
| 1. Spring Gardens | A 12m parking bay at the southern dead end to serve New Theatre Royal |
|--------------------------|---|

Appendix B: Plans and location details of Waltham Street and the proposal



Waltham Street entrance to rear communal area of Charter House and Beddow Hall (location of waste bins and fire escape)



Waltham Street entrance to rear communal area of Charter House and Beddow Hall (location of waste bins and fire escape)



Access to rear communal area of Charter House and Beddow Hall, via Waltham Street entrance



Charter House, Lord Montgomery Way (front) / Waltham Street (side and rear)

(End of Report)

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Agenda Item 7

Agenda item:

Title of meeting: Cabinet Member for Traffic & Transportation Decision Meeting

Date of meeting: 18th February 2016

Subject: Parking Enforcement Guidelines and Vehicle Removal Guidelines

Report by: Director of Transport, Environment and Business Support

Wards affected: City Wide

Key decision: No

Full Council decision: No

1. Purpose of report

To seek approval for the revised and updated

- Parking Enforcement Guidelines
- Vehicle Removal Guidelines.

2. Recommendations

That the Cabinet Member approves the revised guidelines as attached at Appendix (A) and (B) and agrees that they will supersede all previously published guidelines and policy.

3. Background

Enforcement Guidelines on parking enforcement are published by the city council to allow the general public the opportunity to see for themselves the guidance and rules surrounding parking enforcement. In exceptional circumstances and where justification can be made parking management are permitted to operate outside the guidelines but only where the law permits.

The Vehicle Removal Policy is in place to ensure a consistent approach is taken by the Council when dealing with vehicles that are removed and impounded. It demonstrates that this activity is done in a fair, appropriate and legal manner. Circumstances of vehicle removals are the misuse or forged parking permits, misused blue badges & disabled bays and debtors. In addition, removals may be made where a vehicle in contravention is causing a hazard or obstruction. Like parking enforcement, in exceptional circumstances, and where justification can be made, Parking Management are permitted to operate outside the guidelines but only where the law permits.

A significant change to our guidelines is on page 15 of the enforcement guidelines. This allows an enforcement officer to issue a PCN on private land where that land is accessible to the public as a part of the highway.

4. Reasons for recommendations

The guidelines need updating to reflect changes to legislation providing clarity in the powers available to the local authority to manage parking and to describe the additional reasons where a vehicle can be removed for the benefit of the city and Council.

5. Equality impact assessment (EIA)

No EIA is required.

6. Legal Implications

The amended Guidance notes attached to this report are reflective of the statutory entitlements that exist to deal with parking enforcement and removal. In addition to this the common law rights that can be exercised are alluded to with confirmation that such a right will not be exercised other than lawfully and when required for the legitimate purpose associated with enforcement and or removal.

7. Finance Comments

There are no financial implications related to this report.

.....
Signed by:
Alan Cufley Director of Transport, Environment and Business Support

Appendices:

- A - Parking Enforcement guidelines
- B- Vehicle Removal guidelines

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Enforcement Guidelines	
Vehicle Removal Guidelines	
The Queen v PATAS Case No: C1/2009/1313	Royal Courts of Justice decision.

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:
Councillor Ellcome, Cabinet Member for Traffic and Transportation

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Parking Enforcement Guidelines

February 2016

1. Introduction

This document sets down parking enforcement guidance and protocols for Civil Enforcement Officers (CEOs) to observe whilst enforcing the parking restrictions within the boundaries of the city of Portsmouth. We aim to deliver a high quality parking service to all road users in a fair and consistent manner, to ensure there is clarity of the enforcement requirements and policy for all CEOs to follow.

This guidance complies with the Traffic management Act 2004 and the Operational Guidance to Local Authorities: Parking Policy and Enforcement issued by the Department for Transport in March 2008 and revised in November 2010.

Parking contraventions are usually dealt with by the issue of a Penalty Charge Notice (PCN) and, in appropriate circumstances, by the immobilisation of a vehicle by wheel clamping or the towing away of the vehicle.

The enforcement guidelines and protocols are intended as a reference document for use on and off street or in the office. It describes the contraventions, their codes and details of information to be recorded in each case in order to prove that the contravention took place.

Minimum observation times, exemptions and when loading or unloading is permitted are dealt with. The protocol refers to all types of parking restrictions, for example, yellow lines, permit parking, meter parking, free parking places, loading places, bus stop clearways and school zig zags.

2. Definitions

General



Parking Place: Any area of highway designated as a parking place. It may contain one or more bays or spaces.



Parking Space: An area or areas within a parking place provided for the leaving of a vehicle.



Parking Bay: An individual bay within a parking place, which is provided for the leaving of a vehicle upon payment or display of a permit or voucher as required.



Loading Bay / Place: An area of highway designated as a loading bay/place under a loading bays/places order. It may contain one or more loading bays or spaces.

3. General Notes

Motorcycles

Motorcycles may park free of charge in designated bays in on and off street pay and display areas and also in controlled resident zones, except where indicated otherwise. They are not exempt from the time restrictions in free bays. Motorcycles with sidecars are treated as cars. Motorcycles are motor vehicles and are thus subject to all other parking restrictions.

Overnight Parking Ban

The overnight ban applies to commercial vehicles over 5 tonnes maximum gross weight (MGW) and buses. The MGW is shown on a plate on the vehicle, but this might be shown only inside the cab. All streets/roads where the ban is in force are signed on the approach roads in the south of the city.

Footway Parking Ban

Parking on footways and footpaths is not permitted except where clearly marked. Vehicles parked on footways and footpaths or an area of the road that forms part of a footway or footpath can cause a problem for pedestrians, especially wheelchair users, parents with pushchairs or people with mobility difficulties. A PCN may be issued.

5. Essential Information to be recorded by the CEO and shown on the PCN

1. Date the Notice is Served
2. Grounds of issue, namely:
 - a. Vehicle registration mark (VRM)
 - b. Date and time of alleged contravention
 - c. Contravention description and code
 - d. Location of alleged contravention (street name)

Other Essential Information to be shown on the PCN

1. PCN number
2. Name of Enforcing Authority
3. Penalty charge amount
4. Methods of payment
5. Payment periods (i.e. statutory payment and discount periods)
6. Address for payment and correspondence
7. How to challenge the PCN

Recommended Information to be recorded by the CEO

1. Vehicle make/model and colour (if evident)
2. CEO number
3. Detailed location (reference to meter or parking bay number, house number, lighting column or post number, or nearest road junction as appropriate)
4. Observation start and finish times (if applicable)

On completion, the PCN must be affixed to the vehicle or handed to the person appearing to be in charge of the vehicle. In the case of the driver attempting to stop the CEO from the issue of the PCN, then this will be served under Regulation 10 of the Traffic Management Act 2004 and will be sent in the post to the registered keeper/owner as either:

- a) If the CEO attempted to serve the PCN by affixing it to the vehicle or giving it to the person in charge of the vehicle but was prevented from doing so by some person.
- b) If the CEO had begun to write the PCN but the vehicle was driven away before the PCN could be served.

Other Supporting Information

The CEO will also record the following information:

1. Whether the PCN was affixed to the windscreen or handed to the driver
2. Whether the CEO was prevented from serving the PCN by some person, or the vehicle drove away before the CEO had had time to complete the PCN
3. Whether the driver was seen and any conversation with the driver
4. Any evidence of loading or unloading activity after the PCN had been issued
5. Expiry time of pay and display ticket or arrival time or value shown on vouchers/scratch cards and serial number and expiry time of pay-and-display ticket or voucher (when relevant).
5. Details of any permit / badge displayed
6. Any evidence of breakdown
7. Details of any notes in or on the vehicle, including any alleged meter faults
8. Tyre valve positions
9. Pocket book reference (if there is a relevant entry)
10. Details of suspensions and signage in relation to the vehicle
11. Details of any roadwork's which are likely to affect parking
12. Details of yellow lines (single, double or broken), and nearest plate (where appropriate)
13. Any other information, which is likely to be useful

Photographic Evidence

As additional evidence, photographs will be taken whenever possible. Whilst this is not compulsory the evidence provided is extremely useful.

Vehicle Removals

Under some circumstances, vehicle removals under the Traffic Management Act 2004 may take place. This includes, but is not limited to :-

- 1) Persistent evader vehicles found parked in contravention
- 2) Fraudulent use of disabled persons parking blue badges or an article that purports to be a disabled blue badge.
- 3) Parked in a disabled persons parking bay without displaying a disabled blue badge.
- 4) Parked using a fraudulent Portsmouth City Council permit, voucher, scratch card or pay and display parking ticket; inclusive of cashless parking sessions and virtual permits
- 5) Parked in a manner that causes serious obstruction to emergency services and other road users. (For more details see the Vehicle Removal Policy)

4. General Exemptions

The Blue Badge Scheme

The blue badge scheme is to help badge holders park closer to their destination, either as a passenger or as a driver. It allows badge holders to park on single or double yellow lines for up to three hours, except where there is a ban on loading or unloading. The blue badge also allows free parking on pay and display zones, both on street and in off street car parks operated by Portsmouth City Council only (Note: in all other privately operated car parks, check signs for available concessions). Free parking is also available for limited wait bays with no time limit. Disabled bays may be provided for blue badge holders and these may restrict the length of stay. On yellow lines or in restricted bays the blue badge and clock showing the time of arrival must be displayed.

Disabled parking bay permits; either a Blue Badge or corresponding disabled parking bay permit must be displayed whilst parked within an allocated disabled bay in residential areas. A Blue Badge cannot be used in another vehicle within the vicinity if the Blue Badge permit is being used. A PCN may be issued to the vehicle displaying the Blue Badge if a CEO records the Blue Badge permit being used at the same time.

Blue badges are valid for 3 years and show the name of the holder, serial number, expiry date and the issuing authority. The badge must be displayed on the nearside front windscreen or in a conspicuous position on the vehicle with the front of the badge facing forward.

Vehicles Always Exempt from PCN's

Fire, police and ambulance vehicles on official business.

A vehicle, which is military or visiting military forces.

A vehicle, which has been told to wait by a police constable or a CEO in uniform or has to stop in order to avoid an accident.

A vehicle prevented from moving by circumstances beyond the drivers control

Utilities Companies

Gas, electricity, water utility, communications and cable and signals companies will from time to time need to carry out emergency works on or off the highway. Vehicles carrying out such emergency works may park in restricted streets. If necessary, CEO's may ask drivers to move such vehicles to a more suitable location.

Additional Exemptions which may apply to individual situations.

- a) Setting down and/or picking up of passengers, or to load or unload any personal luggage. This should not take longer than 2 minutes unless the person suffers from a disability or when dropping off a child.
- b) A vehicle on the service of the local authority providing that it is being used in the exercise of a statutory power or duty and it is necessary for the vehicle to wait in that location.
- c) A vehicle used for the removal of furniture to or from adjacent premises
- d) A vehicle involved in the removal of any obstruction to traffic
- e) A vehicle waiting while a gate or barrier is opened/closed to allow access or departure to/from premises.
- f) A stationary vehicle selling goods from a pitch on a restricted street whilst holding a licence from the Council to do so.

Loading and Unloading

Loading/unloading or delivering/collecting goods are allowed in most places where restrictions apply. However, these activities are not allowed where loading prohibitions apply, for example:

- 1) where there are kerb stripes;
- 2) where there is a temporary ban on loading; or
- 3) on bus stop clearways or school keep clear markings.

Loading/unloading is generally restricted as follows: –

- (a) in loading bays – as time plate stipulates
- (b) designated parking places - 20 minutes
- (c) on yellow lines - 20 minutes as long as there are visible signs of loading/unloading taking place.

A vehicle may only remain in place for as long as it takes to perform the loading or unloading operations, generally defined as being the movement of goods to or from the vehicle, the checking of said goods and the completion of any necessary paperwork. The purchase of goods is not covered by the exemption, for example parking in order to go shopping, purchasing a newspaper or obtaining cash from an ATM.

There is no right to park on completion of loading/unloading. In order to qualify for exemption, vehicles should be parked adjacent, or as close as is practically possible, to the premises receiving the delivery. Although this is not always possible, discretion can be used to allow the vehicle to park in the vicinity of the premises.

Where loading/unloading is allowed, a CEO will observe the vehicle for a period of time to ascertain whether loading/unloading is being carried out. If a goods vehicle is being

observed then it is recommended that the observation time is longer. If loading or unloading is seen after a PCN is issued, this will be noted by the CEO in the pocket book

On Street Contravention Codes, Descriptions and Charge Level

(H) = Higher Penalty Level

(L) = Lower Penalty Level

- 01 Parked in a restricted street during prescribed hours **(H)**
- 02 Parked or loading/unloading in a restricted street where waiting and loading / unloading restrictions are in force **(H)**
- 05 Parked after the expiry of paid for time **(L)**
- 06 Parked without clearly displaying a valid pay and display ticket or voucher **(L)**
- 12 Parked in a residents' or shared use parking place or zone without clearly displaying either a permit or voucher or pay and display ticket issued for that place **(H)**
- 18 Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited **(H)**
- 21 Parked in a suspended parking bay or space or part of bay or space **(H)**
- 22 Re-parked in the same parking place or zone within one hour (or other specified time) of leaving **(L)**
- 23 Parked in a parking place or area not designated for that class of vehicle **(H)**
- 24 Not parked correctly within the markings of a bay or space **(L)**
- 25 Parked in a loading place during restricted hours without loading **(H)**
- 26 Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place **(H)**
- 27 Parked in a special enforcement area adjacent to a dropped footway **(H)**
- 30 Parked for longer than permitted **(L)**
- 40 Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner **(H)**
- 42 Parked in a parking place designated for police vehicles **(H)**
- 45 Parked on a taxi rank **(H)**
- 46 Stopped where prohibited (on a red route or clearway) **(H)**
- 47 Parked on a restricted bus stop or bus stand **(H)**
- 48 Parked on a restricted area outside a school when prohibited **(H)**
- 55 A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban **(H)**
- 99 Stopped on a pedestrian crossing or a crossing area marked by zigzags **(H)**

On Street Contravention Codes, Descriptions and Observation Times

Contravention 01

Description: Parked in a restricted street during prescribed hours

Observation period: Five minutes

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- if a valid blue badge and time clock, is displayed CEO, to log and not enforce within three hours
- if there is evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Specific Exemptions:

- any vehicle displaying a valid Portsmouth City Council dispensation

Contravention 02

Description: Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force

Observation period: None

Observations:

- if there is evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Contravention 05

Description: Parked after the expiry of paid for time

Observation period: Ten minutes

Contravention 06

Description: Parked without clearly displaying a valid pay & display ticket or voucher

Observation period: Ten minutes

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 10 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 12

Description: Parked in a residents' or shared use parking place or zone without clearly displaying either a permit or voucher or pay & display ticket issued for that place

Observation period: Five minutes for cars, ten minutes for HGV's

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- if there is evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Contravention 16

Description: Parked in a permit space without displaying a valid permit

Observation period: Five minutes for cars, ten minutes for HGV's

Observations:

- If evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Contravention 18

Description: Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited

Observation period: None

Contravention 21

Description: Parked in a suspended bay or space or part of a bay or space

Observation period: None

Observations:

- If evidence of setting down/picking up passengers and luggage is observed

Contravention 22

Description: Re-parked in the same parking place or zone within one hour of leaving or other specified time

Observation period: Five minutes

Observations:

- If evidence of setting down/picking up passengers and luggage is observed

Contravention 23

Description: Parked in a parking place or area not designated for that class of vehicle. (This applies to motorcycle and coach bays only)

Observation period: None

Observation: None

Contravention 24

Description: Not parked correctly within the markings of the bay or space

Observation period: None

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- if there is evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Contravention 25

Description: Parked in a loading place during restricted hours without loading

Observation period: Ten minutes

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 26

Description: Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place

Observation period: None

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 27

Description: Parked in a special enforcement area adjacent to a dropped footway
The description, 'parked adjacent to a dropped footway' applies to a dropped footway, which includes driveways. For residential driveways authorisation is required from the property owner/resident that they cannot gain entry/egress from the driveway/garage. There is no authorisation required for enforcement at other dropped footways i.e. with or without tactile kerbs provided to allow wheelchair/pushchair users to cross the road.

Observation period: Five minutes

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- if evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed

Contravention 30

Description: Parked for longer than permitted (Applies to all free bays)

Observation period: Ten minutes are required after free time has elapsed with the same wheel valve positions

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 10 minutes by casual observation
- if a valid blue badge is displayed then there is no limit on the duration of stay
- if there is evidence of setting down/picking up passengers and luggage is observed then casual observation to be followed

Contravention 40

Description: Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.

Observation Period: None

Observations: None

Specific Exemptions:

Blue badge holders provided blue badge is on display and/or, if in a residents allocated disabled bay, then the blue badge or disabled bay permit is displayed.

Contravention 42

Description: Parked in a parking place designated for Police vehicles

Observation Period: None

Contravention 45

Description: Parked on a taxi rank.

Observation period: Instant.

Observations: None.

Contravention 46

Description: Stopped where prohibited (on a red route or clearway)

Observation Period: None

Contravention 47

Description: Stopped on a restricted bus stop or stand.

Observation period: None

Additional Exemptions:

Buses as defined- bus means a vehicle which is adapted to carry more than eight passengers

Contravention 48

Description: Stopped in a restricted area outside a school when prohibited

Observation period: None

Observations: None

Contravention 55

Description: A commercial vehicle parked in a restricted street in contravention of the overnight waiting ban. (This only applies where an overnight waiting sign is displayed.)

Observation period: None

Observations: None

Contravention 99

Description: Stopped on a pedestrian crossing or crossing area marked by zigzags

Observation period: None

Observations: None

Off Street Contravention Codes, Descriptions and Charge Level

(H) = Higher Penalty Level

(L) = Lower Penalty Level

70 Parked in a loading area during restricted hours without reasonable excuse **(H)**

74 Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited **(H)**

80 Parked for longer than the maximum period permitted **(L)**

81 Parked in a restricted area in a car park **(H)**

82 Parked after the expiry of paid for time **(L)**

83 Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock **(L)**

85 Parked in a permit bay without clearly displaying a valid permit **(H)**

86 Parked beyond the bay markings **(L)**

87 Parked in a designated disabled person's parking place without displaying a valid disabled persons badge in the prescribed manner **(H)**

89 Vehicle parked exceeds maximum weight or height or length permitted in the area **(H)**

90 Re-parked within one hour or other specified time of leaving a bay or space in a car park **(L)**

91 Parked in a car park or area not designated for that class of vehicle **(H)**

92 Parked causing an obstruction **(H)**

93 Parked in car park when closed **(L)**

95 Parked in a parking place for a purpose other than the designated purpose for the parking place **(L)**

Contravention 70

Description: Parked in a loading area during restricted hours without reasonable excuse

Observation Period: Twenty minutes

Observations:

- If there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 74

Description: Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited

Observation Period: None

Observations: None

Contravention 80

Description: Parked for longer than maximum period permitted (Applies to all free bays)

Observation period: Ten minutes after free time elapsed are required with the same wheel valve positions

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 10 minutes by casual observation
- if a valid blue badge is displayed then there is no limit on the duration of stay
- if there is evidence of setting down/picking up passengers and luggage is observed then casual observation to be followed

Contravention 81

Description: Parked in a restricted area in a car park

Observation Period: None

Observations: None

Contravention 82

Description: Parked after the expiry of paid for time

Observation Period: Ten minutes

Contravention 83

Description: Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock

Observation Period: Ten minutes

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 10 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 85

Description: Parked in a permit bay without clearly displaying a valid permit

Observation Period: Five Minutes

Observations: None

Contravention 86

Description: Parked beyond the bay markings

Observation Period: None

Observations: None

Contravention 87

Description: Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner

Observation Period: None

Observations: None

Contravention 89

Description: Vehicle parked exceeds maximum weight or height or length permitted in the area

Observation Period: None

Observations: None

Contravention 90

Description: Re-parked within one hour or other specified time of leaving a bay or space in a car park

Observation period: Five minutes

Observations:

- If evidence of setting down/picking up passengers and luggage is observed

Contravention 91

Description: Parked in a car park or area not designated for that class of vehicle

Observation Period: None

Observations:

- if there is evidence of loading/unloading, CEO to log for minimum of 20 minutes casual observation
- If evidence of setting down/picking up passengers and luggage is observed

Contravention 92

Description: Parked causing an obstruction

Observation Period: None

Observations: None

Contravention 93

Description: Parked when car park is closed

Observation Period: None

Observations: None

Contravention 95

Description: Parked in a parking place for a purpose other than the designated purpose for the parking place

Observation Period: None

Observations: None

In some circumstances certain contraventions may cause the vehicle to be towed away, See the tow away guidance for details. The support line for motorists who have had their vehicle towed is 02392 688290.

The above observation times are for guidance only. A CEO may issue a PCN or remove a vehicle without following the guidance if there are compelling grounds to do so.

Issuing a PCN where a minor infringement is occurring

There are certain circumstances where a contravention is technically occurring but is sufficiently minor not to warrant a PCN being issued. Verbal warnings may be appropriate for minor contraventions where a driver is still with or returns to the vehicle.

The following is a list of some of the situations in which consideration should be made as to whether or not to issue a PCN.

a) Vehicle Overhang

A CEO should only issue a PCN if the vehicle is parked incorrectly to the extent that at least one wheel is wholly in contravention, for example a wheel being wholly outside the parking bay on a yellow line. If all of the wheels are within the confines of the bay but the vehicle is large and overhangs the bay to such an extent that it causes an obstruction equal to a normally sized vehicle with one wheel wholly in contravention, then a PCN can also be issued. CEOs must use their judgement on this, and record any evidence (especially photographic) that proves the contravention.

b) Distance from the Kerb

Contravention code 26 refers to a vehicle being more than 50cm from the edge of the carriageway. Although this provision was originally introduced to combat double parking, a vehicle parked a significant distance from the kerb so that it could be considered to be causing an obstruction/impeding the flow of traffic/cyclists a PCN may be issued. Evidence (especially photographic) proving the contravention should be recorded.

Links:

Operational Guidance to Local Authorities: Parking Policy and Enforcement

<http://www.dft.gov.uk/pgr/roads/tpm/tmaportal/tmafeatures/tmapart6/betterprkoperationalguid/>

The Highway Code:

http://www.google.co.uk/url?q=http://www.direct.gov.uk/en/TravelAndTransport/Highwaycode/index.htm&sa=U&ei=8fD1TZvkMNKAhQfMwZjXBq&ved=0CBkQFjAA&usq=AFQjCNEKne2HQ6mg-y47or_HXqXO4k7edw

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Vehicle Removal Guidelines

February 2016

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1. Introduction

It is Portsmouth City Council's aim to undertake a fair and transparent approach to the removal of vehicles and these guidelines outline the removal of vehicles parked in contravention of on and off street parking restrictions to a secure vehicle storage facility.

These guidelines are designed to deal with vehicles that are parked in contravention in the following circumstances:

- Persistent evader vehicles found parked in contravention
- Fraudulent use of disabled persons parking blue badges or an article that purports to be a disabled blue badge.
- Parked in a disabled persons parking bay without displaying a disabled blue badge.
- Parked using a fraudulent Portsmouth City Council permit, voucher, scratch card or pay and display parking ticket; inclusive of cashless parking sessions and virtual permits
- Parked in a manner that causes serious obstruction to emergency services and other road users.

These guidelines comply with the statutory provisions of the Traffic Management Act 2004, which governs the enforcement of parking contraventions. It has also been developed in accordance with the Operational Guidance to Local Authorities: Parking Policy and Enforcement issued by the Department for Transport (DFT) in March 2008, revised November 2010 and March 2015.

Parking contraventions are dealt with by the issue of a Penalty Charge Notice (PCN) and, in appropriate circumstances, the removal of the vehicles. The protocols and policies for parking enforcement are contained in city council's Enforcement Policy for Parking contraventions ([link](#))

2. City Council Priorities

These guidelines contribute to the following Council Corporate Priorities, to:

- Reduce crime and fear of crime
- Regenerate the city
- Have a cleaner and greener city
- Protect and support our most vulnerable residents

3. General Definitions

3.1 Authorised Officers

Parking Section Senior Officers are authorised to instruct removal of vehicles in contravention of the Traffic Management Act 2004

3.2 Designated Parking Places

For the purposes of these guidelines, the meaning of Designated Parking Places shall be the definition prescribed under section, 32 33, & 45 of the Road Traffic Regulation Act (RTRA) 1984

3.3 Parking Device

For the purposes of these guidelines, the meaning of Parking Devices shall be the definition prescribed under section 51 of the Road Traffic Regulation Act (RTRA) 1984

4 Persistent Evaders

4.1 A persistent evader is where a vehicle has three or more recorded contraventions for the vehicle and the PCN's are not paid, represented or appealed against within the statutory time limits; or their representations and appeals have been rejected but the penalty charge notices remain unpaid. A persistent evader's vehicle can be removed following the issue of a penalty charge notice when parked in contravention of the Traffic Management Act 2004.

4.2 Persistent evader vehicles parked in contravention in a designated parking place. The Traffic Management Act 2004, and regulations made under it, prohibit the Enforcement Authority from removing the vehicle until at least 15 minutes have elapsed following the issue of a penalty charge notice (PCN).

4.3 Persistent evader vehicles when parked in contravention on a road and not in a designated parking place may be liable for instant removal by the Enforcement Authority immediately following the issue of a penalty charge notice (PCN).

5 Contravening the Blue Badge Scheme

5.1 Vehicles that are parked and are displaying a disabled person's parking blue badge but not in accordance with the regulations.

This may include vehicles displaying a disabled parking blue badge that is:

- Copied or Counterfeit
- Expired or Expired / Altered
- The Badge Holder is deceased
- The Badge has been reported lost or stolen
- The Badge has been cancelled by the Issuing Authority
- Abuse of a valid badge has been clearly established
- In the case of an Organisational Badge - the Organisation ceases to exist

5.2 Vehicles parked in contravention and in breach of the regulations **in a designated parking place**, the Traffic Management Act 2004 and Regulations made under it, prohibit the Enforcement Authority from removing the vehicle until at least 30 minutes have elapsed following the issue of a penalty charge notice (PCN).

5.3 For vehicles parked in contravention and in breach of the regulations on a road **not in a designated parking place** may be liable for instant removal by the Enforcement Authority immediately following the issue of a penalty charge notice (PCN)

5.4 A vehicle parked in a disabled persons' parking place, without displaying a valid disabled person's badge, may be subject to removal.

6 Fraudulent Use of Parking Devices

6.1 A vehicle is parked in contravention whilst displaying a fraudulent parking device, inclusive of cashless parking sessions, virtual permits, and or a parking device which is:

- Copied or Hybrid or Wholly Counterfeit
- Expired and or Expired / Altered
- Reported lost or stolen
- Cancelled by the Issuing Authority
- Parking device is not issued for that vehicle
- Abuse had been clearly established
- The holder is no longer authorised to use the parking device
- In the case of a Business Permit - The business ceases to exist

- 6.2 A vehicles parked in contravention whilst displaying a fraudulent parking device in a designated parking place. The Traffic Management Act 2004 and Regulations made under it prohibit the Enforcement Authority from removing the vehicle until at least 30 minutes have elapsed following the issue of a penalty charge notice (PCN).
- 6.3 Vehicles parked in contravention whilst displaying a fraudulent parking device on a road not in a designated parking place may be liable for instant removal by the Enforcement Authority immediately following the issue of a penalty charge notice (PCN)

7 Hazard or Obstruction

A vehicle is parked in contravention, in a way that is dangerous to other road users; and/or emergency service vehicles. Vehicles parked in contravention but not exclusive of the restrictions listed below will be deemed to be causing Hazard or Physical Obstruction.

7.1 Contravention 01

Description: Parked in a restricted street during prescribed hours

7.2 Contravention 02

Description: Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force

7.3 Contravention 21

Description: Parked in a suspended bay or space or part of a space

7.4 Contravention 26

Description: Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place.

7.5 Contravention 48

Description: Stopped in a restricted area outside a school when prohibited.

7.6 Contravention 47

Description: Stopped on a restricted bus stop or stand.

7.7 Contravention 99

Description: Stopped on a pedestrian crossing or crossing area marked by zigzags

Exemptions: The Enforcement Authority will observe exemptions to the enforcement of the above parking contraventions for Emergency vehicles (Police, Fire, Ambulance Services); and or other vehicles carrying out emergency or statutory works.

8. Other Vehicle Removals

In addition to the reasons stated above, vehicles may also be removed if they are considered abandoned or are untaxed. This is carried out under different legislation to the Traffic Management Act 2004.

8.1 Abandoned Vehicles

Vehicles considered abandoned are removed under one of the following Acts-

- Refuse Disposal (Amenity) Act 1978
- Removal and Disposal of Vehicles Regulations 2008
- Road Traffic Regulation Act 1984
- Clean Neighbourhoods and Environment Act 2005

There are a number of stages related to abandoned vehicles, below is given a brief overview of this process-

- Report received.
- Visit vehicle, checking for clues on vehicle as to whether abandoned and photograph vehicle if suspect if appropriate.
- Checks made with the DVLA, Police National Computer and any other agencies as may be relevant.
- If considered abandoned after checks, a letter is sent to ascertain ownership interest- if vehicle is in poor condition and/or threat of arson or vandalism then the vehicle can be impounded immediately.
- After deadline set out in the letter expires - vehicle is revisited, photographed and if in situ and no owner interest then can be impounded.
- Letter sent to registered owner to inform them the vehicle has been impounded.
- If the vehicle is not claimed, then the vehicle can be disposed of as required.

8.2 Untaxed Vehicles

Untaxed vehicles are dealt with under The Vehicles Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1994 (as amended).

In dealing with untaxed vehicles the process is very similar to the abandoned vehicles are dealt with, the differences being that we inform the DVLA of vehicle impounding and the DVLA will inform the keeper that the vehicle has been removed. Vehicles are only disposed of when authorised by the DVLA.

9. Scope of the Guidelines

These Guidelines are designed to deal with persistent evader vehicles, vehicles parked in breach of the Blue Badge Scheme Regulations, vehicles using fraudulent parking devices, and vehicles that are parking dangerously or causing an obstruction on the public highway. The guidelines apply within the boundaries of Portsmouth, including the adopted public highway and any land owned by the Council.

For the purposes of these Guidelines, the meaning of “Road” shall be the definition as contained in the Road Traffic Regulation Act (RTRA) 1984 and Traffic Management Act (TMA) 2004.

All TMA 2004 removals can attract an appeal from the owner/keeper; these will be treated in the same manner as a PCN appeal. If successful in appeal, all money paid in respect of the removal and storage of the vehicle will be reimbursed.

Vehicle compound hours are dictated by vehicle removal contractor whose current opening hours are:

8:00 am to 5:00 pm	Monday to Friday
8:00 am to 12:30 pm	Saturday

10. Legislation & Guidance

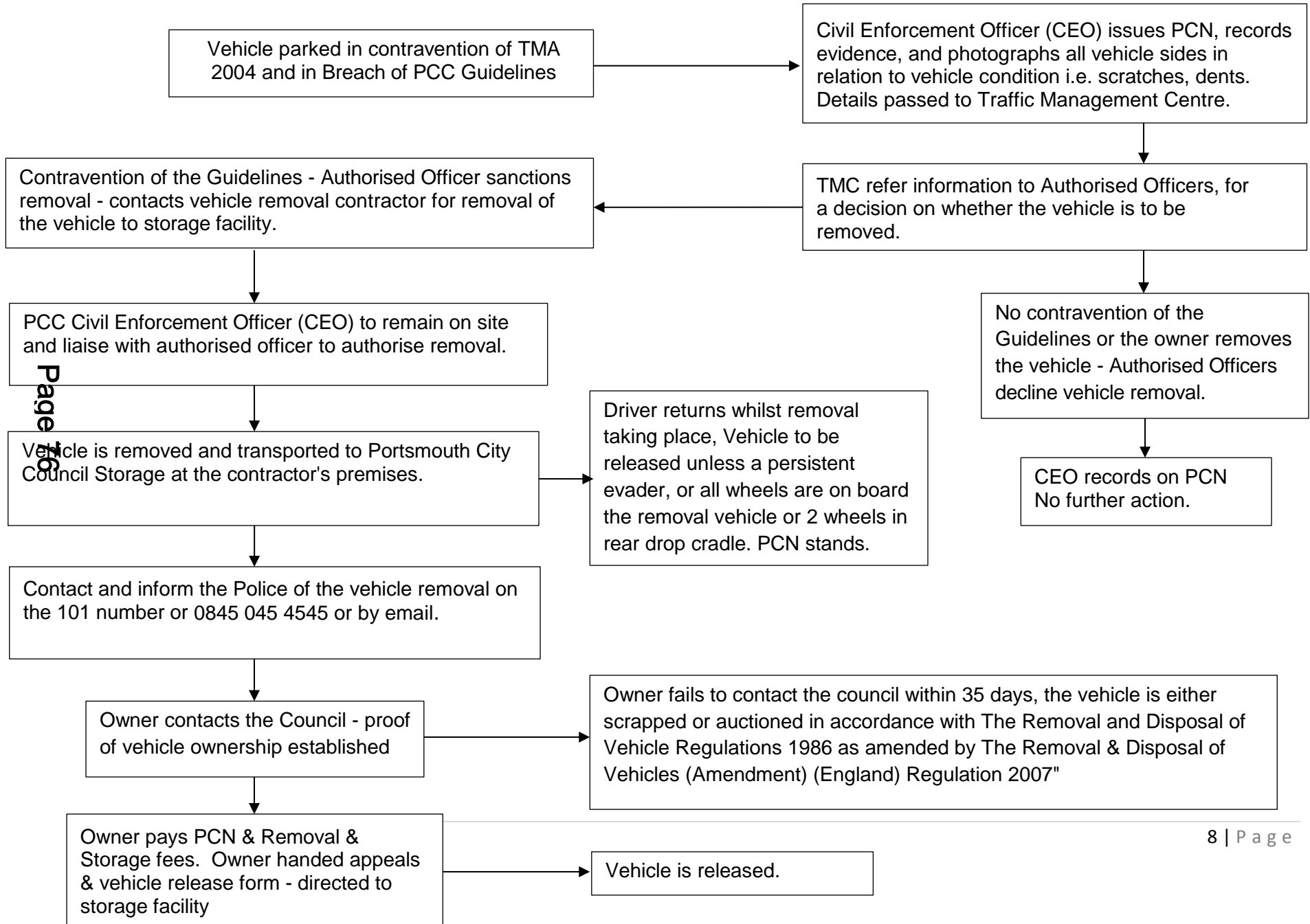
These Vehicle Removal Guidelines have been developed in line with the Secretary of State’s recommendations and in conjunction with the following documents:

- Traffic Management Act 2004
- Road Traffic Regulation Act 1984
- Refuse Disposal (Amenity) Act 1978
- The Removal and Disposal of Vehicle Regulations 2008
- Clean Neighbourhoods and Environment Act 2005
- The Vehicles Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1994 (as amended).
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007/3483)
- The Civil Enforcement of Parking Contraventions (Representations and Appeals) (England) Regulations 2007 (SI 2007/3482)
- The Civil Enforcement of Parking Contraventions (Guidelines on Levels of

Charges) (England) Order 2007 (SI 2007/3487)

- The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000
- Department for Transport (DFT) Operational Guidance Traffic Management Act 2004
- Department for Transport (DFT) The Blue Badge Scheme Local Authority Guidance
- Parking Enforcement Guidelines 2015

11. Procedural Guidance



12. Process

On reclaiming a removed vehicle, the owner/keeper will be required to produce proof of identity, address, and vehicle ownership; the owner/keeper will be required pay the penalty charge notice issued prior to the vehicle removal, and the prescribed sums and charges for the vehicle removal and any incurred storage fees before the vehicle can be released.

13. Associated Costs

The associated costs for vehicle removal, storage and or disposal of vehicles removed for parking contraventions under Traffic Management Act 2004; are prescribed by the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 (SI 2007/3487).

- £105 for vehicle removal
- £12 per day vehicle storage or each day or part day during which the vehicle is impounded
- £50 vehicle disposal

In addition to the prescribed sums and charges, the owner/keeper will be required to pay the amount payable for the penalty charge notice issued to that vehicle on the date the vehicle was removed.

All vehicle removals can attract an appeal from the owner or keeper of the vehicle. These appeals are to be treated the same as a PCN appeal, SI 2007/3482. If an appeal is successful, all monies paid in respect of the removal and storage of the vehicle will be reimbursed in full.

Vehicles dealt with as abandoned or untaxed attract a different pricing structure to those above, details of which can be gained through contacting our Vehicle Recovery Officer.

14. Conditions of Guidelines

The final decision to remove a vehicle parked in contravention of this Policy & the Traffic Management Act 2004 will be taken by the Parking Operations Team senior authorised officers. For the purpose of this policy, *Authorised Officer* includes:

- Parking Operations Manager
- Parking Office Manager or Parking Office Supervisor
- Parking Investigations Officer
- Enforcement Supervisors

The above information is for guidance only. A senior authorised officer may remove a vehicle without following this guidance if there are compelling grounds to do so.

15. Disclaimers

Provided the guidelines and procedures have been followed correctly, the Council shall not be responsible for compensating any person or persons following the removal of a vehicle or its contents.

The Guidelines shall be enforced from the date of its adoption, and shall remain in force until formally revoked or superseded. These Guidelines will be reviewed annually, or when legislation changes dictate or when elected members agree change to it