



**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

---

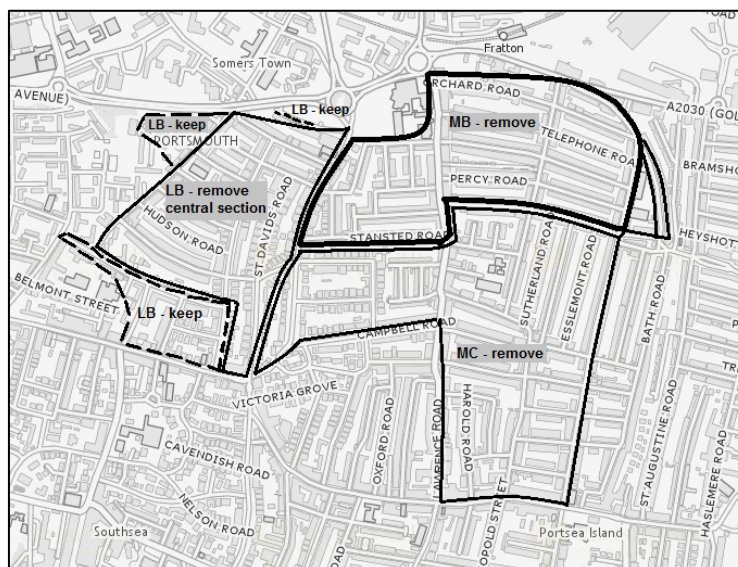
**1. Purpose of report**

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:

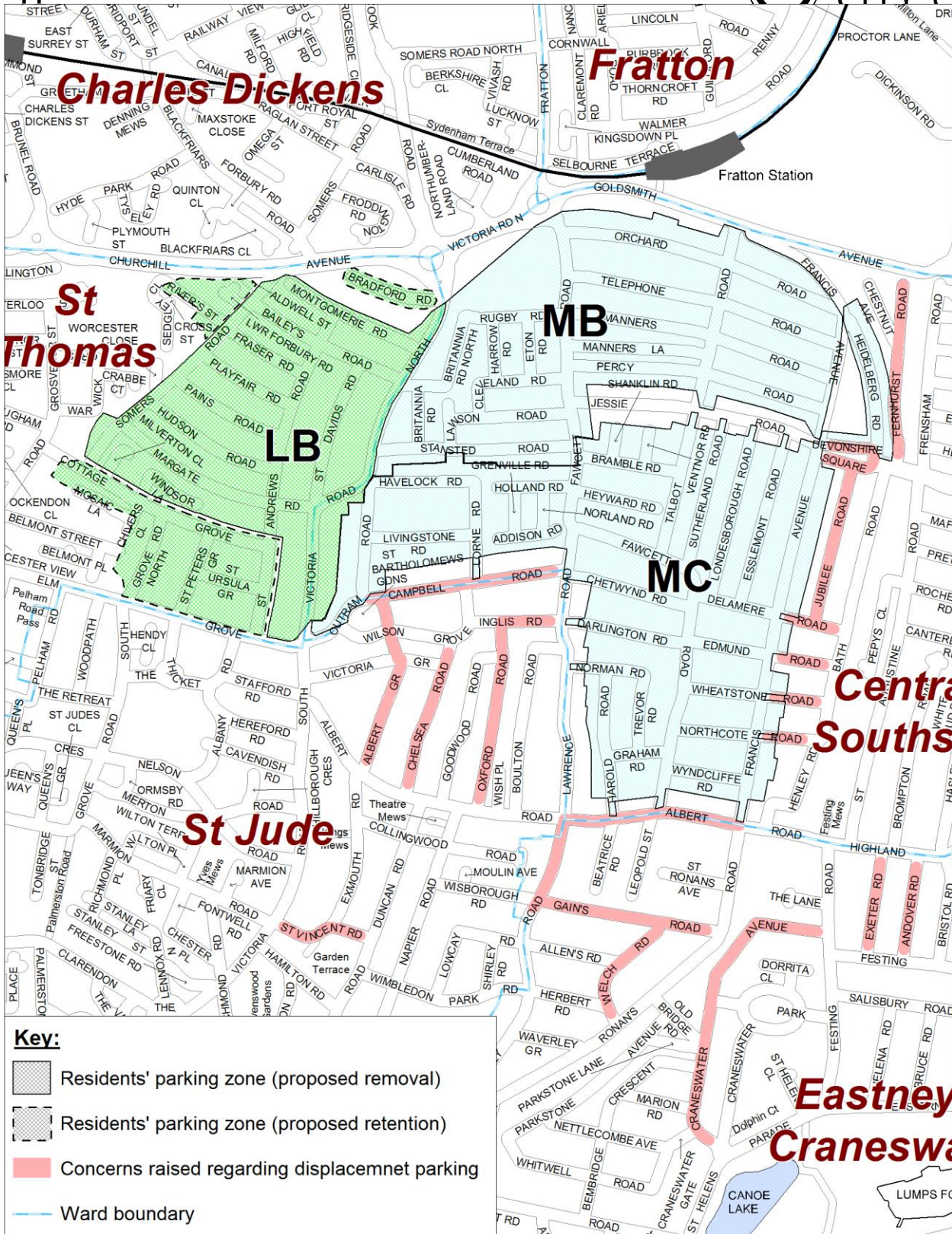
<b>Title of document</b>	<b>Location</b>
17 December 2015 Scrutiny Management Panel report	PCC website, Democratic Services
26 November 2015 Traffic & Transportation report	PCC website, Democratic Services
15 July 2015 RPZ Review Traffic & Transportation report	PCC website, Democratic Services
October 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 .....





.....  
 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)