

**Title of meeting:** Cabinet Member for Traffic and Transportation

**Date of meeting:** 12<sup>th</sup> July 2018

**Subject:** Review of JB Landport residents' parking zone (TRO 16/2018)

**Report by:** Tristan Samuels, Director of Regeneration

**Wards affected:** Charles Dickens

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

- 1.1** To report on the Council's proposals under TRO 16/2018 and the public response to it, in relation to the JB Landport residents' parking zone.

Appendix A (pages 7-8): Notice of proposals  
Appendix B (pages 9-10): Public response to the formal proposals

**2. Recommendations**

It is recommended that:

- 2.1** The 'Portsmouth City Council (JB Landport) (Residents' Parking Zone Amendments) (No.16) Order 2018' is implemented as advertised, with the following outcome:

- the free parking period within the JB zone residents' parking bays is reduced from 2 hours to 1 hour;
- the parking zone's 24-hour operation is reduced to 9am - 6pm

**3. Background**

- 3.1** Following the decision to reintroduce a charge for the first Resident permit (£30) to enable parking zones to be self-financing, residents living within all zones were asked in 2015 whether or not they would prefer to keep their parking zone or for it to be removed.

- 3.2** Among the comments received to the 2015 survey, those repeated most often were:
- cost-related, that £30 is too high or that the 2<sup>nd</sup> and 3<sup>rd</sup> permit charges should be increased instead (*2<sup>nd</sup> and 3<sup>rd</sup> permit charges were increased in 2016/2017*)
  - insufficient enforcement of parking zones
  - reduce the length of the free parking period
- 3.3** Residents of JB Landport zone voted 88% in favour and 12% against keeping their parking zone, which is the next zone on the Programme to be reviewed.
- 3.4** Within the unprompted comments received with the 2015 survey, 42% of those who wanted to keep the parking zone indicated that the length of free parking time for non-permit holders should be reduced. This request was therefore included in the proposal under TRO 16/2018 when the JB zone was reviewed.
- 3.5** As reported to Traffic & Transportation in 2015, parking zones with a longer free parking period for non-permit holders are inefficient to enforce and resource-intensive because 2-3 hours has to be allowed for each vehicle from when it is first observed by an enforcement officer. Within shift patterns a limited number of vehicles can be observed and recorded, before a second visit is made and Penalty Charge Notices (PCNs) can be issued to vehicles parked in contravention of the restrictions. Between return visits, more vehicles may have arrived in the area, avoiding the first observation visit.
- 3.6** It should be noted that JB Landport zone and these proposals relate to parking on the public highway only. There are a number of private and Council-owned parking areas within Landport, which remain unaffected by the proposals under TRO 16/2018.

#### **4. Reasons for recommendations**

- 4.1** The proposal to reduce the free parking time for non-permit holders responds to residents' requests, and also the Council's aim of improving the efficiency of the parking zones in terms of enforcement and providing a more effective service. This is particularly relevant now that all permits are paid for and enforcing the number of controlled parking zones in the city continues to be a challenge within current resources.
- 4.1.1** A higher turnover of vehicles allowed by a reduced free parking period will also contribute to parking spaces being more readily available for residents and their visitors.
- 4.1.2** Parking provisions such as on-street Pay & Display, limited waiting and car parks exist in the vicinity for shoppers and visitors to the commercial centre. In conjunction with encouraged use of public and sustainable transport, parking space in the residential roads is prioritised in favour of residents and their visitors.

- 4.2** The proposal to reduce the zone's operating time from 24 hours to 9am-6pm has similar aims outlined above. Restricted parking will continue to operate when it is needed, to deter:
- long-term use of the residential areas by Portsmouth International Port patrons;
  - all-day parking by local employees;
  - parking within the residential area by shoppers and visitors to Commercial Road and to commercial premises in the wider vicinity.
- 4.2.1** The proposed amended operating time also means that residents will not need to use visitor permits after 5pm in the evening and before 10am when demand for parking by others is light and space is more readily available.
- 4.2.2** The demand for enforcement after 5pm, and the need to schedule overnight enforcement visits are therefore also removed.
- 4.3** As established in 2015, the aim of proposing operational changes to the parking zones is to ensure they are manageable and efficient to enforce, thereby reducing enforcement costs and providing a more effective scheme for residents and businesses that seeks to more adequately meet their expectations.
- 4.3.1** With over 30 parking zones in place, covering more than 400 roads in the city, the enforcement demands are already considerable. In order for enforcement to be practicable and for a reasonable level of effective enforcement to be maintained, changes are required to the existing parking zones.
- 4.3.2** Enforcement of parking zones necessarily has a lower priority than other restrictions in place for road safety and traffic management reasons; for example outside schools during peak times and in busy commercial areas. This makes it more important for the time spent within parking zones to be effective.

## **5. Consultation**

- 5.1** The 21-day statutory Traffic Regulation Order (TRO) consultation took place from 10<sup>th</sup> - 31<sup>st</sup> May 2018. In addition to yellow notices displayed on-street and statutory publication in *The News*, copies of the Council's proposal were delivered to all properties (nearly 700) within the JB Landport parking zone.
- 5.1.1** These measures aimed to raise awareness of the proposal among those most likely to be affected. Landport Housing Office also received a copy of the proposal notice, which is located within the parking zone and likely to be residents' first port of call.
- 5.1.2** The proposal notice invited comments, and the Council has a legal obligation to consider any objections before proceeding to implement its proposals (or otherwise).
- 5.2** 5 responses were received to the Council's proposals. These are reproduced at Appendix B.

- 5.2.1** While these figures are low, they remain consistent with the response levels from this parking zone. Everyone had an equal opportunity to comment on the proposal.

In 2015:

**35** residents indicated they would like the parking zone to remain in place

**5** residents indicated they would prefer the parking zone to be removed

**1** resident did not indicate either way

**5** of the **12** residents who wanted to keep the zone and made unprompted comments, and requested the free parking time to be reduced

In 2018:

**4** residents are in favour of changing the parking zone's operation

**1** charity would prefer the free parking time to remain at 2 hours

## **6. Equality impact assessment**

- 6.1** An EIA is not required as the recommendations do not have a disproportionate negative impact on any of the specific protected characteristics as described in the Equality Act 2010. Disabled badge holders would remain exempt from the 1-hour waiting limit.

## **7. Legal implications**

- 7.1** It is the duty of a local authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, 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."

- 7.2** 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.

- 7.3** 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.

- 7.4** A TRO may make provisions for identifying any part of the road to which any provision of the TRO is to apply by means of a traffic sign.

- 7.5** A proposed 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.

**7.6** Where a TRO is made the local authority must within 14 days publish a notice that the order has been made in a local newspaper. The notice must include amongst other things, where and when the order is available for inspection and that within six weeks following the making of the order that an application can be made to the High Court to question the validity of the order or any its provisions.

**7.7** The local authority must take appropriate steps to ensure that adequate publicity about the order is given and must notify any person who has objected to the order (where such objection has not been withdrawn) that the order has been made.

## **8. Director of Finance's comments**

**8.1** It is anticipated that the reduced need for residents, of the JB parking zone, to provide their visitors with permits, between the hours of 6pm and 9am will reduce permit income by around £1,800 per annum.

**8.2** There will also be the one-off, financial impact from implementing both of the above proposals. It is expected that the costs for the Traffic Regulation Order and the amendments required to signage for the JB parking zone will total less than £5,500

**8.3** The Costs of this order will be funded from On Street Parking and will result in a reduced contribution to the Parking Reserve.

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Signed by:

Tristan Samuels

Director of Regeneration

## **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>
Traffic & Transportation report, September 2016: Residents' Parking Update	Portsmouth City Council website
Traffic & Transportation report, July 2015: Review of Residents' Parking Zones	Portsmouth City Council website

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

rejected by ..... on .....  
.....

Signed by:

Councillor Lynne Stagg

Cabinet Member for Traffic and Transportation

## **APPENDIX A: Notice of proposals**

### **THE PORTSMOUTH CITY COUNCIL (JB LANDPORT) (RESIDENTS' PARKING ZONE AMENDMENTS) (NO.16) ORDER 2018**

10 May 2018: Notice is hereby given that the Portsmouth City Council proposes to make the above order under sections 45 and 53 of the Road Traffic Regulation Act 1984, as amended, with the effect of reducing the operating time of the JB zone and reducing the free parking period available to non-permit holders.

**SEND YOUR COMMENTS ON THIS PROPOSAL TO:**

[engineers@portsmouthcc.gov.uk](mailto:engineers@portsmouthcc.gov.uk)

**A) CHANGE TO PARKING ZONE OPERATING TIME**

**FROM:** 24 hours a day

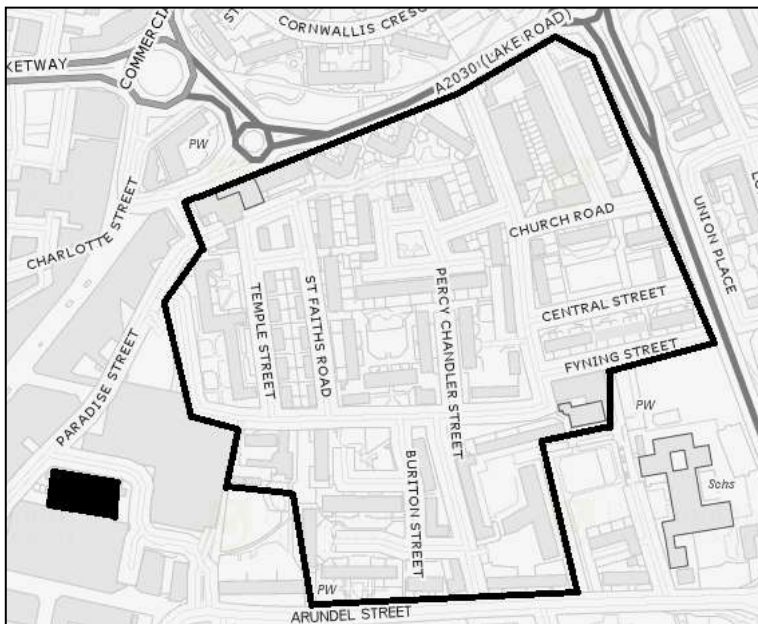
**TO:** 9am - 6pm

**B) CHANGE TO PARKING ZONE FREE PARKING PERIOD**

**FROM:** 2 hours (no return to zone within 4 hours)

**TO:** 1 hour (no return to zone within 2 hours)

**JB LANDPORT ZONE BOUNDARY:**



JB zone covers parking on public roads only.

It does not apply to any rented or private parking spaces.

The proposal aims to improve the effectiveness of the parking zone for residents, given the parking provisions and alternative modes of transport available to shoppers and other visitors.

To view this notice on Portsmouth City Council's website [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) - search 'traffic regulation orders 2018'. A copy of the draft order is available for inspection at the main reception, Civic Offices during normal opening hours.

Persons wishing to object to these proposals may do so by sending their representations via email to [engineers@portsmouthcc.gov.uk](mailto:engineers@portsmouthcc.gov.uk) or by letter to Nikki Musson, Transport Planning, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref: **TRO 16/2018** by **31 May 2018** stating the grounds of objection.

Under the provisions of the Local Government (Access to Information) Act 1985, any written representations that are received may be open to inspection by members of the public. If the proposal requires approval at a public decision meeting, representations are included in the associated published report but are anonymised.

Pam Turton, Assistant Director of Transport, Environment and Business Support  
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2NE

## **APPENDIX B: Public response to formal proposals**

<p>1. I am a resident in the JB parking zone and am very happy to see it will be changing to one hour, can I ask when this will happen please?</p>
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**2.** I prefer to reduce the time for visitors from 2 hours to 1. At the weekends, especially during Sale season and leading up to Christmas, it is almost impossible sometimes to find a space anywhere near Drummond Road where I live. It's currently a frustration I have to pay for a permit, yet still can't park near my house.

Evenings are generally free anyhow as most people park in JB zone to go shopping in town, so reducing the 24-hour operation will make no difference to the current situation. This would not be an improvement for residents at all.

Reducing the time visitors can stay I feel would encourage more people to use either public transport, or the local car parks, increasing revenue in those areas.

**3.** I have no objection about changing JB zone parking permit timetable. As a resident of this zone I must say thank you so much for these changes. I do question the type of driver who parks their car in a public road but like it's their own driveway. It takes less than a minute to park a car properly, but some drivers park in two car length spaces. Can anything be done?

Thank you again, after the new change looks like we residents can park our car daytime also.

#### Officer comments

Whilst it sometimes appears that drivers have parked inconsiderately, it is usually the result of different-sized vehicles parking throughout the day. For example, when a motorcycle parks at the end of a bay and a car parks next to it, it looks like the car has left a gap and not parked to the end of the bay when the motorcycle leaves.

**4.** We have no objections to these amendments as described in the letter received but we fail to see how this will improve the situation. We have lived here 10 years and parking has been a nightmare for our visitors/repair workers. What we would like, having spent a fair bit of money over the years, is the option (as we don't have a car and often rely on family for childcare) to buy an annual visitor permit for the same price (£35) as a parking permit - this would at least be something as we pay more for our visitors as residents than residents pay to park and this is rather unfair.

#### Officer comments

The proposal aims to improve the availability of parking spaces for residents' visitors as well as residents, and visitors in the evenings will no longer need a permit (reducing costs for residents).

All residents pay for visitor parking whether they own a car or not; this equality does not distinguish between those who have more visitors than others. The need for childcare or other visitors can relate to work or social commitments and/or family, which apply whether or not the resident has a vehicle. Households with vehicles have to buy permits for their own vehicles and permits for visitors in addition: households without vehicles only have to purchase permits for visitors.

However, the main requirement for parking zones is to improve parking opportunities for residents. Restrictions deter use of the residential streets for long-term free parking at the expense of the people who live there.

**5.** I write as the leader of The Salvation Army Citadel in Lake Road to raise concern regarding the impact that your proposed alterations will have on my Congregation. In its current form the parking restrictions allow free parking for up to 2 hours. This is usually adequate time to attend our service on a Sunday morning which starts at 10am and is usually over by 11.30am. However with the proposed reduction to 1 hour this will make it impossible for them to park here as they have done for many years. Although some of my congregation have means and to utilise alternative pay and display options there will be those for whom the prospect of paying a minimum of £2.60 every Sunday may be prohibitive to their attendance. That notwithstanding, as the pay and display parking within reasonable walking distance of our premises is limited it is the distance that they would potentially have to walk to find alternatives that is the greatest concern, mindful that many of them are elderly.

At present I estimate that 20 vehicles would be affected. As the impact upon us is only on a Sunday morning I wonder if there might be a compromise that you could suggest that would enable you to persist with your plan to implement the change without it having a negative impact on our Congregation.

Officer comments

Blue badge holders may use the Pay & Display directly outside the Salvation Army building or further east in Lake Road, or use the parking bays within the JB zone for unlimited time, free of charge.

For those attending the Salvation Army who do not currently use the Pay & Display parking directly outside in Lake Road, the nearest free parking is a minimum 100 metres' walk away in Temple Street. The Pay & Display further east on Lake Road is approximately 70 metres from the Salvation Army.

*(End of Report)*