

<b>Title of meeting:</b>	Cabinet Member for Traffic and Transportation Decision Meeting
<b>Date of meeting:</b>	6 <sup>th</sup> September 2019
<b>Subject:</b>	Residents Parking Scheme Changes
<b>Report by:</b>	Tristan Samuels, Director of Regeneration
<b>Wards affected:</b>	St Thomas, St Jude, Charles Dickens, Fratton, Nelson, Baffins, Paulsgrove, Eastney & Craneswater, Central Southsea, Cosham and Milton.
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## **1. Purpose of report**

- 1.1** To recommend ways of improving the residents' parking scheme to; encourage the use of cars with lower emissions, encourage car sharing, reduce the potential impact of student halls of residence on parking in the local area, make it easier for residents living near Residents Parking Zone (RPZ) boundaries to find parking and to reduce displacement.

## **2. Recommendations**

- 2.1** That the following variations to the Portsmouth City Council (Various Roads) Residents Parking Places) (No. 9) Consolidation Order 2016 are advertised and any objections considered at a future Traffic and Transport Decision meeting:
- (i) The procedure for issuing permits is changed to allow car sharing between people living in different zones by allowing the same vehicle to be issued with permits for two zones as described in paragraphs 4.3 to 4.5
  - (ii) The eligibility for permits is changed to exclude student halls of residence as described in paragraphs 4.6 to 4.10.
- 2.2** That the following variations to the charge for the issue of parking permits be advertised under the statutory notice procedure:
- (i) The charges for residents permits are changed, as described in paragraph 4.11 to 4.16, so the first permit for a household will be free if the vehicle is

powered solely by electricity and that the charge for a first permit is reduced by 50% to £15 if the vehicle emits less than 100g of CO<sub>2</sub> per Km provided (a) it is not powered by a diesel internal combustion engine and (b) that it was registered after 1 March 2001.

- (ii) The cost of a third resident's permit to be reduced from £590 to £300 as described in paragraphs 4.17 and 4.18.

### **3. Strategic Context**

- 3.1 As a national and international maritime gateway on the south coast of England, Portsmouth is the economic centre of the South East Hampshire region.
- 3.2 The city has been shaped by its island and peninsula geography, with the transport network significantly constrained by the limitations of the land, indeed there are only three road links from Portsea Island (where Portsmouth city centre is located) to the mainland, and a population density greater than any outside London.
- 3.3 The transport network is reaching and exceeding capacity, negatively impacting in particular on productivity, economic growth, and air quality. There is a dominance of trips, including shorter intra island trips, being undertaken by private car, with public transport accounting for a small mode share. Bus travel, particularly, for such shorter distance trips, is often costly and time-consuming. Portsmouth was identified by Government as one of eight 'third wave' local authorities required to develop an Air Quality Local Plan aimed at identifying measures to ensure compliance with air quality statutory annual limits for NO<sub>2</sub> in the shortest possible time.
- 3.4 In July 2018, Portsmouth City Council Full Council declared a Climate Emergency, with the Cabinet committing to devising an action plan to address the key challenges faced by the city.
- 3.5 Transport has a key role to play in addressing these concerns to enable continued mobility, while fulfilling the Cabinet's commitment to reducing the number of cars within the city.

### **4. Background**

- 4.1 Residents' parking zones (RPZs) play an important part in prioritising highway space for use by residents. Permit schemes can help to control the number of permits each household can obtain and ensures a fairer distribution of space, reducing congestion and air pollution.
- 4.2 Analysis of the consultation responses received through the wider RPZ programme, has identified a number of possible improvements to the ways in which permits are allocated, and these are discussed in more detail below.

**Sharing cars**

- 4.3 During the implementation of new zones a number of residents who share cars with people living in other zones have been unable to obtain permits. The current criteria set by a Transport and Traffic Decision on 28 October 2010 states that privately owned vehicles must be registered to the resident at their address within the zone before a permit is issued. A vehicle cannot be registered to two addresses so it is not currently possible to meet this requirement if people are sharing a car and live in different zones.
- 4.4 The City Council wants to encourage the sharing of cars as a way of reducing the number of vehicles in the city and it is recommended that the criteria used for issuing permits is changed to allow two households sharing a car and living in different zones of the city to obtain permits for both zones if;
- the car is registered in a permit zone in Portsmouth,
  - both the registered keeper and the sharer confirm the vehicle is being shared on a regular basis,
  - the sharer proves they are living in a different zone
  - the insurance document confirms both the registered keeper and the sharer are insured to drive the car and
  - evidence is produced to show the insurance company has been informed that the car is shared between the residents of two different addresses.
- 4.5 A maximum of two permits will be issued for a car if it is shared and each household will need to buy a permit for their own zone. A household will be charged according to the number of permits they have, i.e. if a household sharing a car does not have a permit they will be charged at the first permit rate and if a household already has a permit they will be charged at the second permit rate.

**Student Halls of Residence**

- 4.6 The University of Portsmouth has a policy of discouraging students from bringing cars to the city. In their own halls of residence the University make it a condition of residency that residents do not bring cars. The student halls which are in residents parking zones are either near the campus and/or have good public transport links.
- 4.7 The Traffic Regulation Order (TRO) governing residents' permit schemes requires drivers to live at a residential postal address in a parking zone before they are eligible for a permit. The number of permits issued to each address is limited normally to two but a third permit can be issued where parking space allows.
- 4.8 Initially each student hall was classed as a single address making the whole hall eligible for just two permits. Increasingly students need to take out insurance

and other contracts which require them to have a postal address. To facilitate this each room in a hall is now classed as an individual postal address.

- 4.9 It is recommended that a change to the Traffic Regulation Order is advertised with the intention of excluding those living in student halls of residence from permit eligibility. This measure will remove the potential of a hall of residence having a large number of permit holders and overwhelming the parking in the area around them.
- 4.10 Students with blue badges will still be able to bring vehicles and park using the badge. The restriction on halls of residence will not apply to houses of multiple occupancy (HMOs). Permits issued to HMOs are controlled in the same way as other properties. Each household can obtain up to two permits unless there is sufficient parking space in the zone and then a third permit can be obtained.
- Reduced permit charge for low emission vehicles**
- 4.11 The City Council wishes to encourage households which need a car to choose a vehicle with low emissions. To encourage this change it is proposed to offer a reduced permit price for residents' vehicles with low emissions. The City Council also wants to encourage reduced vehicle ownership and so the reduced price is only proposed to be offered on the first permit each household applies for. Under this proposal a household that has more than one vehicle will pay the normal price for a second or third permit, regardless of the type of vehicle or its emission level.
- 4.12 It is recommended that there is no charge for the first permit if it is for a vehicle powered solely by electricity.
- 4.13 With regards to reduced permit charges for low emissions vehicles, currently the most accessible proxy for this is based on CO2 emissions, which are stated on new vehicle registration documents or can be checked on the DVLA's website. This offers a clear way of identifying lower emission vehicles. The criteria used to qualify for a reduced permit cost needs to be based on readily available, and consistently sourced information. More information on vehicle emissions is likely to become available through the government's Joint Air Quality Unit, particularly regarding NO2 emissions, and when it does the criteria can be updated.
- 4.14 It is therefore recommended that if the first permit applied for by a household is for a vehicle which has an emission rating stated on the vehicle registration document (V5) below 100g of CO2 per kilometre that the cost of the permit is reduced by £15, subject to paragraphs 4.15 and 4.16.
- 4.15 A vehicle registered before 1 March 2001 will not have emission information shown on the registration document. These vehicles will be more than 18 years old and are likely to be more polluting vehicles. It is recommended that the price reduction does not apply to any vehicle registered before 1 March 2001.

- 4.16 It is also recommended that any vehicle powered by a diesel internal combustion engine is excluded from the discount scheme because it will have higher particulate emissions.

**Reduced third residents permit price**

- 4.17 The current cost of a third permit is £590. Third permits are only issued where the space in a RPZ allows. There are currently around 37 third permits issued across all the zones. In the zones which have controls spanning 2 hours it costs less to buy daily visitors permits for the full year than to buy a third permit, although visitors permits should only be used by visitors.

- 4.18 Residents have reported that those with more than two vehicles park the additional vehicles outside the zone to avoid the charge and this often creates displacement even when there is space within the permit zone. It is therefore proposed to reduce the cost of a third permit to £300 and not to increase it further on 1<sup>st</sup> January 2020 as agreed in the Cabinet Member for Traffic and Transportation Decision meeting 23<sup>rd</sup> November 2017. Third permits will still only be issued if there is space within the zone. The charge will still act as a deterrent to owning three vehicles but the change is intended to reduce unnecessary displacement.

**Overlapping (Fuzzy) Boundaries**

- 4.19 Along a boundary between two adjacent RPZs a resident is currently issued with a permit which allows them to park in one of the zones. When there is a high utilisation of parking spaces residents with RPZ permits maybe prevented from using the closest vacant parking space because that nearest parking space is not located in the zone named on their permit.

- 4.20 To overcome this we can consider making the parking places closest to the boundary available for both sets of permit holders. This would mean that rather than the roads one side of a boundary being only available for X permit holders to park and the other side only available to zone Y permit holders the parking spaces in roads closest to the boundary would be available for both X and Y permit holders. In this way the area which determines which zone letter is on a resident's permit would be fixed but the permit could be used either side of the boundary.

- 4.21 To do this requires the change to be specified in the TRO or where there is an existing TRO for it to be changed. Each area where there is a boundary needs to be considered separately and decision taken as to the benefits. The extent of any cross over area can be determined and could go beyond the roads that actually form the boundary.

**Permit Numbers**

- 4.22 In some areas there are more permit holders than there is space for vehicles to park. Currently in the zones with the highest demand every household can apply for up to two permits. This means the number of permits can considerably

exceed the space available, even accounting for a percentage of permit holders not requiring a parking space in the zone at any given time.

4.23 However to prevent oversubscription some councils set a limit on the number of permits that can be issued in a zone so the number of vehicles with permits cannot increase beyond what is reasonable. Officers will investigate fair ways of controlling the numbers of permit issued in such circumstances. Any changes will need to be subject to consultation through the process required to change a TRO.

## 5. **Reasons for recommendations**

These proposals are intended to encourage car sharing and encourage the use of vehicles with lower emissions in support of the wider agendas around air quality and climate change. The recommendation on student halls is designed to avoid potential parking pressure. The recommendation to reduce the third permit price is intended to reduce unnecessary displacement.

## 6. **Equality impact assessment**

This report has undergone a preliminary Equality Impact Assessment (EIA) and a full 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. Blue badge holders are not affected by any of these proposals.

## 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 A local authority can by order under section 45 of the Road Traffic Regulation 1984 designate parking places on the highway for vehicles, or vehicles of any specified class, in the order, and may charge for such parking as prescribed under s.46. Such orders may designate a parking place for use only by such person or vehicles or such person or vehicles of a class specified in the order or for a specific period or time by all persons or persons or vehicles of a particular class.

7.4 A proposed Traffic Regulation Order must be advertised and the statutory consultees notified and given a 3-week period (21 days) in which to register any

support or objections. Members of the public also have a right to object during that period. 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 any comments received from the public and/or the statutory consultees during the consultation period.

- 7.5 Any variations to existing traffic regulation orders other than a variation of charges must be made by traffic order in the same way as the original order, including the advertising and consultation procedures. The variation to the definition of Resident to exclude student accommodation and the variation to allow for car sharing will amount to a variation to the existing order.
- 7.6 The variation to the charges for electric and low-emission vehicles and for third permits can be dealt with under the simpler notice procedure.
- 7.7 Where any charges have been prescribed by a designation order or by an order under section 46A the charges may be varied by notice. The main provisions are contained in section 25 of the Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996. The power to vary charges at designated parking places is contained in section 46A of the Road Traffic Regulation Act 1984,
- 7.8 Notice of the variation shall be given by publishing in at least once in a newspaper circulating in the area in which the parking places are situated at least 21 days before the changes are due to come into force. The notice must:-
- A) Specify the date on which it is due to come into force;
  - B) Identify every parking place to which the notice relates;
  - C) Specify in respect of each parking place:-
    - a. The charges payable for the parking place at the date that the notice is given
    - b. The charges that will be payable when the notice comes into force

Where the notice relates to an on-street parking place the local authority shall cause copies of the notice to be displayed in prominent positions in the road in which the parking place is situated.

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

- 8.1 The Council does not currently hold accurate information that will allow it to fully financially appraise the recommendation to offer a reduced charge to those who have a first permit for a car emitting less than 100g of CO<sub>2</sub> per Km, and free permits for those who own an electrical vehicle. The amount of reduced income is unlikely to be significant in the short term but with low emission and electrical vehicles becoming more popular in the medium to short term this is expected to be more significant.

- 8.2 There are currently 17 passes issued to people living in Student halls of residence it is anticipated that the loss of income will be in the region of £510 per annum.
- 8.3 The Council currently issues 37 third permit passes across all zones within the City, by reducing the charge to £300, this will result in a reduction in income of up to £10,730. The reduction in the third permit could result in an increase in the number of Third Permits applied for but also a reduction in the number of scratch cards sold as currently it is cheaper to buy Scratch Cards than a third permit.

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Signed by:

**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:

<b>Title of document</b>	<b>Location</b>
Review of Permit Charges and Administration	PCC Website - Traffic and Transportation Meeting - 23 <sup>rd</sup> November 2017
Portsmouth City Council (Various Roads) Residents Parking Places) (No. 9) Consolidation Order 2016	PCC Website
Residents Parking Permit Charges	PCC Website - Traffic and Transportation Meeting - 8 <sup>th</sup> January 2015
Review of Residents Parking Scheme Criteria	PCC Website - Traffic and Transportation Meeting - 28 <sup>th</sup> October 2010

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

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Signed by: