



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

Date of meeting: 28 June 2021

Subject: TRO 30/2021: Proposed RPZ amendments

Report by: Tristan Samuels, Director of Regeneration

Wards affected: Central Southsea, Eastney & Craneswater

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1.** To consider the public response to the proposed changes to permit parking in Bramshott Road and Marine Court.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notice for TRO 30/2021

Appendix B: Public views submitted

Appendix C: Confirmation of communications (statutory and non-statutory)

2. Recommendations

- 2.1** That the ME permit holders bay in Bramshott Road remains unchanged, meaning the proposal to include 3 hours' free parking under TRO 30/2021 is not implemented;
- 2.2** That the parking bays within the north-eastern part of Marine Court remain unrestricted, meaning the proposal to include them in the adjacent MG parking zone under TRO 30/2021 is not implemented;
- 2.3** It is noted that the remainder of TRO 30/2021 has been brought into operation under TRO 30A/2021, on 22 April 2021, due to no objections being received to those proposals (Highland Road, Winter Road).



3. Background

3.1 Bramshott Road

A concern was raised by a local business in Winter Road, north of Bramshott Road, about the ability of customers to access businesses due to the ME parking zone coming into operation. This parking zone restricts parking in the adjacent residential streets to ME permit holders only between 4.30pm and 6.30pm.

3.2 A short-term parking provision of up to 1 hour has been in place in Winter Road for many years, to create a regular turnover of parking spaces and enable customers to access businesses and services. However, the 1-hour limit can be unsuitable for some customers visiting premises for hair and beauty treatments, restaurants etc.

3.3 Two proposals were put forward under TRO 30/2021 to improve access to local businesses: one to increase the 1-hour waiting limit in Winter Road north of Bramshott Road to 3 hours, and one to include 3 hours' free parking within an adjacent residents' parking bay in Bramshott Road.

3.4 Marine Court

Two residents enquired why the parking bays within the eastern section of Marine Court were not included in the MG Festing Grove area parking zone implemented in February 2021, potentially leaving an opportunity for non-permit holders to take advantage of the unrestricted parking.

3.5 A proposal to include the unrestricted parking bays was put forward under TRO 30/2021, following confirmation of the status of the road as public highway. All properties in Marine Court are entitled to apply for MG permits, which is unaffected by the proposal under TRO 30/2021 to restrict the parking bays.

4. Consultation and notification

4.1 Statutory 21-day consultation and notification under TRO 30/2021 took place 1 - 22 March 2021.

4.2 Under statutory consultation, statutory bodies (police, fire & rescue, utilities companies etc.) are directly consulted on the Council's formal proposals and the public has a right to object. The Council has a statutory obligation to consider any objections received (see paragraph 8.3), although any comments received are given due consideration. Appendix B contains the full representations received in response to the proposals.

4.3 In addition to the legal requirement of publishing the proposal notice in a local newspaper, the proposal notice was published on the Council's website, yellow copies were displayed at affected locations and copies were posted to any adjacent residential properties.

4.4 Appendix C confirms the communication steps undertaken (statutory and non-statutory), for reference purposes.



5. Consultation response

- 5.1 One objection was received to the proposed inclusion of 3 hours' free parking into a ME permit holders bay in Bramshott Road, with a suggestion that increasing the 1-hour free parking in Winter Road to 3 hours would be more appropriate.
- 5.2 11 residents of Marine Court objected to the parking bays within the north-eastern section of that road being included in the MG parking zone, on the grounds that it is private land, that MG permit restrictions are not wanted, or both. 1 resident made some observations but did not specifically object.

6. Reasons for the recommendations

- 6.1 Bramshott Road: As a proposal to increase the 1-hour free parking time to 3 hours in Winter Road was already included in TRO 30/2021; this has been implemented, affecting approximately 6 parking spaces. The proposed additional measure for 2-3 spaces in the adjacent Bramshott Road to allow 3 hours' free parking, has no support and is therefore recommended for deletion.
- 6.2 Marine Court: The proposal was taken forward because two residents expressed concern during the MG parking zone consultation that the parking bays were not included and that non-residents could use them, particularly visitors to the seafront. However in response to the proposal it is clear there is not wider support for the proposal. The majority of residents who objected to the proposal to introduce the MG permit holders restriction understand the land to be private; others would simply prefer the situation to remain as is. It is therefore recommended that the proposal is not implemented, due to significant objections and no support from residents.
- 6.3 All available information indicates that the road was adopted by Portsmouth City Council in 1984 and is maintained at public expense. Colas, the council's contractor, confirms that the whole of Marine Court is listed on its Asset Register, and is maintained under the PFI contract. This includes carriageway, footway, verges, surface water drainage and street lighting as per the 1984 adoption plan.
- 6.4 Therefore, a proposal was included in TRO 30/2021 to restrict all street parking in Marine Court to MG permit holders during the operating times of that parking zone: 12-1pm and 6-7pm. The restriction would have prevented long-term parking by non-permit holders. As the consultation has shown however, the proposal is not supported by residents who would be affected and it is therefore recommended that the proposal does not proceed.



7. Integrated Impact Assessment

7.1 An integrated impact assessment is not required as the recommendations do not have a significant positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

8. Legal Implications

8.1 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 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.

8.2 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.

8.3 A proposed TRO 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 objections received from the public and/or the statutory consultees during the consultation period.

9. Director of Finance's comments

9.1 There will be no further costs for TRO, signage or line-marking, as the recommendation in the report is not to implement either proposal.

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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:

Title of document	Location
12 emails in response to the published proposals under TRO 30/2021	1. Portsmouth City Council's "TROteam" inbox, Microsoft Outlook 2. Parking team's online storage (content reproduced within the report)

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

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 Signed by:
 Cabinet Member for Traffic and Transportation

Appendix A: The public proposal notice for TRO 30/2021

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (RESIDENTS' PARKING AMENDMENTS) (NO. 30) ORDER 2021

1 March 2021: Notice is hereby given that Portsmouth City Council proposes to make the above Order under sections 1, 2, 4, 32, 35, 45, 46, 51, 52 and 53 of the Road Traffic Regulation Act 1984 ('the 1984 Act'), as amended, the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007, and of all other enabling powers, and in accordance with Parts III and IV of schedule 9 to the 1984 Act. The effects would be as follows:

A) ME PERMIT HOLDERS ONLY 4.30PM-6.30PM

1. Highland Road

North side, the 40m length between Brompton Road and Haslemere Road outside Nos. 47-61 Highland Road

B) MG PERMIT HOLDERS ONLY 12PM-1PM AND 6PM-7PM

1. Marine Court

(a) North-west side, the parking area to the side of No.10

(b) South-east side, the parking area opposite Nos.23-26 inclusive

C) EXTEND LIMITED WAITING FROM 1 HOUR MONDAY TO SATURDAY 8AM-6PM, TO: 3 HOURS, MONDAY TO SATURDAY 8AM-8PM

1. Winter Road

West side, the existing 31m bay between Bramshott Road and Grayshott Road, outside odd Nos. 149-161

D) CHANGE FROM ME PERMIT HOLDERS ONLY 4.30PM-6.30PM, TO: ME PERMIT HOLDERS / WAITING LIMITED TO 3 HOURS 8AM-8PM

1. Bramshott Road

North side, the existing bay adjacent No.147 Winter Road

E) ADMINISTRATIVE AMENDMENTS

This order also updates existing traffic orders relating to parking restrictions to ensure consistency; making no changes on the public highway itself.

To view this public notice or the draft order on Portsmouth City Council's website, www.portsmouth.gov.uk search 'traffic regulation orders 2021'. For those without access to a computer, a printed copy of the draft order including the statement of reasons can be requested by calling 023 9268 8501.

Persons wishing either to object to or support these proposals may do so by sending their representations via email to engineers@portsmouthcc.gov.uk or post to Alison Lawlor, Parking team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref **TRO 30/2021** by **22 March 2021** stating the grounds of objection/support.

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 proposals require a decision to be made at a public meeting, representations are anonymised in accordance with data protection law and included in the published report. Please see the Council's website for full details of the [Data Protection privacy notice](#).

Pam Turton, Assistant Director of Regeneration (Transport)
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2NE

Appendix B: Public views

Support for Highland Road proposal
<p>1. Resident, Highland Road I would just like to say that I support the proposed Parking amendments outside houses 47 to 61 Highland Road</p>
<p>2. Resident, Highland Road I am emailing in response to the traffic regulation order, number 30, 2021, specifically in regards to amendment A, ME permit holders/Highland road.</p> <p>I am a resident of Highland road and would like to officially give my support for the introduction of a permit zone for the 40m parking strip in front of our row of houses on Highland road (No's. 47-61).</p> <p>I do struggle to see why we have been added to ME and not MG but I understand a boundary needs to be somewhere. I just think it may become confusing having 2 different zones directly opposite each other on the main road.</p> <p>Either way, since the introduction of them in all the areas around us we have had nothing but issues with parking since, so I am in support of this one being introduced.</p> <p>There have been work vans parked up for weeks on end without moving, with one local business having two large removal vans constantly parked or saving the space with another of their vehicles when they use the vans for business. They even park their 'saving a space car' in a way to ensure there is enough space for the van to fit when they return. This is preventing anyone else being able to park throughout the day. What could be enough space for 4 cars, is constantly reserved and used as private parking, for 2 large work vans. Having their vans parked the way they do, also is an accident waiting to happen for those trying to come out of Haslemere road. It is impossible to see oncoming cars with their two large vans parked there. I refer to them specifically as I know it has caused numerous problems for others in the area, but they are not the only work vans parked here. I realise none of this is illegal and actually there is nothing we can do about them parking but just wanted to share the reasoning why I am in support of the permit zone being introduced.</p> <p>Also, being the only strip in the area without any limited waiting zone or permit zone has massively increased our struggles to park, so much so, that we are now arranging our days to ensure we are back to be able to park. We want to be able to go out feeling comfortable we can park somewhere on our return. Being on the edge of parking zones, without actually being in one and only having the 40m strip available in front of our houses has been a nightmare for parking.</p>



3. Resident, Highland Road

I write in support of the proposed parking permit zone on Highland Road, namely to include this within ME.

The stretch of road affected is outside of residential dwellings, yet as the only stretch of parking within walking distance to have no permit restrictions and as such has become a go to parking area for commercial vehicles. Some businesses are parking 3no large Luton type vans all of the time, and “reserving” the spaces with the van drivers personal cars while the vans are in use.

I have also witnessed tradesmen parking their work vehicles here, only to be picked up in a private vehicle by a family member.

There has been some conflict between residents and trades due to this, and although I can see the issue the trades will have, it should never be at the detriment of the residents.

Objections to Marine Court proposal

4. Resident, Marine Court

I can confirm that I was assured by the developer of the site - Algrey Homes (southern) Limited - that the parking bays referred to in (B) above were private parking spaces for the houses in Marine Court with shorter driveways (mains from No 10 onwards).

I understand from my neighbour that you only confirmed this to be the situation to them a recently as 2020, and that my other neighbour has provided a copy of the plan drawn up by Algrey Homes that clearly shows the parking areas to be private.

I therefore object to the proposed change to the MG Area by adding the areas to the present MG Parking Order. The City Council did not adopt these areas when it adopted the road in Marine Court.

I ask that the section (B) be deleted from TRO 30/2021.

5. Resident, Marine Court

I object strongly to the proposed change to the MG Area by adding the areas above to the present MG Parking designated areas for the following reasons:

1. These particular parking areas were provided by the developers Algrey Homes (Southern) Ltd for use by those residing in houses which have significantly shorter drives than those in numbers 1 to 9. See attached diagram.
2. It is understood from Land Registry information that the City Council did not adopt these areas when the Public Road in Marine Court was adopted therefore the council is not legally entitled to add them to the MG Parking Area.

It is therefore requested that the above section B) be deleted from TRO 30/2021



With regard to clarifying the adopted state of Marine Court it may help to note what I just realised yesterday.

In the houses numbered 10 to 22 there is a very clear demarkation between the adopted road and individual drives which is a line of stones. An identical line of stones divides the road from the three car park areas in TRO 30/2021.

This suggests to me that they were put there for a purpose to separate them from the road, otherwise why put them there?

6. Resident, Marine Court

I am writing to object to plans to incorporate the parking spaces outside 23-26 Marine Court into the MG parking scheme.

These spaces are private and are for the sole use of the residents of Marine Court and in particular the houses from 10 - 25.

An officer from your office has previously confirmed to me that these spaces are indeed private and will not be incorporated within the scheme. Should they be incorporated, then anyone with a MG permit will be permitted to park in our private spaces and this is simply not acceptable.

However this said, I have previously sent two emails requesting we as residents receive some form of separate permit and the council put up a sign saying residents parking only - why cant this be done?

7. Resident, Marine Court

I am writing to object to plans to incorporate the parking spaces outside 23-26 Marine Court into the MG parking scheme.

These spaces are private and are for the sole use of the residents of Marine Court and in particular the houses from 10 - 35

It has previously been confirmed that these spaces are indeed private and will not be incorporated within the scheme. Should they be incorporated, then anyone with a MG permit will be permitted to park in our private spaces and this is simply unacceptable.

The residents are therefore requesting some form of separate permit and for the council to put up a sign saying residents parking only - is this not possible?

8. Resident, Marine Court

We are disappointed now to see the new proposal to extend the areas covered by the MG parking zone in our road. We have always understood that the few parking bays outside number 10 and opposite no's 23 to 26 are provided for the residents of nos 10 to 35 exclusively and their guests, and this was a provision made at the time of building the scheme, because numbers 1 to 9 have space in front for two cars, so this was seen as fair.



We remind you that this is a cul de sac and it is not in any of our interests to encourage more traffic up into the ends of the road and its spur because of the safety and pollution aspects we highlighted in the first consultation.

In addition now opening up these few bays to all MG residents will encourage the long term parking of works vans, small lorries, trailers and mobile homes, many of which can be seen parked in St Georges road at any time, into the court to the detriment of the residents.

Please reconsider.

Here is our original response to the survey:

>> We are residents of Marine Court, Southsea and one of the few respondents to the initial parking survey. We object to having a residents parking zone in Marine Court because it is a cul de sac and as such we would have a problem with cars coming into >> the close looking for parking and constantly having to turn around in a restricted space. This puts the residents in danger particularly children when cars start backing and filling in what we as residents have always considered a safe place for families. >> >> This would cause increased traffic pollution in the close as well as noise and disruption. As Marine Court is close to the seafront, beach huts and Coffee Cup Cafe we would be inundated with a constant stream of cars looking to park here.

>> As it is we have just enough parking spaces for the residents who live in Marine Court without any additional cars from elsewhere in the zone. The residents look after and maintain the common areas of Marine Court with plantings, shrubs and >> trees. We collectively keep the area tidy and litter pick in our community and having a parking Zone here would not be beneficial to the residents. We are a close community and look out for each other.

>> We already pay high council tax rates to live here and we don't see why we are expected to pay more to park our cars in the nine allotted parking bays that we look after.

9. Resident, Marine Court

With reference to your parking proposals for MG parking zone permits for the following parking areas in Marine Court Southsea.

I completely object to these proposals.

As stated in the legal covenant that comes with my and all other properties from 10-36.

This is a private estate and these areas are designated parking spaces for residents only to Marine Court and are not subjected to change.

The public highway stops at number 9 Marine Court and then goes into the private estate from 10-36. Please could you rectify your mistake accordingly.



10. Resident, Marine Court

I am writing to strongly object to the proposed change to the MG Area to include Marine Court. When we purchased our property it was on the understanding that the parking bays belonged to the residents of Marine Court and were provided to those who did not have adequate parking space on the drive to allow guests to park. Whilst I believe the road is adopted the parking spaces remain the property of the Marine Court residents so should not form part of the public parking plans. I would also strongly object to the alteration of the street in the form of yellow lines and MG Permit holder signs as this would have a negative impact on the appearance of the 'conservation area' and encourage people to use our spaces. I agree that there will be a need to take steps towards protecting the bays as a result of the MG parking restrictions in the area but believe that could be achieved by placing a 'Residents Only' sign at the beginning of the private parking spaces. We would look to the council to assist us in stopping non-residents of Marine Court from parking in the spaces. Obviously the reduction of our private parking through the introduction of this permit scheme would have a detrimental effect on the value of our home which is something we would not be able to accept without further challenge.

11. Resident, Marine Court

I am writing to object to the proposals to extend the MG parking permit to the parking bays in Marine Court (the parking areas to the side of No. 10 and opposite Nos.23-26).

These parking bays are for the sole use of the residents of Marine Court and the houses were sold as such.

Removal of these bays from our exclusive private usage will have a detrimental effect on the value of our home and of course this is not something we would be willing to tolerate and would therefore have to challenge further.

Furthermore, we look to the council to implement measures to ensure these bays not only remain private but also that they be appropriately signed so as to ensure they do not become useable by non-residents.

12. Resident, Marine Court

I would like to log my objection to the Marine Court parking restrictions outlined in your letter of recent date.

Residents bought properties in Marine Court on the understanding that the bays on the North West side were for the specific purpose of providing parking for the residents of Marine Court alone and as such I feel that is the way it should remain. There is a notice to this effect at the entrance to these parking bays!



Unclear if support or objection to Marine Court proposal

13. Resident, Marine Court

I am writing in connection with your proposed amendments to resident parking, and in particular Marine Court in area MG.

I note that the proposal is to expand the MG zone to include the parking bays within Marine Court. I suspect you have already been asked this, but the key question I have is whether those parking areas are private resident parking. If they are, can the parking zone include those?

At present there is no parking problems in these parking areas. However, I could foresee that if the area is not private (and not enforceable) then it is possible that people from other streets may see this as an option to leave their cars without the need to pay for a permit. I am therefore not against the extension of the zone but do feel that it would see visitors and residents parking cars across the end of their driveways rather than in the zoned area (at the restricted times). Time will tell. The zone will only work if it is well policed by the council, so that people know they are likely to receive a fine for breaching the terms.

In terms of other areas, one observation that I have is that since the introduction of the parking zone, the south side of Eastern Parade (where there is no restriction) is now very busy, which I presume is from overflow cars from neighbouring areas, to save purchasing of permits. I suspect this was not the intention of the council and that that stretch of road was intended to be used by visitors to Canoe Lake etc, who now need to park in parking zones or on the seafront. Perhaps this should also be looked into?

Objection to Bramshott Road proposal

14. Resident

Having lived in the 'ME' parking zone area for several decades it has always struck me as odd that the timed zones along Winter Road have remained restricted to 1 hour between 8am and 6pm.

I have always assumed they were there to allow visitors to the shops and businesses alongside them to use which was fair enough when the older businesses included a sweet shop, toy shop, green grocers a hardware store, a chemist, a cake shop and several takeaways. Each of these premises had a high turnover of very quick visits by their customers, so one hour of parking was much more than adequate.

However, the main businesses along here for the last few years include a hairdressers, beauty treatment clinics and a tattooist. Each of these regularly require their visitors to have more than one hour appointments. As such, these visitors do not park in the one hour zone along Winter Road in front of these premises, they park in our residential roads, often forcing residents with permits for these areas to park in the one hour zone where the permits are not valid.



VERY regularly the one hour zone along Winter Road will be completely empty despite the businesses having customers (see attached photo).

I therefore object to Bramshott Road having part of its ME zone changed to 3 hours whilst the zone all along Winter Road between Empshott Road and Grayshott Road remain at one hour, it makes no sense at all.

It would be a much more obvious solution to change the current 1 hour period on Winter Road to 3 hours and leave the roads off of it as they are and available to the residents who live there and have permits to do so.

(End of report)