

Southend-on-Sea Borough Council

Report of Executive Director
Neighbourhoods and Environment
To

Cabinet

14 January 2021

Report prepared by:
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Controlled Parking Zones Policy

Relevant Scrutiny Committee(s): Place Scrutiny
Cabinet Member: Councillor Ron Woodley
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 Part of the Parking Review 2020 project, this report sets out a new approach to considering applications for, and administering Controlled Parking Zones

2. Recommendations

- 2.1 That Cabinet resolves to; -
- 2.2 Adopt the new policy for Controlled Parking Zones, as set out in this report, and the appendices.
- 2.3 Note that the new criteria will not automatically be applied to existing Controlled Parking Zones, until such time as they are subject to a full, comprehensive review.
- 2.4 Notes that the financial implications of a Controlled Parking Zones will vary depending on wider Council decisions on Fees & Charges, which will be considered on a case by case basis.

3. Background

- 3.1 The Council has statutory powers and duties to effectively manage the use of the road network, as set out in the Road Traffic Regulation Act 1984, and the Traffic Management Act 2004, along with associated legislation, regulations and industry standards.

- 3.2 The powers to create and enforce traffic and parking regulations set out in this legislation help the Council to ensure parking capacity is fairly distributed between differing road user needs, in the case of a Controlled Parking Zone, where resident access has been prioritised over other users.
- 3.3 There is no existing policy which sets out the criteria for provision of a Controlled Parking Zone, and historically requests for a review of parking issues or concerns has been coupled with a demand for a particular solution or treatment.
- 3.4 The aim of this policy is to set a new criterion which will ensure all concerned are fully aware of what is required for a Controlled Parking Zone to be introduced.
- 3.5 It is essential that Council Officers can properly review the issue, and consider the right solutions, to this end, the Council is also considering how to improve its consultation and engagement processes, including through the digitisation of the consultation portal and Traffic Regulation Order database, and a wider service review to ensure resources are available.
- 3.6 In many cases, a Controlled Parking Zone may not be the right solution, in such cases, the Council will work with those affected and their Elected Representatives to consider appropriate alternatives.
- 3.7 Controlled Parking Zones (CPZ)
- 3.8 A CPZ is an area defined by the Council in which the primary demand for parking capacity on street should be prioritised over other road users, for example, a residential area close to a large commuter hub, where unrestricted parking could make access to space for residents difficult.
- 3.9 Following consultation with those affected and engagement with stakeholders, a CPZ would be implemented using a Traffic Regulation Order (TRO), signposted using large zone entry and exit signs, with repeater signs throughout, and enforced by the Council Civil Enforcement Officers.
- 3.10 This consultation will consider options for the extent of the scheme, days, and times of operation, and who may be entitled to exemptions.
- 3.11 The Council will provide access to permits for those entitled to park within the zone, the charges associated with each permit, and the maximum number of permits available to each property will be decided as part of the annual review into Fees & Charges.
- 3.12 Alternative Measures
- 3.13 A CPZ may not always be the right solution, even in cases where there is demonstrably high support from residents.

3.14 A robust policy will help the Council, and residents and businesses in the borough understand the criteria which must be met for a CPZ, and allow for open consideration of the wider impacts, including on related strategies and policies.

3.15 Where a CPZ is not considered the right solution, the Council will make efforts to explain the reason for this and where appropriate, propose alternative measures.

3.16 Existing CPZ Schemes

3.17 There are 23 schemes currently in operation in Southend, covering approximately 118 roads or parts of roads.

3.18 In the most recent year, the Council provided c4,300 resident parking permits.

3.19 Some of these permit parking schemes are legacy schemes, whereby the signage method and design of the road space is based on outdated criteria. There is no current proposal to review these schemes which are long standing, and work for those affected. Instead, the Council will review based on changing legislation, or where a significant, full review of the scheme is requested.

4. Proposed Controlled Parking Zones Policy

4.1 The new policy as set out in the Appendix to this report is designed to ensure the Council can respond properly to concerns raised by those affected by increasing demands on parking capacity.

5. Review

5.1 It is good practice to regularly review policies and procedures to ensure they remain fit for purpose. If approved, the Council will undertake an annual review of the criteria set out in this policy, against the requests received and any changes in national or local policy.

6. Other Options

6.1 This policy is a non-statutory document; however, its application is regulated by legislation and regulations. The Council could decide to vary some of the criteria set out in this policy, however, further legal consideration would be required to understand the impact.

7. Reasons for Recommendations

7.1 This policy will enable the Council to respond effectively and efficiently to challenges associated with competing demands for parking capacity. It is anticipated that a robust policy will help the Council, Elected Representatives

and all road users understand the criteria which must be met for a scheme to be taken forward.

8. Corporate Implications

8.1 Contribution to the Southend 2050 Road Map.

8.2 Opportunity & Prosperity:

8.2.1 It is anticipated that a well designed and managed Controlled Parking Zone will improve the lives of residents in Southend by reducing the stress and inconvenience of non-resident parking competing for capacity.

8.3 Safe & Well:

8.3.1 This policy aims to ensure the appropriate parking regulations are introduced to regulate the road network in such a way that it prioritises the needs of residents over other road users.

8.3.2 It is further anticipated that well designed Controlled Parking Zones will make residential areas safer for all, through improvements to parking habits and reduced competition for capacity.

8.4 Connected & Smart:

8.4.1 Related projects are underway to introduce virtual systems for administering parking permits and visitor scratch cards. It is anticipated this work will be completed in early 2021 and rolled out as existing permits expire.

8.4.2 The Council is also introducing map based schedules for its Traffic Regulation Order database, ensuring information on regulations is available in a clear and easy to navigate format, improving the ability for customers to consider and respond to proposed schemes.

8.5 Financial Implications

8.5.1 There are no direct implications arising from this policy. The cost of implementing a Controlled Parking Zone will be considered alongside the proposal, including any opportunities for external funding through development agreements.

8.5.2 As part of any consideration, the Council will set out the cost of introducing the scheme, and anticipated annual revenue from permits, visitor scratch cards and enforcement activity.

8.5.3 It is anticipated that most schemes will be taken forward as part of the Capital Investment Programme, with surplus revenue from the scheme used to support administration and enforcement of all parking regulations.

8.6 Legal Implications

- 8.6.1 This policy sets out the way the Council will deliver its statutory obligations in respect of regulating the road network.
- 8.6.2 The Road Traffic Regulation Act 1984, and associated regulations, set out how the Council should consider and implement regulations on the public road network, including levying a charge for certain services, which are further set out in the Local Government Act of 1972,
- 8.6.3 Enforcement of parking regulations is undertaken by Civil Enforcement Officers, using powers in the Traffic Management Act 2004.
- 8.6.4 The Council Constitution sets out how the Council will consider representations for or against proposed Traffic Regulation Orders, with powers delegated to Officers and the Traffic Regulations Working Party.

8.7 People Implications

- 8.7.1 The service has undergone a significant redesign to ensure its resources are managed in an efficient way, in order that Council priorities can be acted on in a timely manner.
- 8.7.2 It is anticipated this policy can be delivered within the existing resources, and will go some way to improving faith in the process and customer service.

8.8 Property Implications

- 8.8.1 There are no property implications associated with this proposed policy.

8.9 Consultation

- 8.9.1 The Operational Guidance for developing parking policy and undertaking enforcement activity is set out by the Secretary of State for Transport.
- 8.9.2 When taking forward any proposals to introduce a Traffic Regulation Order, the Council must undertake a statutory notice period, whereby any person may make representations for or against a proposal, which must then be considered by the Council. In Southend, this function is undertaken by the Traffic Regulations Working Party.
- 8.9.3 In practice, Elected Members in Southend undertake a further informal consultation and engagement exercise before proposals are brought forward, this is currently under review, with a view to improving customer engagement and ensuring Members have the tools and support available to respond to requests.

8.10 Equalities and Diversity Implications

- 8.10.1 The Council has several duties to remove or mitigate potential disproportionate impacts on protected characteristics. These are set out in related Council policies and noted in the attached Equality Impact Assessment.
- 8.10.2 Controlled Parking Zones will discourage vehicles from entering into residential areas, improving road safety for all road user groups, this is particularly the case in areas of high population density, where it is often the case that a majority of residents could be identified as having protected characteristics.
- 8.10.3 As each proposal for a Controlled Parking Zone is considered, a new assessment will be undertaken to understand the particular impacts of each scheme.

8.11 Risk Assessment

- 8.11.1 Each Controlled Parking Zone will be subject to the criteria set out in the policy. As a scheme is designed, it will be subject to consultation and engagement, and a Road Safety Audit, or similar as required, to ensure the risks and benefits of each scheme are properly considered.

8.12 Value for Money

- 8.12.1 A Controlled Parking Zone will only be introduced where the relevant criteria set out in this policy are met. In almost all circumstances, the Council will be required to fund the up front costs of introducing a scheme, but it is anticipated this cost will be paid back through its life, with any surplus reinvested into administering and enforcing the scheme.

8.13 Community Safety Implications

- 8.13.1 Reducing traffic flows and increasing the opportunity for residents to park closer to their homes will improve community safety, particularly in respect of car crime and risks associated with walking long distances between the nearest available space and home.

8.14 Environmental Impact

- 8.14.1 The Council has recently declared a Climate Change Emergency, whilst not introduced for this purpose, a Controlled Parking Zones will have the effect of reducing traffic and emissions within that area, as inbound commuter or visiting traffic is deterred by the CPZ entry signs, setting out the parking restrictions in force.

9. Background Papers

None

1. Appendices

10.1 Controlled Parking Zones Policy

10.2 Equalities Impact Assessment

Southend-On-Sea Controlled Parking Zones Policy

Document information

Title: Controlled Parking Zones Policy

1. INTRODUCTION

This Policy sets out the Council approach to considering, delivering, and administering Controlled Parking Zones.

It is designed to provide a clear and robust criterion that allow the Council to carefully consider the risks and benefits of providing a scheme and ensuring appropriate engagement and consultation with those affected.

In addition to this policy, the Council will consider related strategies and corporate objectives.

2. WHAT IS A CONTROLLED PARKING ZONE (CPZ)

Controlled Parking Zones (CPZs) are car parking areas where parking is regulated in such a way that capacity is reserved for a particular road user group, usually residents.

Schemes are designed with designated parking spaces for permit holders, with drivers informed of the restrictions by zone entry and exit signage, and repeater signs in each space. Areas not within a designated parking space will be subject to time limited 'no waiting' restrictions (single yellow lines), and at junctions or places where parking can not be accommodated at any time, double yellow lines.

Designated parking spaces and single yellow lines will be in operation on the days and times as set out in the new Administrative Zones policy, which was adopted by the Council in September 2020.

Residents and other exempt road users will be required to purchase a permit to park in designated parking spaces during the operational times. Residents can also purchase visitor scratch cards. The price and maximum number of permits and scratch cards available for each property will be reviewed annually as part of the Council review of Fees & Charges.

Outside of the operational hours, permits and scratch cards are not required, however double yellow lines will always remain in effect. Residents must also take care not to cause an obstruction to other road users, including not parking across driveways and pedestrian crossing points.

Unless otherwise signposted, no vehicles are permitted to park on footways, cycleways, or verges, at any time.

3. WHO CAN APPLY FOR PERMITS IN A CPZ?

As a general principal, the following road user groups can apply for a permit to park in a CPZ, alternative permit options are available for certain groups, such as trades persons and those providing personal care, further information is available on the Council website or at the Customer Contract Centre.

A full list of eligible properties will be included in the Traffic Regulation Order schedule. Properties located on a scheme boundary will only be included in the CPZ if their address and main property access is within the scheme.

Residents

A property located within the CPZ is entitled to up to three resident parking permits. The definition of a property in this case includes any property subject to Council Tax, therefore houses of multiple occupancy or flats paying a single Council Tax bill, will be treated as a single property.

Business

A business with a premise located within a CPZ, and subject to Business Rates is entitled to up to three resident parking permits.

Visitor

The Council provides visitor scratch cards for residents and businesses located in a CPZ, as described above. Each is entitled to purchase up to ten parking sessions per month, this is due to increase to twenty sessions per month from early 2021.

4. HOW DO WE ENFORCE PARKING RESTRICTIONS?

Civil Enforcement Officers (CEOs) patrol the whole of Southend to monitor parking and enforce restrictions.

The Council considers the priorities of residents when deciding how enforcement resources are deployed. To this end, particular attention is given to CPZs. When a contravention is identified a Penalty Charge Notice (PCN) will be placed on the windscreen of the car, handed directly to the driver or sent by post.

The Council works in partnership with the relevant contractor responsible for parking management and enforcement. All our enforcement officers are clearly identifiable by their uniform and carry an identification card.

In some cases, the Council may utilise automatic number plate recognition cameras on cars or mopeds, to identify vehicles parked within a CPZ without a permit. ANPR can not be used to issue a Penalty Charge Notice, instead a Civil Enforcement Officer on foot will be deployed to the area.

5. HOW CAN I REPORT ILLEGALLY PARKED VEHICLES?

Illegal parking can be reported via the “MySouthend” App which can be found on the website www.southend.gov.uk, or by calling the Council directly. Where there is an immediate risk to life or property, this should be reported to the relevant emergency service using 999.

6. DRAFT CRITERIA FOR A CPZ TO BE CONSIDERED

The Council will follow these stages and criteria when considering an application for a CPZ.

Prioritisation will be based on the available resources in the Council, the time an application has been pending and consideration of wider priorities as set by the Council in consultation with the relevant Portfolio Holder.

Stage 1 – Identification

The Council receives requests for parking regulations directly from road users, through Ward Councillors and Members of Parliament, and through the service where officers proactively review how the road network is used.

In some cases, applicants may decide to undertake their own survey and seek support from those affected, these will be considered by the Council, but if undertaken outside of the Council policy on Consultation and Engagement, a validation exercise will be required, usually through an additional informal consultation.

Where applications are made using a formal petition, this will be considered using the Council policy on petitions, this may require the Council to consider the petition through a committee before being referred into this policy and could delay any decisions.

Before passing to Stage 2, there must be expressed support from the relevant Ward Councillors.

Stage 2 – Survey

The Council will undertake sufficient surveys and reviews to determine the following criteria are met; -

- a) demonstrable evidence that more than 40% of available parking capacity is regularly occupied by non-residents,
- b) not more than 50% of properties have access to off street parking, including driveways, car parks and garages, whether or not they are utilised for parking a vehicle,
- c) where road safety concerns have been identified, supported by accident data which it can be proven would be mitigated by a CPZ,
- d) introducing a CPZ must not have a likely impact of simply displacing parking to neighbouring streets,

Parking surveys will be undertaken by Council Officers, or where larger schemes are proposed, a consultancy may be engaged to provide a more detailed review. The Council will not advise when these surveys are to be undertaken, or for how long, such that a real understanding of the issue can be observed.

At this stage, if the survey does not find a CPZ to be the most appropriate treatment, Officers will work with the applicant, Ward Councillors and the Portfolio Holder to consider alternatives.

A proposal will only progress to Stage 3 where it can be demonstrated the criteria in Stage 2 has been reached, or that a proposal is part of a wider Integrated Transport Scheme, or part of a large development where not introducing a scheme would likely result in the criteria being met in the near

future, and where the costs of implementing a scheme on this basis are met as part of a development agreement.

Stage 3 – Outline Design

Once the Council is satisfied an application meets the criteria, Officers will set out the extent of the proposed CPZ to be considered. The criteria for designing a solution is as follows.

- a) Identify a suitable boundary for the scheme, usually incorporating the main road network where there is a feeling of transition to residential roads, and where suitable zone signage can be accommodated.
- b) Locate parking bay capacity, and ensure all anticipated parking demand from residents, businesses and visitors can be accommodated within, without relying on overflow capacity in neighbouring streets.
- c) Indicative costs for introducing the scheme, and anticipated revenue.
- d) Identification of alternative funding options, incorporation of other works or projects proposed in the same area, to minimise disruption to residents.

A proposal will only be taken forward to Stage 4 if it can be demonstrated that the design meets all local and national design standards, legislation and regulations.

Stage 4 – Informal Consultation

Once an outline scheme has been agreed, and support has been received from the relevant Ward Councillors, Portfolio Holder and Traffic Regulations Working Party, the Council will undertake an informal consultation with those directly affected.

An informal consultation will be delivered using the dedicated consultations portal, and with letters delivered to all properties potentially affected.

Proposals will only be taken forward to Stage 5 if the following criteria are met.

- a) The informal engagement exercise has been undertaken by the Council, and responses can be validated,
- b) Of the eligible responders, more than 20% respond to the informal consultation,
- c) A minimum of 55% of validated responses are in favour of the proposal, or any single option,
- d) A safety audit report identifies that the introduction of the scheme would mitigate road safety concerns.

Where there is evidence of fraud, or that pressure has been applied for responders to vote in a particular way, the Council may decide to cancel the informal consultation and seek further advice on the next steps.

Individuals and groups may decide to canvass support, but this must be done in a respectful manner and not involve any threats of any kind. Where there are established community groups, and if resources allow, the Council and Ward Councillors will try to attend before or during the informal consultation to answer any questions or concerns.

The relevant Ward Councillors may decide to undertake their own informal consultation, this must be delivered to these standards, in particular the ability to validate responses.

A proposal will only be taken forward to Stage 5 where there is expressed support as set out in Stage 4. Where there is no support, the Council will make a judgement on whether to propose an alternative or abandon it.

Stage 5 – Detailed Design & Statutory Consultation

With a decision made to take a proposal forward, the Council will undertake a detailed design, including the exact location of restrictions and associated signage, engaging with contractors to develop a cost schedule and delivery plan.

At the same time, the Council will advertise its intention to introduce a Traffic Regulation Order, through a statutory notice, after which a report will be submitted to the Traffic Regulations Working Group, along with any representations to the statutory notice, for a decision on how to proceed.

A decision may be taken to proceed in part, with some roads deciding to opt out of the scheme. In such circumstances, Officers will consider how such a change would impact on the scheme ability to meet all previous criteria considered before making a recommendation to the Traffic Regulations Working Party.

Any road opting out of a scheme will not be considered for a review for two years, ensuring resources are fairly used and other schemes are not delayed.

Stage 6 – Implementation

Once a decision has been taken to proceed, the Traffic Regulation Order will be made, and contractors instructed to implement the road markings and signage.

The Council will write to all those affected by the CPZ, who are entitled to permits, to advise how to obtain them.

Stage 7 – Review

The Council will monitor and review all parking regulations to ensure they remain fit for purpose. To give a reasonable period for restrictions to become established, a review will take place after two years has expired since introduction, unless significant issues are highlighted which requires more urgent action.