

TO: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT
17 July 2014

**RESIDENTS' PARKING SCHEME - BRACKNELL FOREST BOROUGH COUNCIL
(WAITING RESTRICTION AND PERMIT PARKING) ORDER 2014**

Director of Environment, Culture & Communities

1 PURPOSE OF DECISION

- 1.1 To approve the introduction of the Bracknell Forest Borough Council (Waiting Restriction and Permit Parking) Order 2014 and inform the Objectors accordingly.

2 RECOMMENDATIONS

That the Executive Member for Planning and Transport:

- 2.1 **Notes the formal objections received during the statutory consultation process and the corresponding Officer comments;**
- 2.2 **Authorises the Borough Solicitor to make the Bracknell Forest Borough Council (Waiting Restriction and Permit Parking) Order 2014 – with the amendments as shown on the plans in Annex M and N**
- 2.3 **Authorises the Director of Environment, Culture and Communities to implement the Residents' Parking Scheme and associated parking restrictions.**

3 REASONS FOR RECOMMENDATION

- 3.1 The Council must plan for the necessary changes that accompany a regenerated town centre, and this includes taking the appropriate steps to ensure that residents within close proximity are protected, where possible, from increased parking pressures.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Not to progress with a Residents' Parking Scheme. However this would result in a significant parking impact for residents in close proximity to the town centre.

5 SUPPORTING INFORMATION

Background

- 5.1 As the town centre expands through regeneration, the day-to-day needs of residents will become a high priority and the Council must plan for the changes this will bring. This includes making sure residents living close to the town centre are protected from increased parking pressures.
- 5.2 The Council have already received requests for a RP scheme in some roads surrounding the town centre and as demolition and construction work continues, it

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will become increasingly important to protect residents from these parking pressures. The fundamental aims of a RP scheme would be to:

- Protect residents from increased parking pressures;
- Be simple for residents to use; and
- Be cost effective to operate.

5.3 It is considered that the best parking solution for residents is one which would cause little change to their existing parking habits. The proposed RP scheme uses modern day methods which would allow this by avoiding the need for official marked parking bays, instead only requiring that vehicles display a permit in the streets affected. Vehicles parked in a road where a scheme operates would need to display a permit in their window – with permits being issued for use by residents, their visitors or other legitimate users of the street. Accordingly, vehicles not displaying a permit during the schemes' operating hours could then be issued a parking fine. Standard exemptions would apply to postal deliveries, public services and for general loading/unloading of goods or passengers etc.

5.4 An informal consultation exercise was undertaken in July 2013 and sought residents' general views on a scheme, alongside information on their local needs and preferences. A summary of the informal consultation results is detailed below:

- 81% of the respondents felt that having an RP scheme in their road would be beneficial, in the context of a regenerating town centre;
- 55% said they would not support a proposal for resident parking scheme if there were a charge for permits;
- 80% thought there should be a limit on the number of permits issued per property and of these;
- 12% suggested a one permit limit per property, 47% suggest two, 13% suggest three and 4% suggest four or five permits [24% gave no response to this question];
- There was a fairly even split regarding suggested operating hours of a scheme, with 27% suggesting 8am-6pm, 27% suggesting 8am-8pm, 23% suggesting 8am-midnight and 23% stating various other operating hours;
- 62% stated that a scheme should operate seven days a week.

Statutory consultation

5.5 In order for a Residents' Parking Scheme to legally exist, a Traffic Regulation Order (TRO) must be promoted. The statutory consultation process for a TRO requires public advertisement through the placing of public notices in the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Thames Valley Police and other affected parties.

5.6 The statutory consultation process for the proposed Residents' Parking Scheme involved sending a comprehensive information pack to all residents and stakeholders. This contained an introduction letter, a plan detailing the proposed RP zones (Annex A-F), a copy of the scheme rules (Annex G) and a copy of the public

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notice. These packs were sent out on 7th April 2014 to every property within a proposed RP zone, together with those in close proximity. In total 2250 packs were delivered and residents were given 25 days to respond, an additional 4 days more than the statutory 21 days for a TRO process. A public notice appeared in the Bracknell News on the 10th April, supplemented with street notices erected on lamp columns at regular intervals throughout the zones. The final day for objections was 1st May 2014.

- 5.7 Objections were invited through a web page linked to the Councils Objective consultation software. This web page allowed viewers to see all the proposals relating to each RP zone together with all the statutory documents. Residents and stakeholders were invited to object through this process, however respondents could also object or direct questions to a dedicated email drop account. Written objections were also invited.

Summary of Objections

- 5.8 A total of 30 objections were received. This equates to 1.3% of the 2250 properties consulted, although 4 of these objections were in fact received from residents outside the consultation zone. As well as formal objections, a number of residents made contact seeking clarification on certain points, or confirmation that they had understood the consultation. Local Member Councillor Mrs Brown also provided a spreadsheet containing residents' issues that had been brought to her attention, however, many of these were also received directly from the residents.
- 5.9 The table below shows which zones the objections relate to. Whilst some of the comments are specific to a certain zone, many are in relation to the generic rules or operation of the proposed RP scheme and so they have not been summarised by zone. These are discussed later in the report.

	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F	Outside Zone
Number of Objections received	0	8	0	3	1	14	4

The objections received are summarised below. More details and corresponding Officers comments relating to each issue raised can be found in Annex H – L - suggested modifications are also highlighted here.

Objections from Zone A and C

- 5.10 There were no objections received regarding either Zone A or C.

Objections from Zone B

- 5.11 There were 8 objections recorded in Zone B. The most common objections relate to the proposed removal of the existing waiting restrictions within Daventry Court – originally proposed to provide more road side parking for residents, alongside concerns over the private parking within Daventry Court being used by permit holders. There are also objections based on permit cost, properties not being included within the scheme, requests for additional restrictions and concern over existing levels of parking enforcement given the current issues of school related parking
- 5.12 All the objections for Zone B and corresponding Officer comments can be seen in more detail in Annex H

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- 5.13 The existing waiting restrictions in Daventry Court were previously introduced to prevent visitors to the town centre parking in the residential streets surrounding the Albert Road Car Park. It was felt that if the proposed RP scheme were to go ahead, visitors to the town centre would no longer be able to legally park within Daventry Court and so the restrictions could be removed to enable the local residents to use this road side space. However, two objectors have requested that these restrictions remain as they believe any parking in this area results in unsafe driving practices. It is proposed therefore to maintain the existing restrictions.
- 5.14 Three objectors, and other residents who commented, are concerned that the private parking spaces associated with Daventry Court were not included within the scheme and that this may result in the general public using these spaces. These car parks are not public highway and as such the Residents' Parking scheme can not relate to this area. However, as these parking areas are private the land owner can erect signs to inform the general public accordingly, or indeed undertake private parking enforcement.
- 5.15 Some of the objections, alongside other comments received, raise concerns that there is already parking pressure to the east of Zone B associated with school traffic. They are concerned that, despite enforcement by Council Parking Attendants, illegal parking is still occurring on a daily basis and that additional restrictions are not likely to be successful if these existing restrictions are not already adhered to. The main area of concern is Bull Lane in proximity to Garth Hill College and Sandy Lane Primary School. The addition of an RP restriction will not complicate enforcement matters further, in fact it will simplify operations in the main. However, additional enforcement resources have been accounted for within the overall scheme proposal.
- 5.16 A single objection relates to the proposed amendment to a single yellow line restriction in Albert Road. The existing restriction is 'No Waiting - Monday to Saturday 8am – 6.30pm' and it is proposed to extend this restriction to include 'Sunday 10am to 4pm'. The resident is concerned that he will no longer be able to park a vehicle outside his property. The introduction of the additional Sunday restriction would match the operating hours of the proposed RP zone and hence protect this road from Sunday parking related to the new town centre. If these restrictions were not introduced this length of Albert Road may become a first point of call for drivers wishing to park near the town centre but avoiding a car park. This length of road would become obstructed should significant numbers of vehicles be parked on street.
- 5.19 Another single objection related to the proposed introduction of a '30 minute limited waiting' bay outside a commercial premise on Binfield Road. The objector believes the bay should be for shared use to allow both resident permit holders and shoppers to park. This proposed restriction is outside a commercial building and is required to maintain parking for patrons and assist in maintaining passing trade. If the proposed restrictions were amended to become 'shared use' it is likely that permit holders would use these parking places this impacting on local trade.
- 5.18 The other two objections relate to two separate areas of Shepherds Lane, the first being the length near to the junction with Kennel Lane which is not included within the proposal. The other is regarding the junction of Shepherds Lane and Folders Lane. The objectors believe that vehicles parking in close proximity to their driveway are causing obstruction issues. Both these requests are for additional restrictions that can not be added to this TRO as they would constitute substantial change that would require the Traffic Regulation Order to be re-advertised. These issues,

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together with any others that may arise, will be monitored throughout the trial period and additional restrictions included at a later stage if considered necessary.

Objections from Zone D

- 5.19 There were 3 objections recorded in Zone D. Two of the three objections come from within the Kelvin Gate private development where the proposed scheme would provide residents with visitor permits only for use in adjacent streets.
- 5.20 One of these objections comes from the Kelvin Gate Property Manager who states that there are 10 properties within the development that currently do not have allocated parking and so rely upon parking in Deepfield Road. This is fundamentally an issue for the Management Company as it should be providing sufficient parking capacity for all properties within their development in accordance with their approved Parking Management Plan produced to meet Planning obligations.
- 5.21 The other objection from Kelvin Gate is from a resident who states that they bought their flat with only one allocated parking space, but as they have two cars one of these must to be parked on the public highway in Deepfield Road. The RP scheme proposal only permits residents of Kelvin Gate to receive visitor permits as this private development has internal allocated parking for its residents and tenants. There are currently 278 properties with Kelvin Gate.
- 5.22 The third objection is from a resident of Deepfield Road. The objector is concerned that there is a lack of parking space near Kelvin Gate due to the double yellow lines which they believe are not needed. Secondly, they state that Bay Road residents' park 'awkwardly' on the corner of Bay Road and Deepfield Road. The existing waiting restrictions in the vicinity of Kelvin Gate were installed by the Council many years ago to address the issue of obstructive parking on the bend. The introduction of an RP scheme does not remove the need to prohibit parking where it is considered to introduce a safety issue, therefore these restrictions should remain. The junction of Bay Road and Deepfield Road is not included within these proposals and additional restrictions can not be added to this TRO as it would constitute substantial change that would require the Traffic Regulation Order to be re-advertised. This location will therefore be monitored as part of the review of the scheme in two years time and, if considered necessary, additional restrictions proposed at a later date. However, parking in the proximity of a junction in a manner that is obstructing either vehicle movement or visibility is an issue that Thames Valley Police can enforce routinely.
- 5.23 All the objections for Zone D and the corresponding Officer comments can be seen in more detail in Annex I

Objections from Zone E

- 5.24 There was 1 objection recorded in Zone E. The objector feels that there is no need for the RP scheme as the only parking that causes an issue in this area relates to school parking and they do not have an issue with town centre related parking. They are also concerned about where vehicles will park for football and cricket matches alongside the cost of the permits rising in future.
- 5.25 The proposed RP scheme is aimed at addressing future parking demands associated with the town centre construction and use. The proposals are aimed at reserving current levels of available parking within this estate for residents. Football and cricket match parking, together with school related parking, would also be prevented. The Council have committed to a 2 year trial during which the costs of the permits will remain the same.

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- 5.26 The objection for Zone E and officer comments can be seen in more detail in Annex J

Objections from Zone F

- 5.27 There were 14 objections from Zone F. Of these, twelve objections are against the proposal to remove the existing 'No Waiting At Any Time' restrictions within Old Bracknell Lane East itself. None of these objections are raised against the principle of the RP scheme. The removal of this parking restriction had been proposed to afford residents more available on street parking, however, given these representations it is proposed to remove the revocation from the proposed TRO and maintain the existing restrictions.
- 5.28 Other objections relates to concerns over vehicles being forced off verges and footways onto the highway by increased parking enforcement and the idea that the Council should use permit income to construct additional parking places for residents. A resident of the Sabin Gate private development requests that they should also receive residents' permits and not just visitor permits.
- 5.29 The parking of vehicles on highway verge and public footway is not an activity the Council can condone, however, if a vehicle is parked in these locations whilst displaying a valid permit the Council will not be in a position to issue a Penalty Charge Notice. However, Thames Valley Police will continue to have the powers to enforce obstruction offenses and could ticket or remove any vehicle parked on a footway if they consider it necessary to do so. Equally, the Council has powers to deal with verge parking matters. The additional provision of residential parking spaces is something the Council is currently consulting upon with Local Members. Members have been asked for a priority list of where additional parking would be of most benefit and Councils funds, together with that of Bracknell Forest Homes, has been allocated for this purpose. Unfortunately it is not always possible to construct additional parking spaces due to the lack of suitable location space, the presence of underground services and the potential damage to tree roots.
- 5.30 Sabin Gate residents are only being offered visitor parking permit within the RP scheme proposals, which is the case for all private developments across all the zones. These developments have a Parking Management Scheme aimed at managing their own parking demands within the confines of their development.
- 5.31 All the objections for Zone F and the corresponding Officer comments can be seen in more detail in Annex K

Objections from outside the Zones

- 5.32 There are 4 objections relating to the introduction of an RP scheme received from outside the proposed zones.
- 5.33 One objection relates to parking in Old Bracknell Lane East (Zone F). The objector states that they use this length of public highway to park when commuting from the station as it costs circa £1000pa to park in town centre car parks.
- 5.34 Another objection is from a resident of Kennel Lane who claims to already experience parking pressures and believes these are set to get worse when visitors to both Shepherds Lane and Zone B residents can no longer park within the RP zone. Kennel Lane is outside the boundary of Zone B. The properties within Shepherds Lane in the vicinity of Kennel Lane also fall outside of Zone B and so visitors to these properties will not need to relocate away from Shepherds Lane.

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Furthermore, visitor parking permits are being made available to all properties within the zone and so a need for visitors to relocate outside any zone is not foreseen.

- 5.35 One objection is raised on environmental grounds. The objector claims that the introduction of an RP scheme will encourage more properties to introduce dropped kerbs and driveways which will in-turn add to surface water run off leading to flash flooding and the removal of available habitat for nature. The introduction of any non-porous hard standing with a surface area of 5m² or greater, that discharges onto the public highway, requires planning approval and is managed in this manner.
- 5.36 The final objection is from a resident of Bay Road who currently uses Deepfield Road to park additional vehicles and feels this is the only safe location in their vicinity. They request that additional parking be introduced in Bay Road. The additional provision of parking spaces is something the Council is currently consulting upon with local Members as mentioned previously in this report.
- 5.37 All the objections from outside the zones and officer comments can be seen in more detail in Annex L

Statutory Consultees

- 5.38 Both Bracknell Town Council and Thames Valley Police responded to the consultation stating that they had no objection to the proposals.

Additional Comments Received

- 5.39 In addition to the objections received to the statutory advertisement, various comments and questions were received from residents either directly or through local Members. These are summarised below:
- 5.40 Concern is expressed regarding the proposed removal of parking restrictions in Daventry Court together with concerns that permit holders of Zone B would start to use the adjacent private car parks. This matter is covered by paragraph 5.13 of this report.
- 5.41 The issue of commercial vehicles parking within the Goodways Estate generated several queries. The rules of the proposed RP scheme will allow any vehicle(s) up to 3.5t to be issued with a permit so long as the owner can demonstrate the vehicle is either registered to a property within the zone or has been issued by an employer for the residents' personal use. However, vehicle over 3.5t will not be eligible for a permit as vehicle of this size are subject to a Vehicle Operators Licence which specifies where the vehicle should be parked over night or when not in use. The vehicles described in this case are commercial vans which fall below the 3.5t limit.
- 5.42 Some questions related to the process of applying for permits. These residents have been advised that should the proposal proceed, properties eligible to apply for a permit will be contacted again and informed them of the process and time scales.
- 5.43 Some questions relating to enforcement were also received. These residents were informed the RP scheme restrictions will be enforced by the Councils Civil Enforcement Officers, and that appropriate resource levels will be applied.
- 5.44 Concerns have also been raised regarding the impact of allowing private estate residents to park within RP zones using visitors permits. However, in practice this is expected to have a low overall impact on the parking capacity.

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- 5.45 Some residents comment that the scheme is not generating additional parking spaces, and that residents will therefore be applying for permits which do not translate into parking spaces within their street. It is considered that the best parking solution for residents is one which would cause little change to their existing parking habits. The proposed RP scheme uses modern day methods which would allow this by avoiding the need for official marked parking bays, instead only requiring that vehicles display a permit in the streets affected.

6 Scheme Proposal

- 6.1 It is proposed to proceed with the RP scheme TRO as advertised with the following exceptions:

- i. Remove the proposal to revoke the existing prohibition of waiting (Monday to Saturday 8.00am to 6.00pm) restriction in Daventry Court.
- ii. Remove the proposal to revoke the existing prohibition of waiting (double yellow line) in Old Bracknell Lane East.

The amended proposals (affecting zones B and F) are shown in Annex M and N. The proposals shown in Annex's A, B2, C, D and E remain as advertised.

6.2 Basic Timetable

If authorisation is given to proceed with the Residents' Parking Scheme the approximate time line will be.

- i. July - Respond to the objectors in writing.
- ii. July - Sign and Seal the Traffic Regulation Order
- iii. August – Start the process to invite applications for permits
- iv. September – Works on site to erect signing
- v. October – Scheme goes live on-street with enforcement amnesty period
- vi. November – Scheme goes fully live.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 The Council has a discretion but not an obligation to arrange for a public inquiry to consider objections made. In this instance it appears that objections can be fully and properly considered without the benefit of a public inquiry.

Borough Treasurer

- 7.2 Budgetary provision has been made to fund the two year trial period based on the estimated costs of running the scheme.

Equalities Impact Assessment

- 7.3 The EIA screening results are attached to the report in Annex O. A full EIA is not required at this time.

Strategic Risk Management Issues

- 7.4 None.

8 BACKGROUND PAPERS

- DMT Report - Residents' Parking Scheme - 25-10-11
- DMT Report – Residents' Parking scheme – 06-11-12
- DMT Report – Residents' Parking Scheme Bracknell Forest Borough Council (Waiting Restriction And Permit Parking) Order 2014 – 10-06-14
- Executive Report - Residents Parking (Informal Public Consultation) - 11-6-13
- Executive Report - Residents' Parking Scheme – Formal Public Consultation – 11-04-14

Contact for further information

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