

Bath & North East Somerset Council

DECISION MAKER:	Cllr Anthony Clarke, Cabinet Member for Transport		
DECISION DATE:	On or after 1 st June 2016		
TITLE:	(VARIOUS ROADS, BEAR FLAT, LYNCOMBE, BATH) (PROPOSED RESIDENT PARKING ZONE) – consideration of responses to public consultation		
WARD:	Lyncombe, Widcombe		
AN OPEN PUBLIC ITEM			
List of attachments to this report: Appendix 1 – Public leaflet and survey questionnaire Appendix 2 – Comments received in response to public consultation Appendix 3 – Responses by postcode map Appendix 4 – Majority of households in favour postcode map			

1 BACKGROUND

Residential areas on the fringes of town centres and near suburban railway stations often attract commuters, shoppers and other long term visitors. A programme of measures can be introduced which seek to achieve a more equitable distribution of kerbside space.

A number of residential streets in Bath are frequently subjected to extensive parking by shoppers and commuters. In these areas residents have expressed concerns that this often prevents them parking their own vehicles, or those of their visitors, close to their homes. Whilst it should be noted that there is **no right to park on the highway – the only legal right being to pass and re-pass**, it is sometimes desirable to introduce residents parking schemes to control the existence of parking and to discourage commuter parking which should be encouraged to make better use of more appropriate off-street facilities.

Resident parking schemes aim to give priority to residents over commuters and visitors to the area. This for most areas is a daytime problem over a 5 or 6 day week. It is not considered appropriate for schemes to extend into hours when commuter activity is nominal as this gives a false assurance to the resident who expects enforcement, or more importantly has an expectation of a space during hours when the issue may be too many cars owned by residents who are entitled to permits.

Where the local authority considers introducing area-wide parking controls aimed at displacing commuters to create additional space for residents, it is important that the likely consequences are considered. Thus the introduction of area-wide parking controls needs to be carefully planned.

Under Controlled Parking Schemes, all kerbside in the area is controlled by either waiting and loading restrictions, or permitted parking bays, comprising residents permit bays, short term parking bays, dual use bays and business bays. Such schemes are appropriate in and around town centres where there is a need to provide for residents, short term business users and shoppers, and where the local authority may wish to restrict the number of commuters entering the area because of the desire to reduce traffic levels or because of pressure upon kerb space.

The development of this proposed resident parking scheme arose in response to representations or complaints from the public or their representatives, about a local parking problem.

It is important to involve the local community, to ensure that any scheme proposed is supported by the majority of residents who would be affected by it. After a full consultation process in excess of 50% of the total number of residents of the streets directly affected must be in favour of the proposals to ensure a clear majority are in favour due to the restrictive and fiscal impact of a scheme.

Consultation can be a powerful tool for improving the quality and cost-effectiveness of services, and for ensuring that the Council remains in touch with the community. Before limited resources are spent on designing a preliminary Resident Parking Zone proposal an initial public consultation was carried out in the month of February this year in the form of a leaflet drop survey to assess the strength of feeling from local residents regarding possible implementation of a Resident Parking Zone within the Bear Flat / Lyncombe area of the City.

The Cabinet Member for Transport is asked to review and consider the comments collected during this public consultation attached to this report and agree whether to implement, modify or withdraw the proposal to move forward onto the preliminary design stage of a Resident Parking scheme within the Bear Flat / Lyncombe area of Bath.

The survey was carried out in the month of February 2016. The public leaflet and survey questionnaire can be seen in appendix 1. The survey was developed as the result of the concerns of the Traffic & Safety, Parking and Traffic Management Team, Ward Councillors and local residents caused by increasing problems related to parking around the Bear Flat / Lyncombe area of the City, which is becoming a greater concern on many of the local streets due to the increasing volume of vehicles and the growing number of vehicles parking inappropriately. A total of **449** responses were received during the public consultation from **812** properties survey. The responses are summarised in appendix 2.

Consideration needs to be given to the responses received and a decision made on the way forward. Common Law states the highway is for the passage and re-passage of persons and goods, and consequently any parking on the highway is an obstruction of that right of passage. There are no rights to park on the highway but parking is condoned where the right of passage along the highway is not impeded. The

consideration of objections to the introduction of controls has to be considered in this context.

There is also no legal right to park on the highway either outside a property or even within a specific street, however a number of the comments received stated that the parking situation in some of these locations is self-regulating between residents and that new restrictions are not required.

2 ANALYSIS OF RESPONSES RECEIVED

Breakdown of survey responses:

The Council received a total of **449** responses out of **812** properties survey which equates to over a **50%** response rate.

The Council received **212** responses in favour of the introduction of Resident Parking, amounting to **47%** of the total comments received or 26% of households in the Bear Flat/Lyncombe surveyed area.

The Council received **199** responses against the introduction of Resident Parking, amounting to **44%** of the total comments received or 24% of households in the Bear Flat/Lyncombe surveyed area.

The Council received **38** responses which were undecided for the introduction of Residents Parking, amounting to **8%** of the total comments received or 5% of households in the Bear Flat/Lyncombe surveyed area.

The majority (70%) of residents who responded currently use free on street parking and so would be directly affected if a resident parking scheme was to come into effect. The breakdown of current parking trends surveyed in the Bear Flat / Lyncombe area are as follows:

Types of Parking	Total	% of Responses
Garage	56	12%
Off SP	123	27%
RCP	8	2%
PCP	0	0%
OnSP(control)	3	1%
OnSP free	314	70%
N/A	28	6%

The main issues and comments raised through the public consultation were:

Non-resident Parking

- 38% of people are fed up with non-residential parking.
- 21% think RPS would solve the problem and or at least be beneficial to residents

However:

- 24% say that parking is either acceptable in its current situation or that it doesn't pose a problem
- 14% say that RPS wouldn't work and would provide no benefit.
- 15% say that parking is bad in the evening which would not be improved by RPS. 7% of 'FOR' voters complained of difficult evening parking which would suggest that they may be disappointed regarding the RPS as the evening parking would be little changed. There may be some reduction in resident owned cars due to limited permits (2 per household) however only 6% of residents surveyed spoke of having more than 2 cars so any change may be negligible. The car ownership levels surveyed within the Bear Flat / Lyncombe area are as follows:

No. Cars	No. Response	%
0	6	1%
1	214	48%
2	141	31%
3	28	6%
4	1	0%
5	1	0%
6	0	0%
N/A	58	13%
Total	449	100%

Cost

One of the most frequently discussed issues (mentioned in 23% of comments received) was the cost of resident and visitor permits. 81% of those who listed cost as a concern voted against a Resident Parking Scheme, whilst 6% still voted in favour but wanted the cost to be re-valued. There was some feeling (3% of people) that the Resident Parking Scheme would just be a source of money generation for the Council.

This is a particularly controversial issue as many residents consider that they are not the cause of parking problems and having paid their vehicle excise duty fee and/or council tax they are "entitled" to park on the highway in their own area free of any charge. However all residents parking schemes must be operated on a cost neutral basis as a minimum and under no circumstances must be a charge on the on-street parking account. In determining the level of charge it is considered that it should reflect at least the annual costs of administering the permit system. This would include staff costs, overheads, consumables and any permit system maintenance items (software licences for example).

Dangerous parking

23% say current parking is dangerous (to people/their property) and restricts large vehicles access and that a RPS would improve safety

4% had concerns that it only work if restrictions enforced

However:

4% say it would create problems and be more dangerous (speeding) and 1% were concerned on negative effect on community feeling.

5% were concerned that formalising the parking would reduce parking spaces, exacerbating the parking problem.

Response by Postcode

When breaking the responses for the area down by postcode, the response is still split and a majority vote is not shown FOR the introduction of a residents parking scheme. The results map does show more FOR votes in the areas closer to the centre of town, however the other areas would have to be included in a resident parking scheme due to their proximity to town, and the issue of migrating parking pressures and so the area must be considered as a whole. The response postcode map can be seen in appendix 3.

However, if the responses 'per household' are analysed, the picture changes significantly (see appendix 4) and only 3 areas indicate a majority of households in favour of a Resident Parking scheme.

3 CORPORATE OBJECTIVES

The following corporate objectives apply:

- Creating neighbourhoods where people are proud to live
- Building a stronger economy

4 THE REPORT

The Council therefore recommends two possible ways forward to be considered by the Executive Member for Transport. **1)** Due to there not being a sizeable majority of residents in favour of a scheme being introduced and due to the restrictive and fiscal impact of a scheme, recommend that a Resident Parking Scheme not be developed at this time. It is recommended however that other issues raised as part of this consultation such as the formalisation of the one way system near the school and an allocated drop off point should be investigated. **2)** That due to receiving more positive responses for inclusion within a Resident Parking Zone from the postcodes closer to the City Centre (as seen in green within the Responses by postcode map, appendix 3) that a smaller Resident Parking Zone proposal be considered incorporating these streets. It should be noted however that displaced vehicles are likely to migrate to surrounding streets not within the Zone boundary.

Also if you consider the findings of appendix 4, Majority of residents in favour by postcode map, this shows that only a very small area has a strong desire to be included within a Zone. The wishes of all residents must be considered, and a lack of response must be considered as a negative response because the proposal would impose a financial burden on the resident.

5 RATIONALE

The proposals are designed to address operational traffic issues and the high demand for available on-street parking stock.

6 CONSULTATION

Ward Councillors; Cabinet members; Staff; Other B&NES Services; Local Residents.

Ward Councillors and local residents have been consulted via public advertisement.

7 ISSUES TO CONSIDER IN REACHING THE DECISION

Social Inclusion; Customer Focus; Sustainability; Health & Safety

Contact person	Kris Gardom, Parking Engineer 01225 395362
Background papers	
Please contact the report author if you need to access this report in an alternative format	