

## Notice of Meeting

# Cabinet Member for Highways, Transport and Flooding

**Date & time**

Wednesday, 13 May  
2015 at 2.00 pm

**Place**

Room 107, County  
Hall, Kingston upon  
Thames. KT1 2DN

**Contact**

Anne Gowing  
Room 122, County Hall  
Tel 020 8541 9938

**Chief Executive**

David McNulty

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**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9938.**

**Elected Members**

Mr John Furey

## **AGENDA**

### **1 DECLARATIONS OF INTEREST**

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

### **2 PROCEDURAL ITEMS**

#### **2a Members' Questions**

The deadline for Members' questions is 12pm four working days before the meeting (7 May 2015).

#### **2b Public Questions**

The deadline for public questions is seven days before the meeting (6 May 2015).

#### **2c Petitions**

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

### **3 PROPOSED STOPPING UP OF LAND AT GOODWINS NURSERY, BEARE GREEN**

(Pages 1  
- 6)

The owner of Godwins Nursery, Old Horsham Road, Beare Green has requested the County Council apply to the Magistrates' Court for an order to be made removing (stopping up) the highway rights over a piece of land adjacent to their property. Their reason for wishing this to be done is to take responsibility for the land in question.

The Cabinet Member is asked to decide whether an application for a stopping up order should be made.

### **4 ON STREET PARKING REVIEW PROCESS UPDATE**

(Pages 7  
- 30)

The purpose of this paper is to look at the current parking review process and ways of improving the service we provide including better communication, timely implementation and reducing unproductive work.

To consider whether we should increase the charges for resident parking schemes and parking suspensions and waivers.

**David McNulty**  
**Chief Executive**  
Published: 5 May 2015

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**SURREY COUNTY COUNCIL****CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND FLOODING****DATE:** 13 MAY 2015**LEAD OFFICER:** TREVOR PUGH, STRATEGIC DIRECTOR OF ENVIRONMENT AND INFRASTRUCTURE**SUBJECT:** PROPOSED STOPPING UP OF LAND AT GODWINS NURSERY, OLD HORSHAM ROAD, BEARE GREEN**SUMMARY OF ISSUE:**

The owner of Godwins Nursery, Old Horsham Road, Beare Green has requested the County Council apply to the Magistrates' Court for an order to be made removing (stopping up) the highway rights over a piece of land adjacent to their property. Their reason for wishing this to be done is to take responsibility for the land in question. The Cabinet Member is asked to decide whether an application for a stopping up order should be made.

**RECOMMENDATIONS:**

It is recommended that an application be made to the Magistrates' Court for an order stopping up the land identified on the plan at Annex 1 as highway, in accordance with the provisions of Section 116 and 117 of the Highways Act 1980 and subject to the conditions of the County Council's approved policy on stopping up applications.

**REASON FOR RECOMMENDATIONS:**

The land in question is deemed surplus to highway requirements and on completion of a successful application the County Council would be relinquished from any future maintenance liability. The land is currently used as a garden for Wren Cottage and is not performing any highway function. Sufficient land is to be retained that would accommodate a two metre footway, should one be required upon redevelopment of the nursery site.

**DETAILS:**

1. When a request is received for the highway rights over highway land to be removed and the Cabinet Member for Transport, Highways and Environment considers that it is no longer necessary for the land to be part of the highway, the County Council will, subject to the conditions contained in the policy approved by the Cabinet on 21 December 2010, apply to the Magistrates' Court for an order stopping up the land as a highway.
2. The land subject of the proposed application forms part of the publicly maintainable highway consistent with historic mapping including the Tithe map for the area indicating that it is ancient highway (was in existence prior to 1835).

3. The subsoil of the land in question sits within title SY729406 (Godwins Nursery) and would revert to the registered owners upon the completion of a successful stopping up application.

#### **CONSULTATION:**

4. Before making an application to the Magistrates' Court for a stopping up order the highway authority must serve notice of their intention to do so on the district/borough council and the parish council if there is one. If either council objects to the making of the application within two months of the date of service of the notice it may not be made.
5. At least 28 days before the making of an application for a stopping up order the highway authority must serve notice of their intention to apply for the order on:
  - the owners and occupiers of all lands adjoining the highway;
  - any utility company having apparatus under, in, upon, over, along or across the highway;
  - if the highway is a classified road, the Minister for Transport, district/borough council and parish council if there is one.

Notices must also be displayed on site and published in the London Gazette and at least one local paper 28 days prior to the making of the application.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

6. The County Council's policy regarding applying for stopping up orders on behalf of a third party has been drafted to ensure that the Council is indemnified against all risks associated with the making of an application for a stopping up order. Providing the policies are adhered to and correct procedures are followed any risks will lie with those requesting the stopping up.

#### **Financial and Value for Money Implications**

7. The applicant is to pay all costs associated with the application for a stopping up order and will be responsible for maintaining the land in the future at their expense. There is no financial cost to the County Council. The freehold of the land in question is owned by Godwins Nursery.

#### **Section 151 Officer Commentary**

8. The S151 Officer confirms that all material financial and business issues and risks have been considered in this report.

#### **Legal Implications – Monitoring Officer**

9. The County Council's policy on applying for stopping up orders was drafted to meet the requirements of the Highways Act 1980 ("the Act"). Section 116 of the Act provides the power for a highway authority to apply to the Magistrates' Court for an order stopping up a highway, or part of a highway. Section 117 enables a highway authority to apply for a stopping up order on behalf of a

third party. Schedule 12 to the Act determines the form of notices that must be given in connection with an application for a stopping up order.

### **Equalities and Diversity**

10. The equalities impact assessment that was carried out when the County Council's policy on stopping up was approved by the Cabinet in December 2010 identified potential positive and negative impacts on the age, disability, gender and belief/faith strands, as well as potential social exclusion issues. As the process for applying for a stopping up order includes opportunities for anyone who feels they may be disadvantaged to object and, if they wish, be heard in court, the assessment did not identify any actions necessary to address the potential negative impacts.

The land does not currently perform a highway function (is not used by the public) so it is not envisaged that the stopping-up will have any negative implications with regards to equalities and diversity.

### **WHAT HAPPENS NEXT:**

11. When the applicant has deposited sufficient monies with the County Council to cover the cost of making an application for a stopping up order, the process of making the application will commence.
12. Before making an application to the Magistrates' Court for a stopping up order to be made, the highway authority must serve notice of their intention to do so on the district/borough council and the parish council. If either council objects to the making of the application within two months of the date of service of the notice it may not be made.
13. At least 28 days before the making of an application for a stopping up order the highway authority must serve notice of their intention to apply for the order on:
  - the owners and occupiers of all lands adjoining the highway;
  - any utility company having apparatus under, in, upon, over, along or across the highway;
  - the Minister for Transport, district/borough council and parish council, if the highway is a classified road.
14. Notices must also be displayed on site and published in the London Gazette and at least one local paper 28 days prior to the making of the application.
15. In accordance with clause 3 of the County Council's policy regarding requests for the removal of public rights over roads, any unresolved objections will be reported to the Mole Valley Local Committee for a decision on whether to continue with the making of an application to the Magistrates' Court for a stopping up order to be made.

**Contact Officer:**

George Emmett, Highway Boundary Team Leader, 020 8541 7446

**Consulted:**

Trevor Pugh, Strategic Director of Environment and Infrastructure

Jason Russell, Assistant Director, Highways

Helyn Clack, County Councillor

Valerie Homewood, District Councillor

Capel Parish Council c/o Jackie Coke (Clerk)

Anita Guy, Acting Area Highways Manager

Nancy El-Shatoury, Legal Services

Tony Orzieri, Financial Services

Chris Harris, Legal Services, Mole Valley District Council

**Annexes:**

Annex 1 – Plan: Land subject of proposed application – Godwins Nursery

**Sources/background papers:**

Sections 116 & 117 and Schedule 12, Highways Act 1980:

<http://www.legislation.gov.uk/ukpga/1980/66>

Report to the Cabinet on 21 December 2010 titled “Policy Regarding the Removal of Public Rights Over Roads and Highway Land” (item 12).

[http://mycouncil.surreycc.gov.uk/celistdocuments.aspx?MID=466&DF=21%2f12%2f2010&A=1&R=0&F=embed\\$Item%2012%20-%20Policy%20regarding%20the%20removal%20of%20Public%20Rights%20over%20Roads%20and%20Highway%20Land.htm](http://mycouncil.surreycc.gov.uk/celistdocuments.aspx?MID=466&DF=21%2f12%2f2010&A=1&R=0&F=embed$Item%2012%20-%20Policy%20regarding%20the%20removal%20of%20Public%20Rights%20over%20Roads%20and%20Highway%20Land.htm)

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Long Barn

Wren Cottage

MP 2

102.8m

Station H...

olt  
Mill View

od Station SP

Scale: 1:500  
Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office.  
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Highways Information Team  
Merrow Depot  
Merrow Lane  
Guildford  
Surrey GU4 7US  
Tel: 020 8541 8922  
Email: [highwayinfo@surreycc.gov.uk](mailto:highwayinfo@surreycc.gov.uk)

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**SURREY COUNTY COUNCIL****CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND FLOODING****DATE: 13 MAY 2015****LEAD OFFICER: TREVOR PUGH, STRATEGIC DIRECTOR FOR ENVIRONMENT AND INFRASTRUCTURE****SUBJECT: ON STREET PARKING REVIEWS AND CHARGES FOR PERMIT SCHEMES****SUMMARY OF ISSUE:**

The purpose of this paper is to look at the current parking review process and ways of improving the service we provide including better communication, timely implementation and reducing unproductive work.

To consider whether we should increase the charges for resident parking schemes and parking suspensions and waivers.

**RECOMMENDATIONS:**

It is recommended that:

1. Parking schemes that reduce obstruction, improve road safety and meet the councils other transport plan objectives are prioritised.
2. In order to include a permit parking or other residential parking management scheme, support should be demonstrated by at least 50% of frontages or a representative consultation group. (Exception by agreement of the local committee chairman/local member and parking team manager).
3. The size of parking reviews should be limited to a maximum of 50 sites. (Exception by agreement of the local committee chairman/parking team manager).
4. Comments in support of proposals as part of the statutory consultation process are also sought, not just objections.
5. That all affected frontages receive letter drops as part of a statutory consultation
6. That the Council actively aim to minimise displacement in new parking schemes.
7. That there is no change to charges for resident and visitor permits for on street parking schemes. These will be considered again during 2016 in conjunction with preparations for the review of parking

enforcement agency agreements.

8. That local committees have more flexibility to set the minimum charge for a business permit.
9. There is no change to the current level of charges for parking bay suspensions and waivers.

#### **REASONS FOR RECOMMENDATIONS:**

Updating the Council's parking review process will:

- Improve communication with the public about new parking restrictions.
- Help the Council to understand the level of support for parking schemes and make sure we are implementing parking schemes that not only fulfil transportation requirements but also serve the needs of local communities and businesses.
- Help the Council to deliver parking reviews in a timely way and reduce unproductive work.
- District and borough enforcement teams consider the current charges for parking schemes are adequate and cover the costs associated with them.

#### **DETAILS:**

##### **On Street Parking Reviews, What happens now?**

1. Parking reviews are carried out on a rolling programme in all the district and boroughs across the county except Guildford (where the borough council do them as part of their on street parking agency agreement).
2. Requests for new parking restrictions are received from a number of sources including the public, councillors, other Surrey County Council (SCC) teams, local authorities and the emergency services.
3. The current district based review process started about 5 years ago to manage the number of requests (about 7000 per year across the county) and has been refined to some extent in light of experience and feedback from councillors and the public. At the moment the reviews in each district generally follow this process.

**Table highlighting stages in the current parking review process with a timeline.**

Planned number of months before or after committee	Stage in parking review process
-15 to -3	Requests for changes to restrictions are collected and held on a review list prior to the start an assessment process.
-3	About 3 months before the review is due at the local committee, the unrefined list is sent to county councillors and for comment and to ask for priorities and comments.
-3 to -1	Parking team members may meet members/residents/district and borough enforcement colleagues to discuss some locations.
-2	The review list is assessed in a 'desktop exercise' to whittle out unrealistic proposals and then site visits and assessments are carried out.
-1	Report and drawings prepared for the local committee
<b>0</b>	<b>Local Committee meeting is held</b>
+1	In some cases changes are made at committee or new sites added and these are investigated after the meeting and any proposals agreed as per the delegation agreement at the meeting.
+2 to 3	Formal statutory advertisement of the draft Traffic Regulation Order (TRO) follows about 2 or 3 months after the committee. By law a notice must be placed in a locally circulating newspaper. We also put up street notices and make full use of our website. Consultation documents are available in the local civic centres and libraries.
+4	At the end of the 28 day consultation process an objection report is prepared summarising the objections to each location in the review.
+5	Discuss objections with Members. In most cases we would resolve objections using the Council's scheme of delegation but sometimes we need to go back to the local committee. Update district & borough enforcement team about what's included and if relevant agree implementation timetable for any resident parking schemes.

+5	Carry out detailed design for the contractor to lay lines and put in signs.
+5	Place works order with contractors.
+6	Make the TRO. This involves another advert in the newspaper and putting all the amended plans and documents, with reasons for the changes, on our website.
+6 to 8	Implementation. This can take longer during the winter months when the weather is wetter. Overall the timescales in the review process depend on many factors including size and the level of complication.

4. There are two reviews at each committee each cycle. This means there are eight at committee each calendar year, resulting in a 15 month gap between reviews for each committee. This allows enough time for parking patterns to settle down between reviews. The four parking engineers in the team are simultaneously working on 10 reviews at any one time and each will be at different stage in the process.
5. The Council aims to implement parking reviews within six months of committee approval, and this works best when kept to a manageable size and objections are dealt with under delegated powers rather than being referred back to committee. This isn't always the case and some reviews do take longer, particularly if there are complicated sites or residents parking schemes to co-ordinate with the local enforcement teams who will manage them. In some cases, officers would recommend taking more time to deal with sensitive parking issues rather than pressing ahead just to keep to a rigid time table.
6. Parking restriction schemes generally fall into these categories:
  - **Safety and obstruction** – double yellow lines to provide sightlines/safety/prevent obstruction. These should generally be included where there is evidence of a problem or in accordance with good practice and highway code guidelines about parking.
  - Requests for restrictions to prevent '**nuisance**' parking in residential roads. These usually comprise single yellow lines or residents permit schemes and can be far more controversial. Councillors and the parking team are often at the end of persistent requests for such parking schemes from vocal residents in a road without any real idea how much support there really is. When a letter drop or statutory consultation is carried out as part of a review we can find there is no support or consensus from the area. The proposals are then dropped but have contributed towards the cost and time of the review.

- **Larger CPZ schemes.** The development of large parking schemes can be very labour intensive and as a consequence costly due to the amount of consultation and public interaction involved. These schemes will typically be too large for the Council to manage in house and we will need to use our 'call off' consultant Atkins to undertake this work. It will generally take 6-12 months to complete such a consultation for a large CPZ scheme and the work will need to be funded from a local committee budget.

### **Options for improvement**

#### **Should we have more frequent parking reviews ?**

7. Reducing the time between them would mean that we would need to carry out three or four reviews per committee cycle. This would bunch up the work causing resourcing problems in preparing for committee. Advertising and implementation would similarly be overloaded, more costly and many of the benefits gained from economies of scale would be lost by having more frequent but smaller reviews.
8. Although timely implementation is important it is often better to prepare thoroughly, particularly for sometimes controversial schemes and this can take a little longer as it will involve discussions with councillors and other stake holders. The consequence of even small errors in the TROs can also mean enforcement has to stop or fines paid back, generally resulting in negative publicity for the council. These need to be prepared with great care.
9. Resources are better used spreading the reviews as evenly as possible through the year i.e. two per committee cycle. In addition, under the present system, if the reviews run to programme there is time for the new parking controls and restrictions to bed in before the next review starts even if there are slight unavoidable delays.
10. In extreme cases, urgent parking restrictions needed for road safety purposes can still be progressed using temporary TROs outside the parking review process.

#### **How big should a parking review be?**

11. In order to make sure the Council can implement reviews in a timely manner the Council should try to limit their maximum size. Each district and borough in the county is different and has varying needs in terms of parking management and some tend to have more sites in their typical review. Parking restrictions used to be an urban phenomenon but they are increasingly requested in more remote rural locations and villages.
12. Reviews that exceed about 50 sites often take more than 6 months to implement, particularly when residents' parking is included.
13. The Council also needs to ensure that residents and businesses are aware of what it is doing as this helps to eliminate surprises at the end. This can be a source of complaint and time consuming to resolve. Reviews that are larger

than 50 sites inevitably take longer and the service the Council can provide to residents in terms of timeliness and communication is reduced.

14. In order to progress parking reviews in a timely manner the Council therefore needs to make sure reviews are a manageable size and are well communicated to residents and councillors.
15. If each review were limited to 50 sites or to a certain number of sites per division, the total of which did not exceed 50, it would be easier for them to be completed on time.

### **Evaluating public opinion**

16. The Council receives many complaints each year from residents in suburban streets about 'nuisance' parking. These complaints include:
  - difficulty in getting out of driveways
  - difficulty finding a parking space
  - damage to verges caused by parking
  - parking on footways
  - residents unhappy about cars parking in their street or outside their house. Many do not like excessive parking in their street particularly by 'non residents'
  - neighbourly disputes
17. Often, requests to implement a parking scheme to control these problems are put forward by one or two residents without any real support from the rest of the road. I.e. most residents are content with the situation and only a few see a problem. In some cases, however, the few who see a problem push hard for a scheme to be implemented.
18. The Council has taken forward schemes to deal with nuisance parking only to find that, after statutory consultation, there is substantial opposition from most residents. Quite often any benefits that are gained by some are outweighed by the inconvenience to many others. Because there is no overall consensus or there are opposing groups, resources are often dedicated to trying to find a solution to no avail.
19. In order to reduce the time and cost of dealing with these problems, the Council should only accept these requests into a review if there is demonstrated support from residents who are likely to be affected, in a similar way to a petition. So a resident who is very keen on parking restrictions will need to discuss it with their neighbours/councillor and be able to send in evidence of wider support with their request. Their County Councillor can help guide them if necessary.



20. It is proposed a threshold of 50% support by affected frontages and the local County Councillor should be reached before we take these types of schemes into a review. Proposals that do not meet the 'entry criteria', (there are always exceptions) will need the approval of the chairman, local member and parking team manager to progress.
21. To facilitate this, our parking review web pages will be updated to explain the process and request relevant information such as:
  - Name/address of everyone who supports proposal
  - Description of problem
  - What solution is sought
22. When requests are received, the Council would expect evidence of support which should be assessed in consultation with the County Councillor and included in the review if it was possible to achieve a solution.
23. It would however be very important to make it clear that no matter what level of support was demonstrated, it would not necessarily mean that a scheme would be introduced. It would only happen if there was an appropriate solution to a recognisable problem, for example, the Council should not introduce a permit scheme on a road where residents have adequate off street parking.
24. The Council may still decide to carry out a letter drop consultation but overall the need for these would be reduced if there was more demonstrated support with an application in the first place. There would of course be a statutory consultation and this would give the opportunity for the wider community to have their say on the proposals.

### **Widening publicity**

25. When a review is being implemented it can be frustrating and time consuming dealing with residents who claim to not have known anything about the new restrictions being implemented. Although not commonplace, it is a regular occurrence and a source of complaint often leading to a negative view of the Council.
26. By law, the Council is required to place a notice in a locally circulating newspaper when advertising a traffic regulation order and take other steps as might be appropriate to bring the proposals to the attention of people who might be affected by them. In practice, as very few people read the public notices section of their local paper so street notices are also put up and, in some cases, local residents are letter dropped. The parking team has adapted these to be much more eye-catching, easy to understand/user friendly in recent years including the addition of QR codes and web links.
27. In some recent reviews all properties that could be directly affected by the proposals have been letter dropped. (up to 1000 properties). Even with advances in online communication at present this is probably still the best way

of raising awareness. The letter sent out includes details of how to find out more on our website or via the contact centre.

28. In future the Council will start to letter drop all effected frontages of parking restrictions as part of the statutory consultation process and this would be more practical and less costly if the reviews were kept to a manageable size.
29. As part of a statutory consultation our parking web pages are kept up to date with plans and information as well as documents deposited in local libraries and civic centres.
30. The Council will continue to seek objections when we advertise a TRO in accordance with the regulations however for parking schemes we will also seek other comments including support. This could make it easier to assess the outcome of a statutory consultation where often people do not engage because they do not 'object' to the proposal.
31. We will also continue to explore new digital opportunities to publicise the reviews, such as using social media.

### **Reducing Displacement**

32. It is often the case that new parking restrictions cause some displacement. It is self defeating to solve the problems in one road only to move the problem to the next street.
33. For all new parking schemes we should thoroughly consider the potential effects of this and minimise as much as possible to retain parking where it is safe. This could mean leaving more gaps in restrictions for parking where it is suitable. Well planned parking bays can also help reduce traffic speeds.

### **Implementation**

34. The parking team will continue to work with contractors to speed up the introduction of new lines and signs once the work has been ordered. To help this, we have put in place weekly meetings, instead of fortnightly, and are looking at implementing a system of tighter deadlines as part of this work.
35. It can, however, be very frustrating that prolonged wet weather often delays implementation of road marking schemes, a problem which is particularly acute during the winter months.

### **Charges for Residents Parking Schemes**

36. The current level of charges for residents parking permits was standardised across the county in 2011. The (minimum) charges are set at:
  - £50 for the first permit
  - £75 for subsequent permits
  - £2 per day for visitor permits

- £500 for a business permit
37. The charges are intended to recover the cost of implementing, administering and enforcing residents parking schemes. In the 4 years since the charges were set there has been an economic downturn and generally low inflation. Improvements in technology have also helped reduce administration costs.
  38. The higher charge for a business permit is intended to reflect the relative benefit of convenient parking to businesses within a permit scheme. However, many permit schemes are situated in residential areas where small businesses tend to exist. The £500 charge per permit is seen as excessive in these cases and it is therefore proposed to allow local committees greater flexibility to set lower business permit charges to cater for smaller businesses if necessary.
  39. The current charge for a parking bay suspension is £65 per 6m length for a three day period and then £10 for each subsequent day. A waiver (permission to park on a yellow line) is charged at £15 for three days and then £5 per day. Feedback from enforcement teams across the county show there is no justification or support for an increase in these charges at the present time.
  40. Parking fees and charges will be considered again next year (2016) in the run up to the review of the parking agency agreements in 2018. Local committees can also increase the charges in their area to suit particular circumstances if necessary.
  41. Charges for permit parking schemes should not be set with the aim of generating a surplus but for transportation reasons and to recover implementation and administrative costs.

#### **CONSULTATION:**

42. The Local Committee Chairmen's group has been consulted about the proposed changes to the way we carry out parking reviews.
43. District and borough council parking enforcement teams who carry out parking enforcement for the County Council have been consulted about parking charges.
44. Local committees will be updated on the changes to the review process over the next 6 months.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

45. The recommendations in this report are aimed at reducing the risk that we are changing parking restrictions without the knowledge or understanding of the public.
46. Improved communication with the public should improve the perception of the council.

### **Financial and Value for Money Implications**

47. There are no direct financial implications in the updated parking review process. It is hoped that better communication with the public will lead to greater efficiency and reduce non productive time.
48. It is the view of enforcement teams in Surrey that the current minimum level of charges for resident and visitor permits are appropriate (i.e. they allow the relevant costs to be recovered) and do not need to be changed at the moment.

### **Section 151 Officer Commentary**

49. The Section 151 Officer (Director of Finance) confirms that there are no direct financial implications for the existing Medium Term Financial Plan. If this were to alter, then the implications will be reflected in future budget planning. The proposed charges will continue to be periodically reviewed to ensure adequate recovery of costs.

### **Legal Implications – Monitoring Officer**

50. The Council has powers in Part 1 of the Road Traffic Regulation Act 1984 ('the Act') to create parking restrictions and prohibitions and in Part IV thereof to provide on-street parking places. Under section 122 of the Act, it is the duty of every local authority upon whom functions are conferred by or under the Act, so to exercise those functions as (so far as practicable having regard to the matters specified below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

The matters referred to above as being specified are:

1. the desirability of securing and maintaining reasonable access to premises;
2. the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the area through which the roads run;
3. the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
4. the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
5. any other matters appearing to the local authority to be relevant.

## **Equalities and Diversity**

<b>Information and engagement underpinning equalities analysis</b>	An EAI has been carried out to consider how we communicate and receive objections when we carry out statutory consultations for parking reviews.
<b>Key impacts (positive and/or negative) on people with protected characteristics</b>	Overall the changes proposed should raise awareness of parking proposals during the consultation process. It is a requirement that responses to a statutory consultation must be made in writing but where this is not possible (and this means there is no-one to act on the respondents behalf) we will accept and objection on the phone.
<b>Changes you have made to the proposal as a result of the EIA</b>	None
<b>Key mitigating actions planned to address any outstanding negative impacts</b>	None
<b>Potential negative impacts that cannot be mitigated</b>	None

## **WHAT HAPPENS NEXT:**

51. Parking reviews will continue on their current timetable and the new process will be incorporated from June 2015. It will take some months to fully incorporate depending how the review cycle falls in each area.
52. Our web pages will be changed to reflect the updated process.
53. Local committees will be updated about the new process over the next 2 committee cycles.

### **Contact Officer:**

David Curl, Parking Strategy and Implementation Team Manager, Tel: 03456 009 009

### **Consulted:**

Local Committee Chairmen's Group

### **Annexes:**

EIA attached as Annex 1.

### **Sources/background papers:**

None

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## Annex 1 – Equality Impact Assessment

### 1. Topic of assessment

<b>EIA title:</b>	On Street Parking Reviews - Consultation Process
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<b>EIA author:</b>	David Curl, Parking Strategy and Implementation Team Manager
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### 2. Approval

	<b>Name</b>	<b>Date approved</b>
<b>Approved by<sup>1</sup></b>	Richard Bolton	28 April 2015

### 3. Quality control

<b>Version number</b>	1	<b>EIA completed</b>	
<b>Date saved</b>	28/4/15	<b>EIA published</b>	

### 4. EIA team

<b>Name</b>	<b>Job title (if applicable)</b>	<b>Organisation</b>	<b>Role</b>
David Curl	Parking Strategy and Implementation Team Manager	SCC	Author
Rikki Hill	Parking Projects Team Leader	SCC	Contributor
Michelle Caines	Traffic Orders Team Leader	SCC	Contributor

<sup>1</sup> Refer to earlier guidance for details on getting approval for your EIA.

## 5. Explaining the matter being assessed

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<p><b>What policy, function or service is being introduced or reviewed?</b></p>	<p>The Council is reviewing the way it carries out on street parking reviews. These are carried out by the Surrey County Council (SCC) parking team in all the districts and boroughs (except Guildford) on a 15 month rolling programme and are intended to make changes to parking restrictions in response to safety, obstruction, congestion, convenience and other development related issues.</p> <p>The review process is partly governed by statute and regulation as it involves amending or creating a Traffic Regulation Order (TRO). The process we follow enhances the statutory minimum obligation in order to maximise publicity for any changes we are making. The highway has many uses and understanding what is needed in an area helps us provide more useful parking restrictions.</p> <p>We receive requests for changes to parking restrictions from many sources and bundle these up into a district wide parking reviews which are taken forward together to help save money.</p>
<p><b>What proposals are you assessing ?</b></p>	<p>The traffic order regulation amendment process is governed by the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996.</p> <p>The Council is assessing how some aspects of this process are carried, particularly how the Council engages with residents and highway users.</p> <p>In terms of engagement with the public, the key stages in the process are:</p> <p>1) Receiving and assessing requests for new or changes to existing restrictions</p>



2) Publicising the Council's intention to make the changes and accepting objections and comments.

The decision whether to implement a particular restriction can be influenced by responses to the publicity and other factors relating to the lawful and convenient use of the highway.

The Council collects requests for changes to parking restrictions through a number of sources:

- phone call direct to the parking team or via the contact centre
- by email
- via the 'parking reviews' web page on the web site
- by letter

In most cases safety and obstruction problems are prioritised where there is a solution, however requests are also received for residents parking schemes and to stop nuisance parking.

The requests are held on a list until it is time to start progressing the review in a particular area at which point all the requests are assessed and if appropriate taken forward to the local committee for approval to proceed with advertisement and statutory consultation (eg with emergency services).

The publicity must, by law, include a notice in a locally circulating newspaper and such other steps as we may consider appropriate to ensure that people likely to be affected by the proposed changes are aware of them. The Council also has to place copies of the proposals 'on deposit' at local libraries and civic centres.

As not many people are likely to see the newspaper notice, to help ensure better publicity for proposals the Council also:

- Put up street notices in locations where new restrictions are planned.

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	<ul style="list-style-type: none"><li>• Make all the information available on our web pages.</li><li>• Write to residents if a major change (eg a permit parking scheme) is proposed.</li></ul> <p>As part of the Council’s updated review process, all frontages who will have yellow lines or any other changes directly outside their property will be written to.</p> <p>The Council is also going to send letters to properties that could be directly affected as part of the parking review publicity process.</p> <p>In the past the Council has assessed all requests but the plan is to ask residents (or other members of the public who request significant changes to parking restrictions) to provide a clearer indication of support for their suggestion. For example the Council would require residents to provide a petition or similar showing more than 50% support in order to initiate a review of parking restrictions in their road.</p>
<b>Who is affected by the proposals outlined above?</b>	All users of the public highway could be affected.

## 6. Sources of information

<b>Engagement carried out</b>
<p>The Council has carried out customer satisfaction surveys for the application process for new disabled bays.</p> <p>There has been no specific engagement process in the preparation of this EIA. Parking reviews have been carried out for a number of years and the changes we are proposing are in response to feedback we have received during this time.</p>
<b>Data used</b>
<ul style="list-style-type: none"><li>• Service monitoring reports.</li><li>• User feedback and/or complaints data.</li></ul>

**7. Impact of the new/amended policy, service or function**

**a. Impact of the proposals on residents and service users with protected characteristics**

Protected characteristic <sup>2</sup>	Potential positive impacts	Potential negative impacts	Evidence
<p style="text-align: center;"><b>Age</b></p>	<p>Under the new policy the Council will be writing to all frontages if they are directly affected by new waiting restrictions. This should help alert them to proposals.</p> <p>Where a resident (or someone acting on their behalf) is unable to send written comments to comments will be accepted over the phone.</p>		<p>The Council occasionally receives feedback from residents who claim they know nothing about new parking restrictions until the road marking crew arrived to carry out the work. Complaints and delays at this stage can be very frustrating and costly to resolve. Street notices are put up in locations where new restrictions are planned but these sometimes go unnoticed.</p> <p>In order to reduce the likelihood of this happening and increase awareness of work, the Council will also write to properties that are directly fronting on to new restrictions (or others we think will be significantly impacted).</p> <p>The Local Authorities’ Traffic Order (Procedure) (England and Wales) Regulations 1996 require that objections to advertised new or amended traffic orders are made in writing. This is because it is part of a statutory process and objections need to be evidenced.</p> <p>It is relatively rare that residents or service users are completely unable to respond in writing, either via web pages, email or traditional letter. If they do have difficulty it is often the case that a friend, relative or carer can do this for them.</p> <p>In extreme circumstances, where there is no way</p>

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<sup>2</sup> More information on the definitions of these groups can be found [here](#).

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			<p>an objector can send a written response, the Council will accept an objection over the phone. The Council will take reasonable steps to ensure our record of the objection is as accurate as possible. This would be time consuming and bureaucratic to do on a large scale so would only be done when there is no other option.</p>
<p><b>Disability</b></p>	<p>Disability will not necessary prevent residents from sending objections in writing but if there is no other option the Council can accept objections over the phone as described above.</p>		<p>Disabled bay applications are assessed in a separate process to parking reviews. The reviews often include changes that are picked up by the disabled bay application process.</p> <p>In customer feedback surveys we have had strong support for our disabled bay application process.</p> <p>Disabled bays are introduced or amended as part of the parking review process if they require a change to a TRO.</p> <p>It is felt that street notices are easy to read and have larger text as well as QR codes for quick links to Council web pages. Feedback from the Disability Network Alliance is that Council notices are clear and provide good links to finding other information.</p>

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<b>Gender reassignment</b>	N/A		
<b>Pregnancy and maternity</b>	N/A		
<b>Race</b>	N/A		
<b>Religion and belief</b>	N/A		
<b>Sex</b>	N/A		
<b>Sexual orientation</b>	N/A		
<b>Marriage and civil partnerships</b>	N/A		
<b>Carers<sup>3</sup></b>	N/A		

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**7b. Impact of the proposals on staff with protected characteristics**

<b>Protected characteristic</b>	<b>Potential positive impacts</b>	<b>Potential negative impacts</b>	<b>Evidence</b>
<b>Age</b>	N/A		

<sup>3</sup> Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that ‘carers look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.’

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<b>Disability</b>	N/A		
<b>Gender reassignment</b>	N/A		
<b>Pregnancy and maternity</b>	N/A		
<b>Race</b>	N/A		
<b>Religion and belief</b>	N/A		
<b>Sex</b>	N/A		
<b>Sexual orientation</b>	N/A		
<b>Marriage and civil partnerships</b>	N/A		
<b>Carers</b>	N/A		

## 8. Amendments to the proposals

Change	Reason for change
None	

## 9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Accept objections by phone in some circumstances.	Communicate new process with contact centre.	June 2015	DC

## 10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected

## 11. Summary of key impacts and actions

<b>Information and engagement underpinning equalities analysis</b>	The EAI has been carried out to consider how we communicate and take objections when the Council carries out statutory consultations for parking reviews.
<b>Key impacts (positive and/or negative) on people with protected characteristics</b>	Overall the changes should raise awareness of parking proposals during the consultation process. It is a requirement that responses to a statutory consultation must be made in writing, but where this is not possible (and this means there is no-one to act on the respondents behalf) we will accept an objection on the phone.
<b>Changes you have made to the proposal as a result of the EIA</b>	None



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<b>Key mitigating actions planned to address any outstanding negative impacts</b>	None
<b>Potential negative impacts that cannot be mitigated</b>	None

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