

DIRECTOR FOR TRANSPORT AND HIGHWAYS
OFFICER DECISION
CRITERIA FOR PARKING CONSULTATIONS
4 MARCH 2020

1. EXECUTIVE SUMMARY

- 1.1 The Council is committed to responding and engaging with our residents. However, carrying out consultations takes both officer time and financial resource. In addition, results of consultations are not always conclusive, with both supporters and opponents of the proposed changes interpreting the same set of results as a mandate for their preference. Accordingly, this report proposes criteria on what would trigger a consultation and a procedure to follow after those criteria are met, so that residents know what to expect when making a request for change.

2. BACKGROUND

- 2.1 The Council carries out consultations on proposed changes to the hours of parking control largely at the request of residents or councillors, provided that the proposal is not contrary to the Council's policies or legal obligations.
- 2.2 Prior to 2018, we had not consulted upon the hours of control in residents' bays for many years. Since June 2018, the Transport Policy team has carried out five consultations on extending the hours of control in residents' bays. The response rate varied from two per cent to 27 per cent. Two of the five consultations have resulted in extended hours of controls for parking being proposed for statutory traffic order consultation.
- 2.3 We ask residents to show that they have support for the proposal by contacting their residents' association or neighbours but we do not have a criterion that defines "support". Officers have not kept detailed records of the number of requests which have led to consultations, but it is clear that some consultations have a greater level of local support than others. Often, residents ask ward members to ask for extended hours controls on their behalf, so to some extent there is a filtering system, based on ward members' judgement about the local appetite for change.
- 2.4 Before we carry out an informal consultation by letter drop, we first carry out an occupancy survey outside the current hours of control to see how many vehicles do not have valid residents permits. In some cases residents find it difficult to park due to visitors to the area but these "visitors" are themselves residents of the borough, with a resident permit, so extending the hours of control would not solve the parking problem. To date, the results of informal consultations have been reported via a key decision report, with a recommendation on whether or

not to proceed to a statutory traffic order consultation by way of press notices and street notices.

2.5 There are direct costs (please see section 4) and opportunity costs in terms of officer time when carrying out such consultations.

2.6 In March 2015, the Government published¹ guidance on parking reviews, which provides useful context to us in thinking about when we should agree to consult on proposals for parking changes. The guidance stated that:

“It is of course the right of any individual or business to contact their local authority about any aspect of parking in their area. However, the local authority can expect people raising a petition to demonstrate that their challenge is supported by local residents, businesses and/or others affected by the parking policy.

Local authorities should set any thresholds for the minimum number of signatures to be locally achievable, even where the issues raised are of concern to a minority of those affected. Wherever practicable local authorities should set low thresholds, to ensure that their schemes encourage engagement. For instance, some existing local authority petition schemes set the thresholds at around 20 petitioners for the local authority to take action.

In setting thresholds local authorities should consider any particular geographical or population factors that may apply, such as areas of high or low population density, where the population fluctuates over the year (for instance, due to high numbers of students), or where the road users are predominantly non-resident. Local authorities should adjust their thresholds or use their discretion in relation to certain petitions rather than imposing the threshold as an immovable hurdle. Some parking issues may most directly affect a particularly small number of people – such as residents on a street. In these cases, local authorities should take this into account when considering the appropriate thresholds for specific petitions.

Local authorities should publish details of the thresholds, and clearly indicate how they will decide whether a petition meets the thresholds and the weight they will give to representations from individuals and groups, such as Business Improvement Districts or Community Interest Groups”

2.7 The document provides an illustrative example for a typical urban authority which suggests that:

- *“Local authority petition scheme has a published standard minimum of (e.g) 1,000 signatures for general petitions on council services, but makes clear that these are indicative, and that for local issues they will be adjusted to*

¹[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409815/150305 - Guidance on Parking Reviews FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409815/150305_-_Guidance_on_Parking_Reviews_FINAL.pdf)

reflect a minimum of 10% of the affected residents, businesses and other road users.

- *Local authority officers advise the petitioner of the area covered by the Traffic Regulation Order(s) that are relevant to the issues they are raising, and of the minimum number of signatures the petitioner needs to gather to meet the 10% minimum, based on population numbers. If necessary, the local authority advises the petitioner where their concerns are covered by a different traffic authority (for instance, Transport for London)”*

3. RECOMMENDATIONS

3.1 I recommend that:

- Every six months we review the requests we have received for changes to the hours of parking control and take a view on the strength of the case for each of them. This would involve considering the level of support shown (including residents’ association and ward member support), parking occupancy in the area as provided by the boroughwide parking occupancy survey (which is carried out every three years) is greater than 80 per cent and supplementary information on the problem and urgency for a solution. We are able to complete a maximum of two informal consultations in each six month period. This is because consultations have resource and budgetary implications in terms of replacing signage following any changes. So, we would keep any requests which were deemed worthy, but cannot be accommodated in the next six months, on a list and prioritise any new requests against requests already on the list.
- If two requests were in close proximity they may be merged when the consultation is carried out – the reason for doing this would be explained to the requestors.
- We do not consult on changes to controls in single streets because it would lead to a domino effect as problems were pushed out street by street. It also makes producing maps showing the different hours of residents’ parking more difficult if the areas are very small.
- To trigger a further work after prioritisation the consultation area should comprise at least 1,000 properties and there would need to be at least 20 requests for change from at least 20 households in at least one third of streets in the area – this could take the form of one petition with 20 signatures or 20 separate emails. Ward members and the local residents’ associations should also show support for the proposal.
- When the required level of support has been demonstrated, we would first carry out an occupancy survey outside the current hours of control to see how many vehicles do not have valid residents’ permits. We would only start an informal consultation if, in residents’ bays, the occupancy rate is above 80 per cent **and** more than 20 per cent of vehicles in residents’ bays do not have permits, in at least a third of the roads covered by the proposed consultation area.

- When deciding on the area covered by the consultation/ resident permit parking occupancy survey, we would take the following into account:
 - proximity of main roads (as generally the consultation boundary would be a main road);
 - the proximity of a different set of controlled hours in residents' bays or pay and display bays as appropriate (as we would not leave a few roads with different controls between two sets of identical hours of control);
 - how much displacement of vehicles we expect (as we would also consult the area where we expect the displaced vehicles to be parked);
 - ward councillor feedback;
 - the level of parking occupancy of roads adjacent to proposed boundary (as any displacement to high occupancy roads could tip the balance); and
 - how far people are likely to walk to any attraction in the consultation area.
- When carrying out the informal consultation, Yes/ No questions will be asked but there could be more than one option of controlled hours offered;
- To avoid the need to carry out follow up consultations if residents' support for change is conditional on whether changes are introduced in a neighbouring street, we include in the consultation material the question "*Would you like longer parking controls if they are introduced in an adjacent road?*";
- We would not leave one road with lesser controls in between two areas of greater controls
- To trigger a statutory traffic order consultation after an informal consultation, two conditions need to be met:
 - at least ten percent of households² in the area where the change is proposed (which may be a smaller area than the original consultation zone) support the proposed change; and
 - more households support the change than object to it.

² The number of consultees is defined as the number of households written to minus the number of undelivered returns, so for example, if the Council sent out 1,000 questionnaires and 50 were returned as undelivered then at least 95 of the 950 who received the questionnaire would need to support the change and there would need to be fewer than 95 respondents opposing the change.

This could be either a minimum response rate of ten per cent (with all respondents supporting a change) or more likely, a response rate higher than ten per cent with a mixture of views. For example, if the response rate were 20 percent, then at least half of those who responded (in the area proposed for change) would need to support the change for it to be taken forward to statutory traffic order consultation.

4. FINANCIAL AND RESOURCES IMPLICATIONS

- 4.1 The cost of carrying out parking consultation varies depending on the size of the consultation but as a rough estimate, it costs £1 per every household consulted and a further £600 to advertise in the London Gazette and Ealing Gazette, which circulates in Kensington and Chelsea, should the consultation result in proposed changes.

Ends