



ADUR & WORTHING
COUNCILS

Executive Members for Environment
12 January 2018

Decision to be taken on or after
22 January 2018

Key Decision Yes/No

60 Brighton Road, Shoreham - Car Parking Review

Report by the Director for Digital & Resources

Executive Summary

1. Purpose

- This report sets out current issues with parking controls around 60 Brighton Road, Shoreham Car Park and recommendations to resolve them.
- If implemented it is considered that the recommendations will be beneficial to local residents and bring the resident's car park parking management in line with other areas of the Adur District

2. Recommendations

2. Recommendation One

- In consultation with the relevant Service Director, under Scheme of Delegations, to authorise Officers to amend the existing Parking Order to include the resident Car Park via Legal Services/Parking Services
- To note the costs outlined in Appendix 1 and approve the necessary expenditure to be made in order to amend the existing Parking Order and for the District Council and or it's contractors to be able to enforce the area under Part 6 of The Traffic Management Act 2004

3. Context

- 3.1. The Council previously retained an external parking management company to manage parking in the residents car park for a number of years. The area is used by residents and their visitors.
- 3.2. Management was most recently undertaken by Ethical Parking Management (EPM). EPM patrols the car park and the approach by EPM is not in line with that taken in other parts of Adur enforced through NSL, managed by the parking service. The EPM contract has expired and there are no formal arrangements in place.
- 3.3. Residents are currently purchasing resident permits and resident visitor permits which are issued by NSL Services on a first come first served basis.
- 3.4. Currently the areas can not be enforced by the council's parking enforcement contractor, NSL as the areas are not covered by an Off-Street Parking Order. Uncontrolled parking causes problems for residents and their visitors and the existing arrangement is not consistent.
- 3.5 To address the concerns it is proposed to amend the existing Off-Street Parking Order to enable the residents car park to be enforced by the Council's parking contractors (NSL) under Part 6 of The Traffic Management Act 2004 which would ensure a more consistent enforcement process. It will also provide an appeals process and any income generated from Penalty Charge Notices will be paid to the District Council rather than to a third party.
- 3.6 The areas that would be covered by these proposals are shown on the plans attached as Appendix 1a.
- 3.7 The restrictions would be enforced by the Council's contractor NSL. Resident permits and resident visitor permits would continue to be administered by NSL.

4. Issues for consideration

- 4.1 The car park at 60 Brighton Road requires parking to be managed effectively for the benefit of all users. Minimising anti-social parking problems is extremely important and the limited spaces need to be managed for the residents and their visitors in a fair and consistent way.

- 4.2 Parking Charge Notices imposed by the previous management companies have been high and the Council has been unable to challenge these. Bringing the management in-house would therefore bring Penalty Charges to a reasonable level set by Government and would introduce a consistent, statutory approach to appeal decisions and have a consistent approach to enforcement of the area. Penalty Charge receipts will also be retained by the Council rather than lost to an external agency.
- 4.3 The risks associated with the proposals are low and would be beneficial to the residents. There would be greater risk if the proposals were not adopted as there would not be any enforcement carried out in the area.

5. Engagement and Communication

- 5.1 The proposals will be subject to consultation with key stakeholders including West Sussex County Council and the police. A letter will also be sent to all residents affected. In line with the statutory process the proposals will be advertised in the local media, in the car park and on the Council's website prior to coming into force.

6. Financial Implications

- The cost of implementing the controls, will be up to £1,000. It is anticipated that these costs will be recovered through PCN income within a 12 month period.
- NSL currently charge £100.00 per year for a resident permit and there are currently 112 permit holders, they also charge £10.00 for a book of 10 resident visitor permits.
- The time scale for implementation will be approximately 2 months from the date of the Executive Member Decision.

7. Legal Implications

The land in question belongs to the Council (relevant enquiries having been conducted), and could be made subject to an off-street parking order pursuant to section 32 Road Traffic Regulations Act 1984, which states

“(1)Where for the purpose of relieving or preventing congestion of traffic it appears to a local authority to be necessary to provide within their area suitable parking places for vehicles, the local authority, subject to Parts I to III of Schedule 9 to this Act—

(a) may provide off-street parking places (whether above or below ground and whether or not consisting of or including buildings) together with means of entrance to and egress from them, or

(b) may by order authorise the use as a parking place of any part of a road within their area, not being a road the whole or part of the width of which is within Greater London”

The Adur District (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2011 (“the Order”) provides the legal framework as to the charges that the Council may apply including those to season ticket holders.

In order to add the residents car park into the Order, the Order would need to be amended and published following the procedures outlined in The Local Authorities’ Traffic Orders Regulations 1996 as amended.

Background Papers

None

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Sustainability & Risk Assessment

1. Economic

- Parking controls are essential to support businesses in the area

2. Social

2.1 Social Value

- The proposals will improve the situation for residents and their visitors and will also support businesses in the area by ensuring resident bays are enforceable.

2.2 Equality Issues

- Matter considered and no issues identified

2.3 Community Safety Issues (Section 17)

- Matter considered and no issues identified

2.4 Human Rights Issues

- Matter considered and no issues identified

3. Environmental

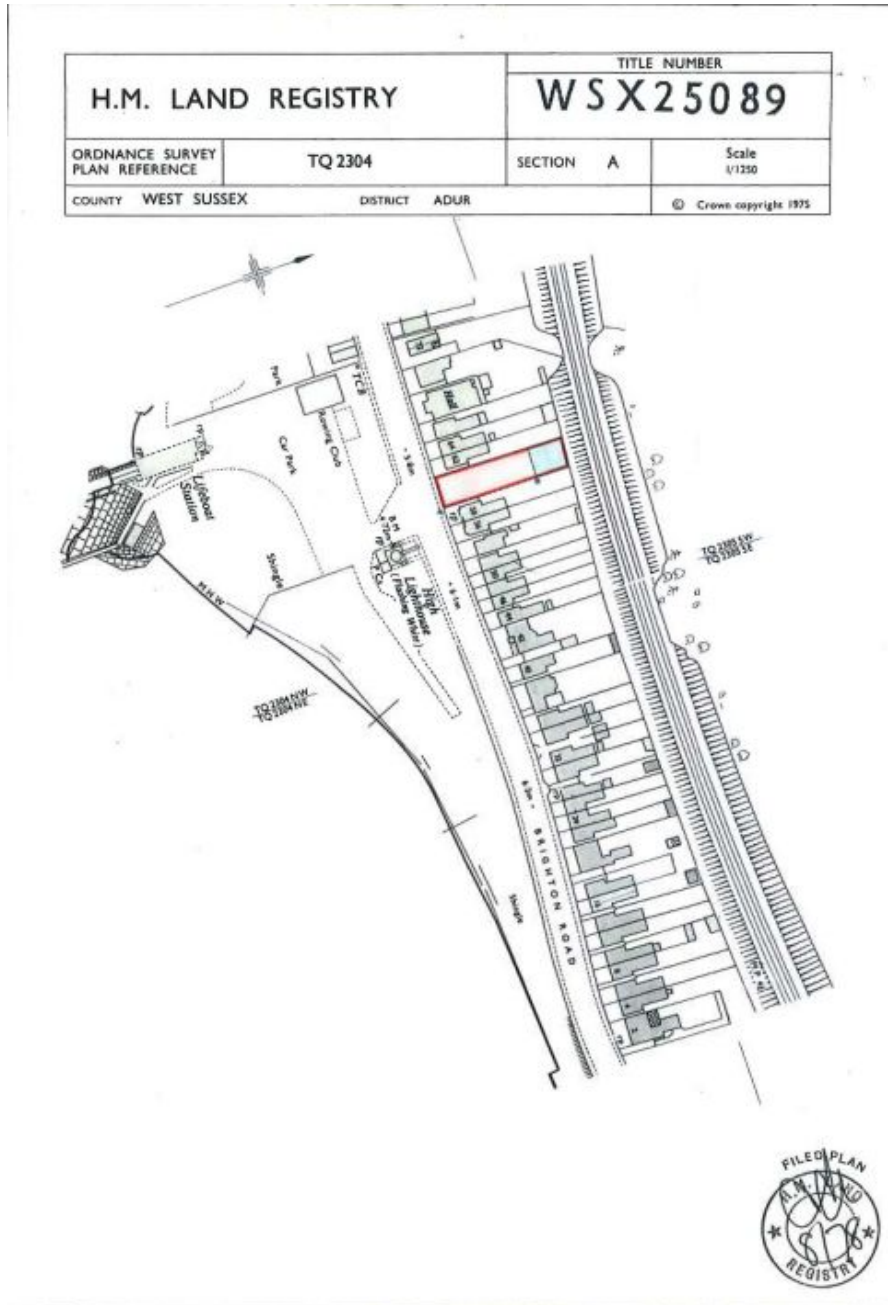
- Matter considered and no issues identified

4. Governance

- The proposal would enhance the reputation of the Council by providing consistent enforcement and an effective appeals procedure, this will also help the local residents and their visitors.

Plans of Areas for Proposed Inclusion in Off-St Order

Area to be included in the Off-Street Parking Order



Parking Management 1a shows the area marked with red outline that needs to be managed.

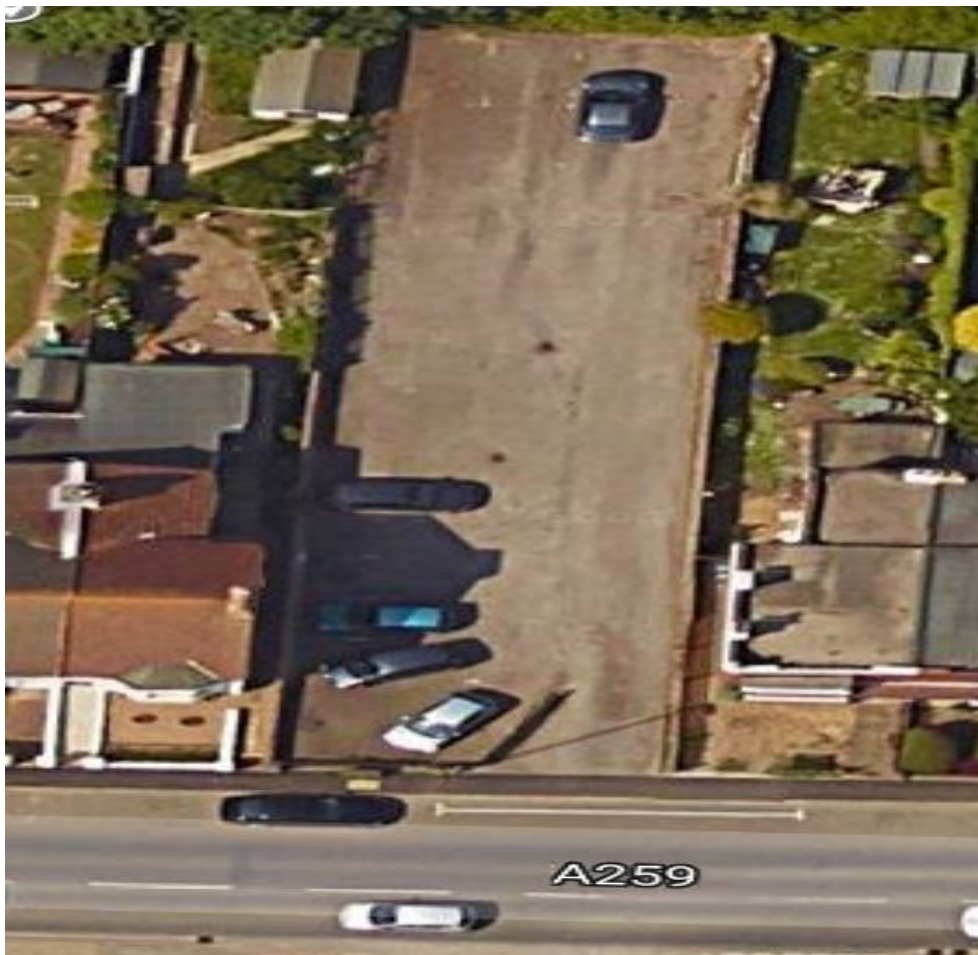


Photo showing the area of 60 Brighton Road Car Park for the sole use of the residents and their visitors.