

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3369

Author:

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Department:

Development and Growth

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Subject:

Revised Resident Parking Scheme Policy

Total Value:

Nil (Type: Nil)

Decision Being Taken:

To approve that:

1. The revised Resident Parking Scheme Policy dated January 2019, including scheme eligibility criteria, is adopted with immediate effect;
2. The existing 1999 resident parking policy and eligibility criteria is revoked on adoption of the revised policy outlined in 1 above.

Reasons for the Decision(s)

Demand for on-street parking in residential areas of the city can sometimes out-strip the space available making it difficult for local residents to park near to their homes. These problems are exacerbated when commuter parking levels are high. The Resident Parking Scheme Policy therefore forms an integral part of the Council's wider transport strategy by helping to address these competing demands by prioritising the parking needs of residents and their visitors, disabled people and businesses over that of all day parking by commuters. This in turn reduces the environmental impact of parking and encourages a shift towards more sustainable forms of transport.

The current policy for resident parking schemes within Nottingham has been in place since 1999 and is in need of updating. The existing policy enables resident parking schemes to be introduced, with permits being free of charge to residents, subject to an eligibility criteria being met including that less than half of all properties within a scheme area have access to off-street parking. The current criteria is very rigid and is a 'one size fits all approach' which does not allow local circumstances to be taken into account. In essence, the current policy is no longer fit for purpose and needs to be brought up to date.

The proposed revised policy including scheme eligibility criteria have therefore been designed to bring the policy up to date, with a more flexible criteria that allows for local circumstances to be taken into consideration. The revised policy will continue to enable residents to be issued with permits free of charge up to the maximum number of permits set out in the Council's adopted Decriminalised Parking Enforcement Policy.

Briefing notes documents:

Resident Parking Scheme Policy. Jan 2019.pdf

Other Options Considered:

There are two other options that have been considered. Firstly, the option of whether to introduce a charge for all resident permits was considered but this was discounted due to the additional administration burden that would have been required to administer this across all 105 existing schemes. Also, given that the majority of resident parking schemes are within some of the city's most deprived neighbourhoods, introducing a charge would have an adverse impact on some of our poorest citizens.

The second other option considered was to do nothing and continue with the current 1999 policy, however, as described previously, the existing policy is not fit for purpose.

Background Papers:

Nottingham City Council Decriminalised Parking Enforcement Policy (August 2018).

Published Works:

Report to Transportation Committee dated 19th March 1999 titled "Nottingham City Council Procedures for the Introduction of a Residents Parking Scheme".
Delegated decision number - none.

Affected Wards: Citywide

Colleague / Councillor Interests:

Consultations: Consultation on the revision to the Resident Parking Scheme Policy has been undertaken with the Portfolio Holder for Transport, the Leader of the Council and Community Protection (Processing & Enforcement).
Consultation with residents, ward councillors and other stakeholders will take place as part of the statutory consultation process to be undertaken before any new resident parking schemes are introduced under this policy.
Consultation with local members, residents and other interested parties will be undertaken on a scheme by scheme basis as part of the statutory consultation process for introducing Traffic Regulation Orders.

Crime and Disorder Implications: Under the policy, resident parking schemes will be introduced through a traffic regulation order using powers under the Road Traffic Regulation Act 1984. Through the use of appropriate road markings and signs it should be clear to all motorists where parking is and is not permitted reducing pressures and associated tensions between residents and non-residents where parking space is at a premium.
Parking offences are decriminalised under the Road Traffic Act 1991 as amended by the Traffic Management Act 2004. Any parking contraventions will be enforced by the Council's own Civil Enforcement Officers through the issue of a Penalty Charge Notice (PCN). A robust appeals process, in line with statutory guidance, is in place should a motorist receive a PCN and wish to challenge it.

Equality: Please login to the system to view the EIA document: EIA_Resident Parking Scheme Policy Jan 2019.pdf

Decision Type: Portfolio Holder

Subject to Call In: Yes. Call In Expiry date: 17/01/2019

Advice Sought: Legal, Finance, Equality and Diversity

Legal Advice:

As stated in the Report, resident parking schemes can be introduced through a traffic regulation order using powers under the Road Traffic Regulation Act 1984. The Report also summarises requirements for enforcement of such an order.

The contents of the proposed Resident Parking Scheme Policy dated October 2018 also appear to comply with the relevant statutes and regulations.

The adoption of a Policy is potentially challengeable by way of judicial review on public law grounds. Advice provided by Tamazin Wilson (Solicitor) on 17/10/2018.

Finance Advice:

Income for these permits is relatively small and is not part of any services budget, therefore there is no adverse financial impact on the Councils budgeted position from this decision.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 19/09/2018.

Equality and Diversity Advice:

EIA attached

Signatures

Dave Liversidge (Portfolio Holder for Transport and HR)

SIGNED and Dated: 10/01/2019

Chris Henning (Corporate Director for Development and Growth)

SIGNED and Dated: 09/01/2019