

## Report for Resolution

**Report to** Norwich Highways Agency Committee  
24 November 2011

**Item**

**6**

**Report of** Head of city development services

**Subject** Ashby Street – Use of business permits

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### Purpose

This report responds to the concerns and objections raised by residents of Ashby Street at the Committee in July, and recommends that action in the short term is not appropriate or realistic, but that the review of permits across the controlled parking zones as recommended in a separate report could help to resolve some of the issues raised.

### Recommendations

The Committee is recommended to:

- (1) agree that no action is appropriate in the short term;
- (2) note that, in another report on this agenda, the head of city development services is being asked to carry out a comprehensive review of the types of permits issued within controlled parking zones, their price, conditions of use and terms of issue, and report the findings to a future meeting;
- (3) ask the head of city development to advise the Ashby Street residents of this committee's decision..

### Financial Consequences

There are no direct financial consequences as a result of this report

### Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Safe and healthy neighbourhoods – working in partnership with residents to create neighbourhoods where people feel secure, where the streets are clean and well maintained, where there is good quality housing and local amenities and where there are active local communities" and the service plan priority to implement the Local Transport Plan.

### Contact Officers

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**Background Documents** None

### References

Minutes of the Norwich Highways Agency committee - July 2011; Survey Data;

The Norwich City Council (Controlled Parking Zones) (South East Area) Traffic Regulation Order 1993

## Report

### Introduction

1. At your July meeting a resident of Ashby Street and Cllr Stephen Little both tabled questions about the use of business permits in Ashby Street, claiming that they were being used outside of the agreed terms and conditions, and that this was having an adverse effect on the quality of life of local residents. They tabled a survey of business permit usage showing the frequency of cars parking and using their permits. The full text of the questions can be found in the report to the July meeting of the Norwich Highways Agency committee. The committee requested that business users were reminded of the conditions of use of the businesses permits, and that a report on the issue was produced to be considered by the committee

### Background

2. The South Eastern controlled parking zone (SECPZ), which introduced the current permit parking arrangements in Ashby Street, was implemented in 1993. The overriding purpose of the scheme was to remove commuter and shopper parking by non-local people from the streets surrounding the city centre to promote the uptake of the then new Park and Ride system, and to ensure that parking on streets near to the city centre was available to those who had legitimate need to be there. It operates Monday-Saturday, between 8.00am and 6.30pm. At other times, parking is unrestricted.
3. The scheme provides for residents to have access to permits for any vehicle they own, and for one visitors permit. For a twelve month period, residents permits cost between £15.20 and £32.50 depending on the length of the vehicle and visitor permits cost £23.90 (However many residents are entitled to free permits). Businesses based within the SECPZ area are entitled to permits based 'on the City Council's Parking permits policy as assessed according to operational needs and the on-street permit parking demand' (extract from the SECPZ Traffic Regulation Order (TRO)). Business permits currently cost £108.40. (Permit prices are subject to review under a separate report).
4. Members will also be aware that the occupiers of the business premises on Queens Road have been eligible for parking permits since the inception of the scheme in 1993, and the business premises are primarily occupied by small local businesses, who will have made the decision to move ther in the light of the availability of car parking facilities. Initially, businesses were offered three permits, but the permit entitlement for businesses on Queens Road near to Ashby Street was reduced to two permits in 2006<sup>1</sup>, following representation from residents. In the current economic climate, moves to remove permit entitlement form these businesses could have significant impact on those businesses, particularly as alternative car parking provision would be significantly more expensive than the current price of a parking permit

### Actions since the July Committee

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<sup>1</sup> The original proposal in 2006 to remove the permit entitlement from Queens Road businesses was met with considerable opposition, and committee agreed to reduce the entitlement to 2 permits as a compromise.

5. Following your meeting, as requested, all businesses within Zone X were written to remind them that their permits should only be used for legitimate business purposes. No written responses were received as a result of this letter, but several businesses telephoned, most of who were concerned that the council was acting unreasonably in suggesting that they were abusing the scheme, and explained perfectly legitimate business use of their vehicles, which nevertheless did result on occasion with vehicles being parked for the entire day. There were also suggestions that some residents had unreasonable expectations. Officers consequently sought to ascertain the extent of parking pressure in the area through a series of spot surveys to ascertain the availability of on-street parking during the operational hours of the CPZ and detailed surveys were carried out by the civil parking enforcement officers

### **Results of the Surveys**

6. The surveys undertaken by the civil enforcement officers (CEOs) did show that there was some abuse of the permit scheme, including the use of duplicate and copied permits. Although nearly 50 permits have been issued to businesses in the area, only around half of these were in use in the Ashby Street area (including Kings Lane) at any one time
7. CEOs also noted the use of other permit types in the area, and whilst vehicles were parked legally, the permits were clearly not being used for the purpose for which they were originally intended (landlord permit parked all day). This 'in depth' survey of permit use, consequent on the issues raised by residents, has highlighted the need, that officers have recognised for some time, to review the operation of the permit system
8. In addition to the surveys of business permit use, 'spot surveys' were also undertaken to see whether there was significant parking congestion in the area. Members will be aware that there is often parking pressure in terraced streets, and residents cannot expect to park immediately outside their homes in many parts of the city. In this respect, the situation in Ashby Street is far from unique.
9. Surveys took place on seven separate occasions, on several days of the week and during the operational hours of the permit parking scheme. They found that there are usually around 15-20 spaces available within the permit parking areas in Ashby Street and Kings Lane for any permit holder to use (see Appendix 1). The lowest number found at any time was 9 spaces. On this basis, officers cannot recommend any further intervention in the level of permits issued to businesses, as there is good availability of parking spaces for all permit users.

### **Enforcing 'Operational Use' of Business Permits**

10. The use of business permits is defined in the original TRO introduced in 1993. This states that a business permit shall only be used to 'allow a business user to leave a vehicle in a permit holders place whilst in the course of conducting business'. There is no time restriction on the use of the permit. Businesses are advised that the purpose of the permit is not for all day commuter parking, but there is, of course, a significant variance in individual businesses needs to access a vehicle, and the frequency with which they do so. The surveys that the CEOs undertook have shown that most business permits are not routinely

used for all day parking.

11. Enforcing 'misuse' of any permit has to take account of the TRO. Given the wording of the TRO, officers consider that the use of a permit for parking all day is not necessarily a contravention of the TRO, and that the level of enforcement and surveillance that would be required to demonstrate abuse would be totally out of proportion with the benefits achieved.

### **Resolution of the Residents' issues**

12. Despite officers belief that the issues faced by the residents of Ashby Street are not sufficient to warrant any action at the current time, some consideration has been given to possible 'solutions'. Any further reduction in business permit entitlement, either by limiting businesses to just one permit, or moving the businesses on Queens Road into the City Centre CPZ would further single out these businesses versus others within the Controlled Parking Zones, and is not justified, given the provisions of the TRO. Changes to the status of business permits and their conditions of use would have much wider implications, and this would be necessary if additional cost effective enforcement was deemed to be necessary

### **Related Issues and a Way Forward**

13. The permit parking schemes around the city have now been in operation for almost 20 years, and during that time, a number of 'ad hoc' changes, and introduction of various permit types have occurred. Recent changes to the dispensation scheme have also highlighted some inadequacies in the current permit arrangements. They have demonstrated that the options available may not appropriately meet the needs of businesses operating legitimately within the CPZs, whilst surveys in the Ashby Street area have shown that some types of permit are being used inappropriately for long-stay parking when the original intent was to provide the opportunity for flexible short stay visits.
14. Additionally, there is a concern that the permit parking scheme may not be covering its operating costs, whilst the relative costs of permits, and the rationale behind the provision of free permits is less than transparent. For these reasons, as part of a separate report, the Committee is being recommended that a review of the current permit system is undertaken.

## Appendix 1

### Survey of Parking space availability in the Ashby Street/Kings Lane area

#### Ashby Street

<b>Time</b>	<b>No. of Cars</b>	<b>No. of Spaces</b>	<b>Total</b>
13/10/2011 10:30	49	9	<b>58</b>
13/10/2011 15:30	45	16	<b>61</b>
18/10/2011 08.15	38	24	<b>62</b>
18/10/2011 17.30	54	8	<b>62</b>
26/10/2011 11.50	46	15	<b>61</b>
			<b>0</b>
27/10/2011 08.20	41	20	<b>61</b>
27/10/2011 15.20	52	9	<b>61</b>

#### Kings Lane

<b>Time</b>	<b>No. of Cars</b>	<b>No. of Spaces</b>	<b>Total</b>	
13/10/2011 10:45	16	2	0 LWB spaces	<b>18</b>
13/10/2011 15:45	12	1	4 LWB spaces	<b>13</b>
18/10/2011 08.25	12	1	3 LWB spaces	<b>13</b>
18/10/2011 17.40	4	10	4 LWB spaces	<b>14</b>
26/10/2011 12.00	12	2	0 LWB spaces	<b>14</b>
27/10/2011 08.30	13	0	0 LWB spaces	<b>13</b>
27/10/2011 15.30	8	7	1 LWB spaces	<b>15</b>