

<b>Report Title</b>	Penrith Parking Protocol
<b>Meeting</b>	Eden Locality Board
<b>Meeting Date</b>	24 <sup>th</sup> April 2024
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<b>Lead Cabinet Member(s)</b>	Peter Thornton
<b>Wards Affected</b>	Penrith South and Penrith North
<b>Public. Part Exempt, or Fully Exempt</b>	Public
<b>Appendices (if any)</b>	<b>Appendix A</b> Parking Protocol <b>Appendix B</b> Statement of Reasons <b>Appendix C</b> Equality Impact Assessment

## 1. Executive Summary

- 1.1 This report informs Members of the representations received following the informal consultation of the Penrith Parking Protocol (the Protocol) referred to in further detail in Paragraph 3 of this report.
- 1.2 Details of the representations received are referenced to in Paragraph 5 of this report.
- 1.3 A copy of the Amended Protocol following the review of the representation received is attached as Appendix A of this report.
- 1.4 The Council's statement of reasons is attached as Appendix B of this report.
- 1.5 This report seeks a resolution on the proposed changes and approval to progress the Protocol to the statutory consultation and advertisement stage as part of the Penrith Traffic Regulation Order.

## 2. Recommendations

**For the reasons set out in this report, Eden Locality Board is recommended to:**

- 2.1 That the Locality Board give consent to Officers to progress the amended version of the Penrith Parking Protocol which is attached as Appendix A of this report to Statutory Advertisement and consultation as part of the Penrith Traffic Regulation Order.

### 3. Information: the Rationale & Evidence for the Recommendations

- 3.1 A Parking and Movement Study was carried out between October 2019 and July 2020 for the town of Penrith. The overarching aim of the study was to understand how existing parking provision in Penrith can be enhanced, whilst maximising connectivity between car parks, for cyclists and walkers within the town centre, key employment areas and the bus and railway station.
- 3.2 The study area was defined to include the urban core and key car parks within the town. Additionally, the boundary was considered to be the area where higher volumes of walking and cycling trips are likely to take place. Consideration was also given to areas outside of the study extents, for example around the New Streets development.
- 3.3 Recommendations were made to combine parking zones in order to simplify and reduce associated administration; for example, the different restrictions relating to various lengths of Wordsworth Street were considered to be overly complicated. Observations were also made on low daytime occupancy within the 'Residents Only' sections, and it was recommended that these be converted to operate as disc zones with resident exemptions.
- 3.4 The Penrith Traffic Regulation Order applicable to the on-street parking restrictions was used to provide an estimate of the total effective parking capacity provided in each of the parking zones in Penrith, this was calculated based on allowing 5 metres per parking space, referenced against kerb length data.
- 3.5 Residents and Visitor Permit numbers were taken from records. The table below sets out the numbers of permits on issue and estimate of effective parking capacity available for those with permits in each zone.

<b>Zone</b>	<b>Resident's permit</b>	<b>Visitors permit</b>	<b>Total vehicle impact</b>	<b>Effective parking capacity</b>
<b>A</b>	470	368	430	351
<b>B</b>	221	138	200	200
<b>C</b>	163	124	150	207
<b>D</b>	100	80	90	127
<b>E</b>	33	39	30	89
<b>F</b>	95	101	90	99
<b>G</b>	12	8	10	27
<b>H</b>	121	106	110	173

I	35	31	30	26
J	439	338	400	354
<b>Total</b>	<b>1689</b>	<b>1333</b>	<b>1540</b>	<b>1653</b>

3.6 The following table applies usage assumptions about Residents' Permits and Visitor Permits to provide an indication of the parking stress in each zone generated by residents during the daytime, early evening and overnight. Zones A, B, I and J, and to a lesser extent F, show indications of overnight stress; residents in these streets may be finding it difficult to locate available parking space.

3.7 Demand from other parking users, including those using discs, is not included, but is likely to add to parking stress during the daytime in those zones within or close to the town centre. This would be particularly apparent in Zone A and there are likely to be evident difficulties in the early evening period.

Zone	Effective parking capacity	Daytime demand	Zonal daytime stress	Early evening demand	Zonal evening stress	Overnight demand	Zonal overnight street
A	351	280	66%	320	91%	430	123%
B	200	130	50%	150	75%	200	100%
C	207	100	39%	110	53%	150	72%
D	127	60	39%	70	55%	90	71%
E	89	20	22%	20	22%	30	34%
F	99	60	51%	70	71%	90	91%
G	27	10	37%	10	37%	10	37%
H	173	70	35%	80	46%	110	64%
I	26	20	77%	20	77%	30	115%
J	354	260	59%	300	85%	400	113%
<b>Total</b>	<b>1653</b>	<b>1010</b>	<b>50%</b>	<b>1150</b>	<b>70%</b>	<b>1540</b>	<b>93%</b>

3.8 A few particular locations on residential streets, such as Scotland Road, Lark Lane, New Streets, Beacon Edge and Robinson Street, outside the controlled parking area, were observed as being used by a small number of workers for parking. While small in number, it was identified that the concentration of parking is creating localised pressure and loss of amenity for local residents.

3.9 Issues are experienced when parking generated by the residents is not, or cannot be, adequately controlled. In such cases it manifests itself as additional parking pressure on often already heavily subscribed local streets, resulting in conflict with neighbours and competition over parking spaces.

- 3.10 As a result of the above, the Study formed packages of improvements which were to be addresses by the relevant agencies.
- 3.11 From a Highway perspective there are 2 phases to where improvements can be made to address the issues surrounding on street parking provisions, these are;
- (i) The introduction of a Parking Protocol for the Management and Operation of Residents Parking Exemption Scheme and Visitors Permit Scheme; and
  - (ii) A full review of the existing restrictions within the Town ensuring areas are supported by the correct restrictions and the extents are clear and sufficient. This will be subject to a separate Traffic Regulation Order.
- 3.12 Attached as Appendix A of this report is a copy of the Protocol which has been drafted in order to improve those areas highlighted above in respect to on street parking provisions. It should be noted by Members that the document has been amended following the recent informal consultation. The key aspects of the protocol are as follows;
- 3.13 There will be no entitlement to carers permits. These visits will be managed via visitor permits (which each resident will be entitled to 60 spaces per calendar year) or Flexible Permits.
- 3.14 A flexible second permit will be introduced, to enable flexibility through the issuing of permits depending on the requirements of the resident. The flexible permit will be the sole responsibility of the home owner as opposed to the vehicle owner, similar to that of the visitors permits.
- 3.15 The introduction to a right of appeal, currently as there is no protocol in place if through the application process a resident is refused a permit they are unable to challenge this decision. Through the Protocol there is an appeals process enabling their request to be reviewed by an impartial Officer.
- 3.15 Approval was given from Eden Local Committee on 15<sup>th</sup> November 2022 that the informal consultation on the draft Parking Protocol be delayed until such time that the New Authority was in a position to progress. This was due to the demands on the Local Team as a result of Vesting Day and to enable new Members of the Authority to be involved in the decision making process and progress with the introduction of a much needed improvement.
- 3.16 It should be noted by Members that once the Protocol is introduced, the intention, and practical effect, is that implementation will only take place, when either new residents move into properties, new cars are purchased, and/or when the existing permits begin to expire.

#### 4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)

4.1 A safe, sustainable, and serviceable highway network underpins the Council Plan Vision for Westmorland and Furness to be a great place to live, work and thrive and supports many of the Council's priorities. A reliable highway network enables people, goods, and services to be moved around the Authority area promoting new business creation, economic growth and enabling people to thrive within their own communities.

#### 5. Consultation Outcomes

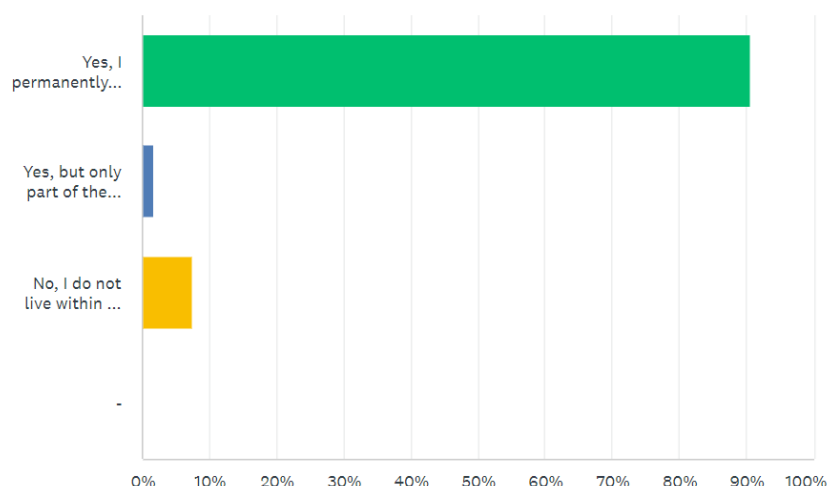
5.1 Informal Consultation took place between 3<sup>rd</sup> January 2024 and 8<sup>th</sup> March 2024.

5.2 Officers held 3 separate public drop in sessions within the Town Centre, 1 of which enabling evening attendance. Various comms around social media was published and in the local Newspapers. Posters were printed and displayed in local super markets and library, they were included in new/renewal permit application packs and provided to affected Members and the Town Council to enable further comms works to be undertaken.

5.3 An online application form was prepared to facilitate the consultation with a range of questions enabling Officers to identify the specific areas where difficulties were being experienced and the concerns being raised.

5.4 In addition to this paper forms were also provided for those which did not have access to the online form.

5.5 Over the 2 months a total of 398 representations were received, the majority of which were residents living in Penrith.



The introduction of the Penrith Parking Protocol is expected to bring about several key changes, affecting residents in different ways;

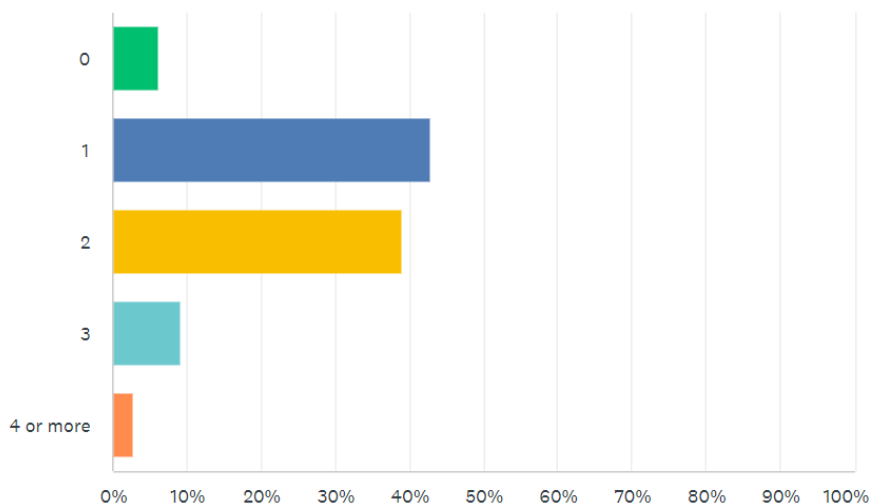
**Consistency and Fairness:** A significant portion of residents will notice a more equitable and consistent process in parking management. This change aims to ensure that parking rules are applied uniformly.

**Visitor Access:** There will be improved parking accessibility for visitors. This enhancement is intended to make it easier for residents to have guests, addressing a common concern under the previous system.

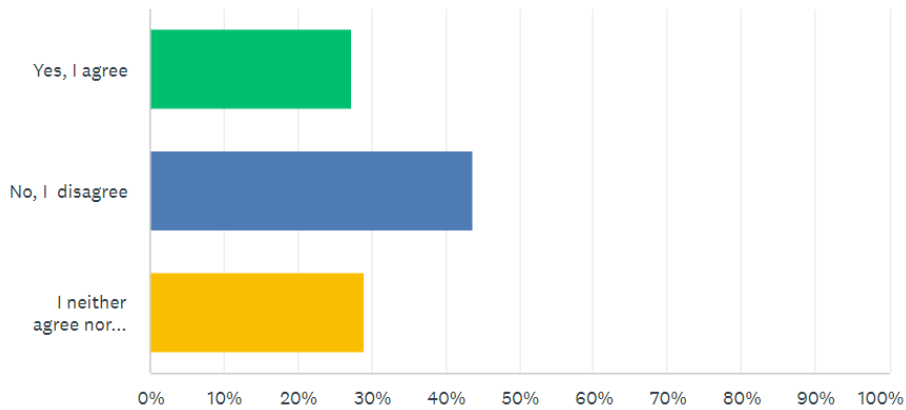
**Renewal Challenges for Some:** A small minority of residents might face challenges when renewing their permits. This particularly applies to those who bring large or commercial vehicles home from work. The new protocol sets specific guidelines for such vehicles to address concerns around space usage and safety.

**Unchanged Situations:** For a large number of residents, there will be no noticeable change in their day-to-day parking situations. The protocol mainly aims to address specific issues and streamline and enhance the existing system.

Through the consultation we found that the majority of those who responded would fit within the “unchanged situations” category as specified above having only 1 or 2 vehicles per property.



5.6 Whilst a higher percentage (43%) of people when asked if they supported the proposal replied to say that they did not. That was outweighed with those that responded to say they neither agreed/disagreed combined with those that agreed with 60% .



5.7 Taking into consideration the representations received, Highway Officers have made a number of alterations to the original draft version of the protocol, which are listed and described in further details below, should Members wish to have a copy of all the comments received through the consultation stage they can be obtained by contacting the Traffic Management Team Leader.

**My garage/drive is unsuitable.**

We fully appreciate this and therefore have altered the Policy to address these concerns, permit reduction will only take place when there is suitable off street parking provisions.

**Who is going to identify if it is a suitable drive/garage?**

The introduction of the protocol will not mean every household has to return or apply for their permits. Permit allocations will be reviewed when new applications are made, therefore if there are areas where there is uncertainty our Civil Enforcement Team will be able to undertake assessments with the resident.

**Lack of Visitors Permits**

This was the most raised issues and is fully appreciated. We have many streets within Penrith which are restricted to resident only parking, which means visitors to those properties are required to display a visitor permit. This impacts the amount of visitors at any time and throughout the year. The Civil Enforcement Team are currently supporting these residents and not restricting their allocation. However as Phase 2 of the Penrith improvements we plan to address these streets, liaising with the residents to introduce the restrictions which are required for their needs which may mean a change to the current restriction.

**Servicing of property/tradespeople**

The majority of these people are impacted in the resident only streets, these issues can be resolved by changing the restriction and allowing the use of discs to be displayed for short stays.

## **Carers**

Again it is recognised that Carers are mostly restricted when it comes to resident only streets, the change of restriction in those streets will support them in their role but also the introduction of the Flexible Permit for those residents in need of care.

## **Business/workers parking**

The protocol is to address resident parking provisions only. Businesses/Workers within the town are not entitled to on street parking permits and therefore are required to park off street.

## **Difficulty visiting friends**

The protocol is to address resident parking provision areas only, any visitors to the properties within the restricted streets will be able to still display their parking disc or utilise the visitor permit.

## **Height restriction**

The height restriction was removed from the protocol and replaced by the weight restriction with the intention of enabling better enforcement due to the criteria being visible from the V5 and also due to the increase in larger vehicles to the area such as Range Rovers, Sprinter Vans etc.

## **Will the application of my permit change**

The application process will not change, once the protocol is introduced, it will be followed in line with new applications.

## **Sustainable and or shared transport users**

Not all residents own a car, we understand that there is an increase in sustainable and other forms of transport and the Council want to encourage this. All residents living within a restricted street with resident exemptions are entitled to visitor permits. These users may also apply for a flexible permit, enabling it to be displayed in a vehicle which is not registered to the property. This has been included as an item within the protocol.

## **Properties with more than 2 vehicles**

We understand that there is a small percentage of residents which this will impact and the difficulties that this will cause, however unfortunately there is insufficient on-street provision within the Town. Therefore, if when making their permit application they are unsuccessful in obtaining a sufficient amount of permits for their vehicles, other provisions will have to be sought in these instances. Such as parking their vehicle off street or through Phase 2 of the scheme where the traffic regulation order is reviewed, it may be that restrictions are removed facilitating on-street parking provisions with no requirement for permits to be displayed.



## **Returning of permits**

We ask that residents who no longer reside within a restricted street return their permits to avoid their misuse. Any expired permits are not required to be returned.

## **The impact to other streets and inconsiderate parking**

We fully appreciate that the introduction of restrictions results in motorists moving to alternative locations. It is our intention through Phase 2 of the improvements to introduce the correct restrictions in the correct areas considering any areas which may be impacted with the intention of reducing inconsiderate and dangerous parking.

## **6. Alternative Options Considered**

- 6.1 The introduction of the Protocol to the Penrith Traffic Regulation Order makes accessing on-street parking permits a fair and consistent process and enhances on-street parking conditions by ensuring a reasonable number of permits are issued in an area. Without the introduction of it difficulties will only increase and as a result of this there are no alternative options considered at this time.

## **7. Reasons for the Recommendations**

- 7.1 It is recommended that the protocol is approved with consent being given by the Locality Board for Highway Officers to progress to the formal consultation and advertisement stage, having taken into consideration the representation received and changes having been made following these being reviewed.

## **8. Climate and Biodiversity Implications**

- 8.1 There are no Climate and Biodiversity Implications at this time.

## **9. Legal and Governance Implications**

- 9.1 Westmorland and Furness Council, as the Traffic Authority, must take into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") detailed below, in considering whether it is expedient to agree to add the Protocol into the Penrith Traffic Regulation Order into force for one or more of the reasons specified at Section 1 of the 1984 Act, namely: -

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (f) for preserving or improving the amenities of the area through which the road runs

- 9.2 Under Section 122(2), the matters which must be taken into account in exercising that duty are: -
- (1) The desirability of securing and maintaining reasonable access to premises;
  - (2) the effect on amenities of an area;
  - (3) the national air quality strategy prepared under section 80 of the Environment Act 1995;
  - (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 authority to be relevant.

- 9.3 Pursuant to Paragraph 15.12.2 (d) of the Constitution, Locality Boards may *“consider and determine traffic regulation orders, speed limit orders, experimental orders, parking places orders and revocation orders, with the exception of those that require urgent determination or are temporary in nature, in all cases, the relevant local member will have been notified of the matter.”* (KB – 11.4.2024)

## **10. Human Resources Health Wellbeing and Safety Implications**

- 10.1 There are no Human Resources, Health, Wellbeing and Safety Implications at this time.

## **11. Financial Implications**

- 11.1 The introduction of the protocol does not require works to take place on the ground and only advertisement costs, therefore the anticipated cost of £3000.00 will be funded from the 2024 APM budget “Annual Review of Traffic Regulation Matters”

## **12. Equality and Diversity Implications (please ensure these are compliant with the EIA Guidance)**

- 12.1 An Equality Impact Assessment has been carried out, which is attached as Appendix C to this report. Taking into consideration the proposed it is not considered to have any Equality and Diversity implications therefore the full EIA was not completed. The introduction of the Protocol to the Penrith Traffic Regulation Order makes accessing on-street parking permits a fair and consistent process for all affected.

## **13. Background Documents**

- 13.1 Penrith Parking and Movement Study
- 13.2 Previous reports to Eden Local Committee