

READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

TO:	TRAFFIC MANAGEMENT SUB-COMMITTEE		
DATE:	10 NOVEMBER 2022	AGENDA ITEM:	
TITLE:	PETITION UPDATE - RESIDENT PARKING PERMIT ELIGIBILITY FOR KENDRICK COURT		
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To provide an update to the petition reported at September 2022 Traffic Management Sub-Committee, following the receipt of further information from the lead petitioner. The petition requested that residents of Kendrick Court, Kendrick Road, become eligible for Resident Parking Permits (RPP) to enable on-street parking along Kendrick Road (parking Zone 10R). The petition contained 38 indications of support.
- 1.2 The report sets out the rationale for the current exclusion of Kendrick Court from the full permit eligibility within the zone, sets out how a change to the eligibility could be made, refers to further information that has been received, and recommends against making this change.

2. RECOMMENDED ACTION

- 2.1 That the Sub-Committee notes the content of this report.
- 2.2 That the current address eligibility for the full allocation of resident parking permits remains unchanged.
- 2.3 That the lead petitioner be informed of the decisions of the Sub-Committee, following publication of the agreed minutes of the meeting and that residents be advised to apply for discretionary parking permits.
- 2.4 That no public inquiry be held into the proposals.

3. POLICY CONTEXT

- 3.1 The provision of waiting/parking restrictions and associated criteria is specified within the existing Traffic Management Policies and Standards.
- 3.2 The Council's Resident Permit Parking scheme rules are available on the website www.reading.gov.uk > Vehicles, Roads and transport > Parking permits > Permit management rules and definitions.
- 3.3 At Traffic Management Sub-Committee in March 2021, as part of the 'East Reading Resident Permit Parking Scheme - Update' report, Members agreed to a recommendation that any granted discretionary resident parking permit will renew automatically upon application. This follows the same process as 'standard' resident parking permits and is subject to terms and conditions, including that the agreed permit is personal to the applicant.

4. THE PROPOSAL

Current Position

- 4.1 As reported to the September 2022 meeting of this Sub-Committee, on 14th August 2022, a petition was submitted to the Council containing 38 indications of support. The petition stated the following:

Petition for the Right to Kerbside Parking Permits in Kendrick Road

We, the undersigned, request that Reading Borough Council allow residents of Kendrick Court, Kendrick Road, RG1 5DS, the right to Parking Permits to park in kerb-side parking spaces on Kendrick Road.

The other blocks of flats in Kendrick Road all have plenty of garages and parking. Kendrick Court pre-dates these other blocks by decades, having been developed when private car ownership was the exception. It has 42 bedrooms but was designed to accommodate just 11 small cars.

Currently only people who live in houses on Kendrick Road can apply for permits. This seems discriminatory and irrational as these households often have driveways and don't need additional parking, whereas residents of Kendrick Court have so few spaces. There is currently plenty of kerbside parking space available in Kendrick Road.

- 4.2 Resident Permit Parking (RPP) schemes do not guarantee nor allocate individual parking spaces for a specific property or street, they are typically delivered as area schemes. This approach enables flexibility of parking across the specified parking zone area for those with a valid permit. The Resident Permit Parking (RPP) area for Kendrick Road is for Zone 10R. It is a large scheme area spanning from the town centre ring road as far south as Rose Kiln Lane and a permit 'saturation' level of 88% was reported.
- 4.3 It is typical that properties containing flats/multiple addresses will not be eligible for the full entitlement of parking permits (up to 2 permits per address and an initial visitor permit allocation, upon application) in the Traffic Regulation Order of a new permit parking scheme in Reading. This approach is

taken to minimise the risks of oversaturating on-street parking levels in a new permit parking scheme and was the approach adopted in the development of the scheme that includes Kendrick Road.

The legal Traffic Regulation Order, which legitimises the on-street restrictions, captures those properties that are eligible for the entitlement of permits within the scheme area. Residents of properties that are excluded from the scheme are entitled to apply for discretionary parking permits under the scheme rules, so still have an opportunity to receive a parking permit and to legitimately park on street.

- 4.4 The discretionary parking permits application process is in place to consider the merits of individual cases, also taking into account the ‘saturation’ level of the area parking zone. If granted, they are typically personal to the applicant and enable a level of ongoing management of on-street parking levels. There is an established application and appeals process for applications.

In March 2021, as part of a Traffic Management Sub-Committee report on the recently introduced Zone 14R East Reading Resident Permit Parking scheme, officers made recommendations regarding a petition for the inclusion of Oaklands in the scheme.

At the time, discretionary parking permits expired annually and required re-application. It was acknowledged that this process created resident concern about the longer-term certainty of having on-street parking available.

To provide this certainty and clarity to those residents who were successful in their application for a personal discretionary parking permit, the Sub-Committee agreed to the officer recommendation that these should automatically renew upon application, as per ‘standard’ parking permits. This is on the basis that, should the resident move, the new resident will have to restart the process.

- 4.5 In the report to September’s Sub-Committee meeting, Officers recommended against adding Kendrick Court to the full permit allocation eligibility and set out the reasons for this. The Sub-Committee acknowledged receipt of further information that had been received from the lead petitioner and decided to defer the decision so that this could be considered.

- 4.6 Officers have considered the further information and feedback that has been received from the lead petitioner. The following themes were raised:

4.6.1 Zone 10R is large, has 12% uncommitted parking capacity, little on-street parking takes place on Kendrick Road, Kendrick Court residents would unlikely significantly reduce zone capacity, disagreement with the proposal that Kendrick Court could not be considered in isolation of other similar properties within the zone.

Officer Comments:

Resident permit parking zones are implemented in zone areas and provide flexibility of parking within, and across, that area. Specifically, Kendrick Road is available for parking by other Zone 10R permit holders, just as Kendrick Road residents with a Zone 10R permit could park in other areas of the 10R zone.

It is, therefore, appropriate to consider the potential implications of eligibility changes across the zone, both in terms of the impact to Kendrick Road and the wider zone. It is also appropriate to consider the likely impact that a decision on eligibility acceptance for one multiple-address site could have in terms of other 'excluded' sites in the area, regardless of the relative ages of the properties.

4.6.2 The stance treats all multiple-address properties the same, regardless of the level of off-street parking they may have. Each should be considered on its merits.

Officer Comments:

Experience has shown that it is often challenging to identify the owner(s) of different elements of private property and there have been examples where the off-street parking has appeared to be privately and separately managed, with apparent off-street parking not always being available to residents. The level of off-street parking can also change over time, if for example landscaping changes, older (smaller) garages are removed/replaced or dwellings are extended.

In terms of fairness, the approach referenced in item 4.3 and offering cases to be considered on their merits through the discretionary permit application process enables any nuances of the property to be put forward and fairly considered.

4.6.3 Concerns suggesting that applying for a discretionary parking permit is a '...near certainty...' that it would be rejected.

Officer Comments:

There is an initial officer review and an appeal process that is undertaken as a 'Part 2' item of the Traffic Management Sub-Committee. Residents are advised to make their application and it will help if the correct and full documentation is supplied and that a thorough case is made. This case can reference the points that have been raised by the lead petitioner.

4.6.4 There is no parking space for trades or visitors.

Officer Comments:

Residents may apply for discretionary visitor permits and trade operators can apply for trade permits if residents do not have/wish to offer a visitor permit for their visit.

Options Proposed

- 4.7 It remains the recommendation that Kenrick Court is not included for full RPP eligibility, meaning that the eligibility for the full permit entitlement in the Traffic Regulation Order would not be changed.

As previously reported, and expanded earlier in this report, it would not be reasonable to consider Kendrick Court in isolation of other properties that are in the same position. To include all such properties would have significant and unmanageable risks on the saturation level of on-street parking within this zone area thereafter.

Residents of Kendrick Court continue to have the option of applying for discretionary parking permits. Points raised in the petition and thereafter could be included in their applications to help strengthen their case. As per the discretionary permit process alteration referred earlier in this report, there is now greater assurance of having a parking permit upon successful application, while also enabling a level of monitoring and management over the parking zone saturation levels, which is a standard consideration of new discretionary parking permit applications.

Other Options Considered

- 4.8 It could be agreed that Kendrick Court should be included for eligibility to the full resident permit parking entitlement as part of Zone 10R. This would require an alteration to the underlying Traffic Regulation Order and, as such, would require statutory consultation and the required advertising of the proposed alterations in the local printed newspaper.

As there is an established programme for addressing alterations to parking-based Traffic Regulation Orders - the Waiting Restriction Review Programme - such a proposal, if agreed, should be included in this. This would reduce the cost, both literal and with staffing resource, in relation to pursuing this change as a separate workstream.

It is not recommended that this option is agreed, as it would introduce disparity between Kendrick Court and other similar developments across the borough. This would likely lead to similar requests being made by these developments and risks of significant increases in on-street parking saturation within these respective parking zones.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The proposal contained in this report proposes no change to the existing Resident Permit Parking (RPP) eligibility and, therefore, no further contribution to the strategic aims of the Council. The report highlights other processes whereby applicants in properties that are not eligible for full entitlement of RPP may apply for discretionary parking permits.

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 6.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 6.2 The proposal contained in this report proposes no change, so a Climate Impact Assessment has not been considered necessary.
- 6.3 Should the Sub-Committee not agree to the officer recommendation and instead agree to the option described in Item 4.8, there is expected to be a Net Minor-Negative impact. The change will require the addition of the proposal as part of a statutory consultation process, necessitating inclusion in the public notices that printed in the local newspaper and erected on-street - there will be material usage and travel to the street on multiple occasions.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 The lead petitioner will be informed of the decision of the Sub-Committee regarding the request that they have made, following publication of the meeting minutes.
- 7.2 Meeting reports and minutes are published on the Council's website and Traffic Management Sub-Committee is a public meeting that can be attended. Recordings of the meetings are also available via the Council's website (www.reading.gov.uk).

8. EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 It is not considered that an Equality Impact Assessment is relevant as the proposal is not deemed to be discriminatory to persons with protected characteristics. Statutory consultation processes have previously been conducted, providing an opportunity for objections/support/concerns to be considered prior to a decision being made on whether to implement the proposals.

9. LEGAL IMPLICATIONS

- 9.1 There are no foreseen legal implications relating to the recommendation of this report.
- 9.2 Should the Sub-Committee not agree to the officer recommendation and instead agree to the option described in Item 4.8, the alteration to the Traffic Regulation Order(s) will require advertisement and consultation, under the Road Traffic Regulation Act 1984 and in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996. The resultant Traffic Regulation Order would need to be sealed in accordance with the same regulations.

10. FINANCIAL IMPLICATIONS

The financial implications arising from the recommendations of this report are set out below:-

10.1 Revenue Implications

	2022/23 £000	2023/24 £000	2024/25 £000
Employee costs	NIL	NIL	NIL
Other running costs			
Capital financings costs			
Expenditure	NIL	NIL	NIL
Income from:			
Fees and charges	NIL	NIL	NIL
Grant funding			
Other income			
Total Income	NIL	NIL	NIL
Net Cost(+)/saving (-)	NIL	NIL	NIL

10.2 Capital Implications

Capital Programme reference from budget book:	2022/23 £000	2023/24 £000	2024/25 £000
Proposed Capital Expenditure	NIL	NIL	NIL
Funded by N/A	NIL	NIL	NIL
Total Funding	NIL	NIL	NIL

10.3 Value for Money (VFM)

The recommendation of this report is not to implement a change, while highlighting the current alternative facility that is available to those residents wishing to apply for a resident permit parking. On this basis, the recommendation of Item 4.7 does provide the best value for money.

10.4 Risk Assessment.

There are no foreseeable financial risks associated with the recommendation of this report.

11. BACKGROUND PAPERS

11.1 Petition - Resident Parking Permit Eligibility for Kendrick Court (Traffic Management Sub-Committee, September 2022)

11.2 East Reading Resident Permit Parking Scheme - Update (Traffic Management Sub-Committee, March 2021)