

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET MEMBERS FOR TRANSPORT AND ROADS AND VALUE FOR MONEY AND EFFICIENCY JOINTLY WITH THE CORPORATE DIRECTOR FOR ECONOMY
Report of:	ASSISTANT DIRECTOR FOR TRANSPORTATION AND CONNECTIVITY
Date of Decision:	13 July 2017
SUBJECT:	ERDINGTON CONTROLLED PARKING ZONE FULL BUSINESS CASE
Key Decision: No	Relevant Forward Plan Ref:
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Stewart Stacey – Transport and Roads Councillor Majid Mahmood – Value for Money and Efficiency
Relevant O&S Chairman:	Councillor Zafar Iqbal – Economy, Skills and Transport Councillor Mohammed Aikhlaq – Corporate Resources and Governance
Wards affected:	Erdington & Stockland Green

1. Purpose of report:	
1.1	To seek approval of the Full Business Case (Appendix A) for the Erdington Controlled Parking Zone scheme at a total estimated cost of £401,191. This investment will seek to provide an improvement in the availability of parking for local residents along with limiting the amount of parking which can occur for the whole day, particularly for people who are not working in or visiting Erdington.
1.2	To seek approval for the Assistant Director, Transportation and Connectivity to award contracts and place orders for all of the works, subject to the outcome of the Statutory Traffic Regulation Order consultation and the works cost being within the pre tender estimate.
1.3	The accompanying private report contains confidential market information which could impact on the tender process.

2. Decision(s) recommended:	
That the Cabinet Members for Transport and Roads and for Value for Money and Efficiency jointly with the Corporate Director, Economy:-	
2.1	Note the report.
Lead Contact Officer(s):	Varinder Raulia – Head of Infrastructure Projects
Telephone No:	0121 303 7363
E-mail address:	varinder.raulia@birmingham.gov.uk

3. Consultation:

3.1 Internal

3.1.1 The Erdington and Stockland Green Ward Councillors have been consulted and their responses are given in Appendix D. The Erdington Ward Councillors have actively supported the development of the scheme, whereas the Stockland Green Ward Councillors indicated support for the scheme would be subject to the outcome of the public consultation.

3.1.2 Officers from City Finance, Legal Services and Procurement have been involved in the preparation of this report.

3.2 External

3.2.1 An initial public consultation was carried out in the Erdington Town Centre area in 2012 (Stage 1 consultation). At the time around 69% of those that responded said they would be supportive of a permit scheme and other controls suggested across the area. This is based upon the responses of 278 residents (a response rate of around 14%). This is a normal level of response for consultations of this nature and deemed acceptable to proceed with development of a scheme.

3.2.2 A further public consultation (Stage 2) was conducted between August and October 2015 on specific details of a proposed scheme. A total of 382 residents responded to this consultation (an improved response rate of 18.6%). Whilst the second consultation was not intended to debate whether the scheme should proceed or not, and was intended to be more about what format the scheme should take, there were still concerns raised about the exact level of restrictions. The majority of respondents remain in favour of the scheme as described below (refer to Appendix D for full results).

Positive

- 105 (27%) said that they were satisfied with the proposals as shown but offered additional comments.
- 115 (30%) respondents provided comments requesting changes with some indicating that they would be in favour of the scheme subject to various amendments.

Negative

- 122 (32%) respondents stated that they did not agree with the proposals suggested; of those 57 (47%) objected to the scheme as a whole and 22 (18%) were not in favour due to the cost of the scheme.

Neutral

- 26 (7%) respondents said they did not know if they were satisfied with the scheme or had no particular opinion.
- 14 (4%) did not provide a final answer.

3.2.3 In November 2016 a further round of consultation was conducted as a result of the Equality Analysis identifying a potential adverse impact on disabled persons living within the CPZ. The results of this have been incorporated into the scheme proposals.

3.2.4 The Traffic Regulation Order (TRO) to introduce the CPZ will be subject to statutory advertisement following approval of the FBC.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The Erdington CPZ scheme fully supports the Council's objectives, particularly a Strong Economy and Thriving Local Communities.

4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

The value of the contracts is below the threshold for the BBC4SR. However, the requirement to pay the Birmingham Living Wage will apply in accordance with the policy.

4.2 Financial Implications

4.2.1 The estimated cost of the proposals covered by this FBC is £401,191 (including detailed design, works, contingency, fees and a post implementation review). The project is funded fully by Integrated Transport Block (ITB) resources.

4.2.2 As a result of proposals to introduce permit parking and charged on-street parking it is estimated that the scheme will generate a gross annual income of £259,308 during an average full year. After deducting the scheme operational costs the net income is expected to be £240,395. These figures differentiate from the figures in the PDD, due to a reduction in the amount of proposed pay for parking bays and the removal of the proposal to have the first hour free for Pay and Display parking as a result of on-going scheme development and consultation. The first hour is now chargeable at 90p, which is in line with other CPZs across the City. The amount of different types of bay has also been simplified; the PDD featured three different types of pay for parking bay (Two hour Parking Bays, Four hour Parking Bays and Shared Use Parking Bays) whereas the FBC now proposes only bays for parking of up to two hours.

4.2.3 Any deficit / surplus generated by the scheme shall be dealt with in accordance with section 55 of the Road Traffic Regulation Act 1984. Deficit in the account shall be made good out of the general fund, whereas surplus shall be applied to purposes referenced in subsection 4 which include meeting costs incurred for public passenger transport services, highway or road improvement projects in the local authority's area or environmental improvements.

4.2.4 This project will create assets that will form part of the highway upon completion of the project; as such they will need to be maintained within the overall highway maintenance regime. The estimated cost of including these newly created assets within the highway maintenance regime is £4,797.42 per annum. These costs will be funded from the Highways Maintenance provision held within the Corporate Policy Contingency.

4.2.5 A risk management assessment has been undertaken and is included in Appendix C.

4.3 Legal Implications

4.3.1 The City Council carries out transportation, highways and infrastructure related works under the relevant primary legislation including the Town and Country Planning Act 1990, Highways Act 1980, Local Government Act 1972, Road Traffic Regulation Act 1984, Traffic Management Act 2004, Transport Act 2000, Local Government (Miscellaneous Provisions) Act 1976, Countryside and Rights of Way Act 2000, and other related regulations, instructions, directives and general guidance.

4.4 Public Sector Equality Duty (see separate guidance note)

4.4.1 An Equality Analysis has been undertaken for the Erdington CPZ scheme and is attached as Appendix B to this report. The Equality Analysis indicated that the scheme may have an adverse impact on disabled persons living within the CPZ as advisory disabled bays

will need to be removed from the area to allow for permit parking to be introduced. Residents with advisory bays and other residents who raised concerns about disabled parking within the Stage 2 consultation were identified and written to in November 2016 with their concerns being addressed in the latest proposals. The Equality Analysis will continue to be monitored as the detailed design progresses and then also throughout the life of the scheme.

5. Relevant background/chronology of key events:

- 5.1 In May 2010 the Council published its Parking Policy, which sets out a requirement to undertake a review of on-street parking provision and controls where deemed appropriate. As a result, a broad framework was developed to determine and prioritise potential CPZ and Resident Parking Schemes (RPS) for further investigation.
- 5.2 The 'Erdington Parking Review' was included in a programme of CPZ/RPS development work and approval was given to undertake the review in November 2011. Parking beat survey data and land use mapping was reviewed to help develop some initial proposals and was used to identify areas of daytime residential and visitor parking. Existing TROs were also reviewed.
- 5.3 Erdington is a busy town centre where demand for parking was found to be high at times and the commercial centre is tightly bound by residential streets which can create parking issues for local residents, visitors and local workers. This is exacerbated by the current lack of parking control with commuters able to park in the area all day free of charge and travel by bus into the city centre.
- 5.4 The extent of the study area was originally set to include the streets where parking is most influenced by the local centre, where there is a mix of restrictions that operate at varying times and where roads could suffer displaced parking should controls be placed on surrounding roads. Currently, there is a 1-hour limited waiting restriction for much of the parking on and around the High Street. Residential areas, in the main, do not have any control other than some 'no waiting' restrictions. There are currently no areas of permit parking.
- 5.5 The purpose of the project is to enable priority for local residents, where appropriate, whilst ensuring that sufficient parking remains available for visitors and some local workers around the centre through better parking management. Additionally, measures aim to assist in promoting sustainable transport by increasing the attractiveness of public transport, cycling and walking as a travel choice and will contribute towards improving health, the environment, reducing car usage and providing better access for people without access to a car.
- 5.6 Initial public consultation was carried out in the Erdington Town Centre area in 2012 (Stage 1 consultation). See above paragraph 3.2.1 for details.
- 5.7 Following the initial consultation the Project Definition Document (PDD) was prepared in 2013 but not approved until 2015 due to prioritisation and resourcing issues.
- 5.8 A further public consultation (Stage 2) was conducted between August and October 2015. See paragraph 3.2.2 for details.
- 5.9 The Full Business Case (FBC) was drafted following the conclusion of the stage 2 consultation however further investigation work was deemed necessary. An initial Equality Analysis indicated that disabled residents may be negatively affected by the scheme (see paragraph 4.4.1) therefore a third consultation was conducted in November

2016. Following the conclusion of this consultation specific bays for disabled residents within permit areas have been included within the scheme proposals.

- 5.10 The scheme proposals introduce a variety of new parking controls to the area including; Permit holder only bays and zones for residents and / or businesses, pay for parking bays, limited waiting bays, no waiting zones and other parking bays including disabled blue badge holder bays, motorcycle bays and no stopping at any time except taxis bays. Refer to Appendix G for the current scheme plan.
- 5.11 After FBC approval the detailed design of the scheme will commence along with the statutory advertisement for the TRO. In addition to the statutory advertisement, details of the scheme operation will be released to residents. The statutory advertisement will be the final stage of the engagement process prior to implementation of the scheme, setting out the scheme in greater detail. Any objections received at this stage will be considered and resolved where possible; any unresolved objections will be reported to the Assistant Director Transportation and Connectivity in consultation with the Cabinet Member for Transport and Roads for a decision.
- 5.12 Procurement Strategy
- 5.12.1 The contract for the works will be awarded using the City Council's Highways and Infrastructure Works Framework Agreement 2014-18 in accordance with its protocol.
- 5.12.2 The contract for the supply and installation of the Pay and Display Machines will be awarded following a competition exercise using the Eastern Shires Purchasing Organisation Parking Management Solutions Framework Agreement.
- 5.13 Subject to the outcome of the statutory consultation, work is currently anticipated to start on site in January 2018, with works finishing in April 2018.

6. Evaluation of alternative option(s):

- 6.1 There are two other alternative options; the first would be to implement the Controlled Parking Zone with alternative fees and times, the second would be to do nothing.

The option to implement the Controlled Parking Zone with alternative fees and times would mean that the fees introduced are not consistent with other Controlled Parking Zones across the City and the times of operation do not reflect what was deemed most appropriate from the two rounds of consultation.

The do nothing option would mean that no Controlled Parking Zone is introduced in the Erdington Local Centre area and parking problems for residents and visitors to the high street continue alongside the difficulties with enforcement and poor compliance with existing restrictions.

7. Reasons for Decision(s):

- 7.1 Approval of this FBC for Erdington Controlled Parking Zone will allow the proposed project to progress to detailed design and delivery stage.

Signatures	Date
<p>Councillor Stewart Stacey Cabinet Member for Transport and Roads</p> <p>.....</p>	<p>.....</p>
<p>Councillor Majid Mahmood Cabinet Member for Value for Money and Efficiency</p> <p>.....</p>	<p>.....</p>
<p>Waheed Nazir Corporate Director, Economy</p> <p>.....</p>	<p>.....</p>

List of Background Documents used to compile this Report:
1. Erdington Controlled Parking Zone Project Definition Document

List of Appendices accompanying this Report (if any):
1. Appendix A – Full Business Case for Erdington Controlled Parking Zone 2. Appendix B – Erdington Controlled Parking Zone Equality Assessment Ref: EA001400 3. Appendix C – Erdington Controlled Parking Zone Risk Management Assessment 4. Appendix D – Erdington Controlled Parking Zone Consultation Summary 5. Appendix E – Erdington Controlled Parking Zone AECOM Consultation Report 5. Appendix F – Erdington Controlled Parking Zone Initial Proposals 6. Appendix G – Erdington Controlled Parking Zone Developed Proposals

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none">(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) tackle prejudice, and(b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none">(a) Marriage & civil partnership(b) Age(c) Disability(d) Gender reassignment(e) Pregnancy and maternity(f) Race(g) Religion or belief(h) Sex(i) Sexual orientation