

REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE

11 APRIL 2013

PETITIONS

Report from: Robin Cooper, Director of Regeneration, Community and Culture

Author: Teri Reynolds, Democratic Services Officer

Summary

This report advises the Committee of the petitions presented at Council meetings, received by the council or sent via the e-petition facility, including a summary of officer's response to the petitioners.

1. Budget and Policy Framework

1.1 The constitution provides that petitions received by the council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

2. Background

2.1 The Director is asked to respond to the petition request within 10 working days. The petition organiser may request to refer the matter to the relevant Overview and Scrutiny Committee if s/he is not satisfied with the answer and has given reasons for their dissatisfaction.

2.2 If the petition contains at least the number of signatures equating to 5% of Medway's population (currently 12,675 signatures) it will be debated by Full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

2.3 If the petition contains at least the number of signatures equating to 2% of Medway's population (currently 5,070 signatures) the relevant senior officer may give evidence at a public meeting of the relevant overview and scrutiny committee.

2.4 A petition may also be submitted through the e-petition facility on the council's website. E-petitions must follow the same guidelines as paper petitions. A petition acknowledgement and response will be emailed to

everyone who has signed the e-petition and elected to receive this information.

- 2.5 A summary of the response to all petitions will also be published on the council's website.

3. Petitions

- 3.1 A summary of responses relevant to this Committee that have passed the ten day deadline for a request for referral to the Committee and are therefore seen as acceptable to the petitioners are set out below.

Subject of petition	Date of receipt and whether paper or e-petition	Response
Lamberhurst Green road extension (ref: 43/2012)	22 November 2012	<p>A site visit was made on 17 December 2012 with the lead petitioner to consider the petitions proposals. Before this, enquiries were being made into the ownership of the land proposed for the road extension. The road serving Lamberhurst Green is sufficiently wide to enable easy access. Any access issues appear to be in the evenings when some residents park inconsiderately. Officers identified that there is adequate access for the residents and that there is sufficient parking.</p> <p>For information – Lamberhurst Green is due for a further “estate inspection” by housing officers on 9 April 2013. This provides an opportunity for residents to pick up any outstanding matters with the housing management team.</p>
Concern at mess created by dustcarts and large vans in the corners of Dorset Square, Rainham (ref: 2/2013)	4 February 2013	The council is aware of these problems and also with vehicles parking on the grass verges but no changes can be made to the layout of the square itself due to the location of trees and the cost implications. Unfortunately, large vehicles sometimes cut across the corners of the grassed area due to cars parked near the corners and the Traffic Management team will shortly be consulting with the ward Members and local residents on a proposal to install double yellow lines and inviting residents' comments.
Request to make Jackson's Field safer for its users and to install lighting to deter attacks (ref: 7/2013)	6 February 2013	A ward councillor has been reviewing safety in the area with police and UCA staff and agreed that the next step was to meet the lead petitioner and student representatives to discuss the issues raised. Once this meeting has taken place, officers will clarify any actions that need to be taken.

4 Petition referrals

- 4.1 A petition (ref: 3/2013) was received directly to the Council on 4 February 2013 and is attached at Appendix A.
- 4.2 The Director responded to the petition on 18 February 2013 as set out at Appendix B.
- 4.3 An email was received from the lead petitioner, dated 27 February 2013, requesting referral to this committee for the following reasons: -
- 4.3.1 The Cabinet papers (20/2/07) and the Officers' report clearly show that Carton House was not consulted over Parking Permits in 2006/7 and nor should it have been, as it is in River Ward.
- 4.3.2 The Regulations for Parking also disbar permit applications because you cannot apply for permits if you do not live in a specified zone.
- 4.3.3 There is a test of "reasonableness". Medway Council should not seek to argue that anyone living in a road is entitled to park in that road. It is reasonable for someone to buy a permit if they have residents' parking bays outside their property.
- 4.3.4 There is a road sign near Copperfield House which states Restricted Zone (i.e. on the same side as Carton House but nearer New Road where the restricted parking areas are). Thus, there is a clear marking of where the zone begins and end.
- 4.3.5 The map showing the area which this ruling applies to, and included in the Cabinet papers, clearly excludes both Carton House and Kent Probation Services.
- 4.3.6 Carton House has 36 residents parking bays and one of the vehicles occasionally uses no 35; those parking bays never seem *full up*. A 2nd vehicle (Ransome van) is commercial and we have to assume that Medway Council has specifically authorised this (according to its regulations)
- 4.3.7 The Probation Service has 2 car parks (under its offices and by Krystals Nightclub which *it advertises on its fences!*). The Probation Office is not situated in the Parking Zone and is in River Ward.
- 4.4 Director's comments
- 4.4.1 New Road forms the boundary of two controlled parking zones.
- 4.4.2 The 'Y' Zone includes all the even number of New Road (i.e. the south west side)
- 4.4.3 The 'C' Zone is all the odd numbers in New Road (i.e. the north east side, including the Kent Probation Office and Carlton House).

- 4.4.4 The Y zone was put in place in 2008 and New Road was incorporated into the C zone in 2008.
- 4.4.5 It was not considered to be a viable solution to have a road within two parking zones, additionally for those properties situated on the south west side of the road, the nearest available spaces within the Y zone would be some distance away, too far to be of practical usage.
- 4.4.6 a report was taken to Committee, which included New Road wholly within the Chatham Central Zone (the C Zone). Following the argument put forward from the petitioner, the zones could again be split, which could then remove more of the available parking as not having the correct permit could limit on what side of New Road you can park.
- 4.4.7 On New Road, the zone starts approximately at the junction with City way and continues approximately to Church Street on the North Eastern side. There is a sign near Copperfield House and following this sign there are double yellow lines, so there is no parking, but the zone exists to the north of New Road, and this is evident by the sign entering the zone in Church Street.
- 4.4.8 If a property is within the zone and not specifically excluded, then they are entitled to apply for residents' or business permits. It is however noted that development may take place within the zone, which may subsequently include off street car parking arrangements. In these cases these residents or businesses could have the option to park on street or off street, placing additional pressure on already oversubscribed parking places.
- 4.4.9 Whilst it is not possible to take any action in this case, it is recognised that this could be a future problem in any Controlled Parking Area. It is therefore recommended that where off street parking is available, officers from planning and traffic management discuss these situations and should it be felt that parking problems may result from these additional pressures, that parking provision in relation to new developments is considered very carefully when planning applications are received so that sufficient provision is made in the application.

5 Risk Management

- 5.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

6 Financial and Legal Implications

- 6.1 Any financial and/or legal implications arising from the issues raised by the petitions are set out in the comments on the petitions.

7 Recommendations

- 7.1 Members are requested to:

(a) note the petition responses and appropriate officer action in

paragraph 3 of the report;

(b) consider the petition referral.

Background papers

None.

Contact for further details:

Teri Reynolds, Democratic Services Officer

Tel. No: 01634 332104 Email: teri.reynolds@medway.gov.uk

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GIBRALTAR TERRACE RESIDENTS ASSOCIATION

Mr R. Cooper
 Director of Regeneration, Community and Culture
 Medway Council
 Gun Wharf
 Dock Road
 Chatham
 Kent
 ME4 4TR

23rd January 2013

Rec'd 29/01/13
 at 9:13.

Dear Mr Cooper

Incorrect allocation of Parking Permits for New Road Chatham

- 1 We are residents living on the south side of New Road and are members of the Gibraltar Terrace Residents' Association. We are increasingly concerned with the number of vehicles parked outside our houses whose owners do not live in New Road and who have been allocated Resident's Parking Permits. We understand they are living in Carton House, Chatham (off Church Street).
- 2 Some residents have challenged these owners and have been told they park in New Road because there is no space in the allocated parking bays of Carton House and they are entitled to park outside our houses. This is palpably not the case as it appears half of the bays in that block of flats are unused at the busiest of times. We have checked with officers from your Parking Department who have told us to lobby our Councillors as it is they who set the rules.
- 3 We do not believe this is the way forward as we have now carefully considered this response and sought advice as to a course of action. The decision to invoke the current parking zone in Chatham Central was taken at Cabinet after a very thorough consultation in 2006 and a decision was made on 20th February 2007.
 - a. The area to be covered by this zone (according to the Cabinet Paper) is described in Appendix B. You will notice that it does not extend to properties on the northern side of New Road. This clearly excludes Carton House in Church Street, Chatham and it does not include properties on the north side of New Road. Appendix B is also included as Appendix B to this letter.
 - b. The Medway Council Resident Permit Terms and Conditions as displayed on your website states clearly: "Each household situated within one of Medway's Controlled Parking Zones is entitled to purchase yearly Resident (s) permit to enable them to park within that controlled parking zone".

- c. There are 2 vehicles in particular which we have noticed are parked in New Road outside our houses. They are:
 - i. A silver Vauxhall registration number GL 03 EEY (Permit no RC1138 expires 9/2/13)
 - ii. A large white commercial van; Ransome branding (Permit no RC 1759 expires 23/11/13)

- d. These vehicles not only use up limited spaces but are a considerable inconvenience for the following reasons:
 - i. They are often left outside our homes for long periods such as for two weeks over Christmas 2012
 - ii. They take up parking spaces which mean that residents cannot park near their houses. This is a great inconvenience for residents who have restricted mobility and for parents with children
 - iii. The Ransome van in particular is of such a size that it obscures businesses of sight lines (losing them *marketing exposure*) and also blocks light from basements and front windows; it also obstructs sight lines at the road crossings in New Road

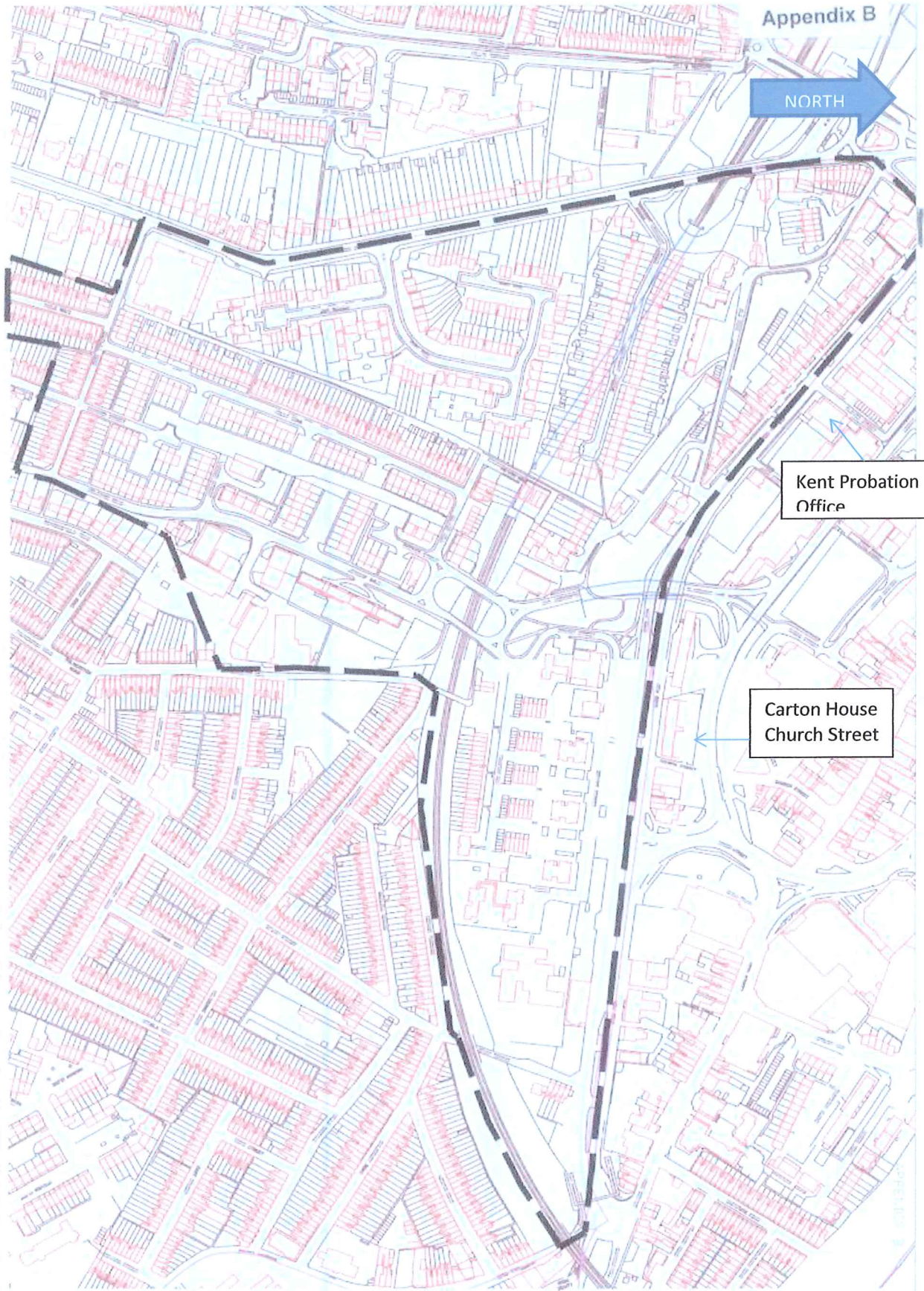
- 4 We are writing to request that you rectify this situation so that it meets the expectations of residents and of Medway Council's Cabinet. We respectfully suggest that:
 - i. The Parking Permit for the Vauxhall Corsa: RC1138 is not renewed when it expires on 9th February 2013)
 - ii. The Parking Permit for the Ransome van is withdrawn
 - iii. Parking Permits issued to staff from Kent Probation Service Community Payback team are similarly withdrawn; the Probation Service has 2 car parks of its own (off the Paddock) and they have no entitlement whatsoever to park their vehicles in New Road.

- 5 This is something we feel quite strongly about, especially as this road is becoming more residential and attracting people who will contribute to the revitalisation of this area. We also feel that your officers should be enacting a democratically achieved decision.

- 6 We have shared this with Councillors of both River and Chatham Central Wards. We look forward to your reply. We respectfully ask that you reply to the lead address on the attached list of signatories. We ask that you do not copy or disclose any New Road residents' addresses outside of Medway Council.

Yours sincerely

See attached list of signatories



Appendix B



Kent Probation Office

Carton House Church Street

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Please contact: Leigh Ann Thurgood
Your ref:
Our ref: RC/Lat/GE04
Date: 18 February 2012

Mr Bryan Fowler
56 New Road
Chatham
Kent
ME4 4QR

Director's office
Regeneration, Community and Culture
Medway Council
Gun Wharf, Dock Road
Chatham, Kent ME4 4TR
(DX56006 STROOD)
telephone: 01634 331022
facsimile: 01634 331729
Minicom (text) 01634 331300
email: leighann.thurgood@medway.gov.uk

Dear Mr Fowler

Petition re Parking Permits for New Road, Chatham

Thank you for your recent petition regarding alleged incorrect allocation of parking permits for New Road, Chatham.

I can confirm that following any consultation process and the implementation of a permit zone, the parking services team are issued with a list of streets and property numbers that are eligible to purchase resident or visitor permits. This list is issued by the Traffic Management Team who is responsible for the implementation of all parking schemes throughout the authority.

Following the consultation process and the implementation of zone C, New Road was placed on this list and this was inclusive of all property numbers.

To obtain further clarification, Parking services have liaised with the planning department in regards to Carton House and they have confirmed that an application was granted for Carton House to be built 2001 and there were no planning restrictions applied to this application. The address of Carton House is 137 New Road. Therefore, the residents are eligible to purchase resident permits for the C zone and permitted to park in any of the residential bays within this zone.

Unfortunately we are not in a position to withdraw the permits as you have requested as they are being purchased legitimately and within the Council's procedures.

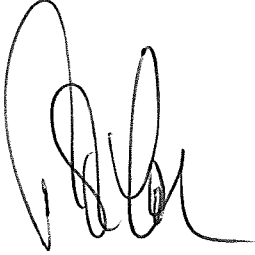
You have also requested that the parking permits issued to the probation service be withdrawn. Again, I am afraid we are unable to take this course of action as the probation service have purchased business permits, in accordance with the correct procedures. Further, any business is able to purchase business permits within their zone as long as they are able to provide the required evidence.

I am sorry that this is not the outcome you were hoping for and I do appreciate your frustrations. However, we are limited in the action we can take as all processes and procedures have been adhered to.

We will of course ensure that these roads continue to be closely monitored and enforcement action will be taken against any vehicle that fails to display the appropriate permits.

If you do not consider that the issues raised in your petition have been addressed, please refer to the procedure sent with the acknowledgment letter for a possible further course of action.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Robin Cooper', written in a cursive style.

Robin Cooper
Director of Regeneration, Community & Culture