

# Cabinet

24 January 2018



|                                  |   |                     |    |
|----------------------------------|---|---------------------|----|
| <b>Title</b>                     | The Spelthorne Borough Council (Off-Street Parking Places) Order 2018   |                     |    |
| <b>Purpose of the report</b>     | To make a Key Decision  |                     |    |
| <b>Report Author</b>             | Jackie Taylor Group Head Neighbourhood Services   |                     |    |
| <b>Cabinet Member</b>            | Councillor Nick Gething   | <b>Confidential</b> | No |
| <b>Corporate Priority</b>        | Financial Sustainability  |                     |    |
| <b>Recommendations</b>           | <ol style="list-style-type: none"><li>1) Authorise the Group Head of Neighbourhood Services to proceed with the proposals made in this report and to implement the Spelthorne Borough Council (Off-Street Parking Places) Order 2018;</li><li>2) Authorise the Head of Corporate Governance to publish all notices required to implement the Spelthorne Borough Council (Off-Street Parking Places) Order 2018;</li><li>3) Authorise the Group Head of Neighbourhood Services in consultation with the Head of Corporate Governance to consider and address any objections and to amend the proposals if necessary following the public consultation.</li></ol> |                     |    |
| <b>Reason for Recommendation</b> | <p>To ensure that parking regulations in all off street car parks identified within this report are current and enforceable</p> <p>To support the Council's aim for sustained Economic Development</p>  |                     |    |

## 1. Key issues

- 1.1 The Council is able to control parking within its administrative area through the production of an Off Street Parking Places Order under the Road Traffic Regulation Act 1984. The order recommended within this report sets out the terms and conditions for use of Council owned car parks, and the charges and penalties which apply to those using the car park. Once made it would form the legal basis from which all future charges and enforcement actions are made.
- 1.2 Due to the number of changes proposed to the existing 2016 order, a new Off Street Parking Places Order is proposed to implement these changes and produce a comprehensive and up to date order. A copy of the new order indicating the proposed changes to be made is attached at **Appendix 1**.

- 1.3 Dispensations for parking arrangements are regularly requested and account for a large portion of admin time and subsequent costs. Consequently, the description of the dispensation charge has been amended to reflect this.
- 1.4 Fishing clubs in Laleham have requested a permit for weekend fishing most of which would be overnight parking, a reduced rate over daily parking is suggested to encourage the use of the car park rather than verges and the roadside. The permit would run for 3 consecutive days between Friday & Monday and be valid for 24 hours each day.
- 1.5 A comparison has been made with neighbouring authorities to assess parking charges, whilst we do not wish to price ourselves out of the market we need to ensure that charges are broadly similar and represent value for money. On that basis we have suggested a number of increases to reflect demand as well as a few decreases where tickets are not being purchased as the cost is too high.
- 1.6 There has been a historical arrangement whereby the Ashford Chamber of Commerce has been given parking within Ashford multi storey car park (MSCP) at a reduced rate which has not been reviewed for very many years. This charge equates to a charge of approx. 6p per day for the 1<sup>st</sup> vehicle, 10p per day for the 2<sup>nd</sup> vehicle and 32p per day for all other employees of business associated with the Ashford Chamber of Commerce. Ashford is the only place where this arrangement is in place and it is proposed to remove this charging option and bring it in to line with other areas by offering season tickets. The cost for the proposed season tickets is set out in Schedule 7 of the proposed Order.
- 1.7 Admin costs associated with the issuing of season tickets is high, to encourage the take up of longer term permits and reduce the administration associated with regular issuing of short term permits, we propose to increase the costs of the short term permits.
- 1.8 There are currently 2 charging structures for Blue Badge holders in Elmsleigh surface & Elmsleigh (MSCP), daily ticket purchase and season ticket purchase. The proposed daily ticket cost per hour is the same as that for non-blue badge holders (£1.30 per hour), albeit that a Blue Badge holder is entitled to 1 extra free hour parking to take account of extra time needed to go to and from their vehicle. Season tickets are for non-business use only and the prices have not been reviewed for many years. The proposed cost of a Blue Badge holder season ticket still represents a large saving over the cost of a daily ticket as Blue Badge holders can park for as little as £2.69 per day (based on 1 days usage per week).
- 1.9 A number of charging structures are historic and need to be updated and/or removed as they are no longer relevant and there is no take up from members of the public.
- 1.10 Key changes included within the proposed Order are:-
  - Addition of a number of car parks within the Borough of Spelthorne to give greater control over the parking areas
  - Amendment to charge for dispensations
  - Introduce a permit for 3 consecutive days for fishing clubs
  - Increase parking charges where appropriate

- Remove specific season ticket pricing schedules for Ashford Chamber of Commerce within Ashford MSCP
  - Increase short term season ticket charges to encourage longer term season ticket requests
  - Increase the cost of season tickets for Blue Badge holders in Elmsleigh (MSCP) and surface car parks to make them more comparable with other pricing structures
  - Amend charging structures to reflect customer demands
- 1.11 Before implementing the proposed Off Street Parking Order 2018 we are required to consult with members of the public. The 4 week consultation period consists of advertising the proposed order in the car parks, council offices, in the local paper and to statutory consultees.
- 1.12 The Group Head of Neighbourhood Services in consultation with the Head of Corporate Governance will consider and address any objections and amend the proposals if necessary following the public consultation.
- 1.13 If the new Order is approved we will be required to advertise in the car parks, council offices and local newspapers that the Order is in force and tariff boards will need to be amended.

## **2. Options analysis and proposal**

### **2.1 Implement the proposed Parking Order (Recommended option):**

In order to efficiently regulate the use of car parks and effectively prevent and enforce misuse, it is proposed that Cabinet approves and agrees to:

- (a) Authorise the Group Head of Neighbourhood Services to proceed with the proposals made in this report and implement the Spelthorne Borough Council (Off-Street Parking Places) Order 2018;
- (b) Authorise the Head of Corporate Governance to publish all notices required to implement the Spelthorne Borough Council (Off-Street Parking Places) Order 2018;
- (c) Authorise the Group Head of Neighbourhood Services in consultation with the Head of Corporate Governance to consider and address any objections and to amend the proposals if necessary following the public consultation.

### **2.2 Do not implement the Parking Order (not recommended):**

If the proposed Off Street Parking Places Order is not implemented, it will impact on the Council's ability to effectively regulate the use of the car parks. It will also result in a loss of revenue, as the current parking order does not reflect the current demand of residents and businesses.

- 2.3 Risk has been considered as part of this report and any specific high risks are included in the table below:

| Category Risk   | Action/Controls   |
|---|---|
| To enable enforcement action to be taken against drivers of vehicles who park in a hazardous manner to the detriment of pedestrians | Introduction of the Spelthorne Borough Council (Off-Street Parking Places) Order 2018 |
| Regulate the use of the car parks to prevent misuse and anti-social behaviour   | Introduction of the Spelthorne Borough Council (Off-Street Parking Places) Order 2018 |
| Failure to implement and make the Order-loss of revenue and control over parking  | Ensure Order is promptly advertised, made and implemented                             |

### 3. Financial implications

- 3.1 There are costs associated with advertising the proposals and order and also for changes to tariff boards. These are expected to be in the region of £3k which can be met within the current budgets.
- 3.2 Increases have been made to tariffs and if implemented the additional income is estimated to be:-
- Amending dispensations £2k
  - Increased parking charges £5k

### 4. Other considerations

- 4.1 An Equality Impact Assessment has been completed and is attached at **Appendix 2**
- 4.2 Parking in off street parking places can be regulated by Order to prevent misuse. Crime & disorder implications increase if an Order is not made and kept up to date and car parking cannot be regulated.
- 4.3 Any order regulating parking must be implemented in accordance with the provisions of the Road Traffic Regulation Act 1984, which includes consultation with the regulatory statutory bodies and members of the public. The process for introducing a new order is contained in the Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996.

### 5. Timetable for implementation

- 5.1 The proposed timetable is set out below:

|                                     |                                |
|-------------------------------------|--------------------------------|
| Report to MAT                       | 19 December 2017               |
| Report to Cabinet                   | 24 January 2018                |
| Consultation-4 weeks                | 9 February 2018 – 9 March 2018 |
| Evaluate representations            | 12 March – 22 March 2018       |
| Implementation of new parking order | 1 April 2018                   |

**Background papers: Current Parking Order 2016**

**Appendices:           Appendix 1 proposed Parking Order 2018**  
**Appendix 2 Equality Impact Assessment**