

Cabinet

28 September 2016



Title	Spelthorne Borough Council (Off-Street Parking Places) Order 2016		
Purpose of the report	To make a Key Decision		
Report Author	Sandy Muirhead		
Cabinet Member	Councillor Tony Mitchell	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	<ul style="list-style-type: none">• To implement the Spelthorne Borough Council (Off-Street Parking Places) Order 2016 to introduce the proposals in 2.1 (a to f).• To authorise the Group Head for Commissioning and Transformation, in consultation with the Head of Corporate Governance, to consider and address any objections arising from the public consultation.		

1. Key issues

- 1.1 Income from our car parks is a significant part of the Council's budget. In 2015/16 the outturn income received from parking services, excluding on-street enforcement, was £2,149,783 compared to the budget estimate of £1,986,800. There are potentially significant annual fluctuations mainly due to season ticket sales, which can vary depending on company uptake and when companies leave the Borough or redesign their requirements.
- 1.2 However, there also needs to be a number of amendments to the Off Street Parking Orders over and above parking charge increases, which provides us with the ability to enforce restrictions or introduce revised charging regimes such as weekly season tickets.
- 1.3 Additionally as the sale of Bridge Street is progressing well we need to remove the car park from the Order.

2. Options analysis and proposal

- 2.1 It is proposed that the Spelthorne Borough Council (Off-Street Parking Places) Order 2016 will introduce the following amendments:-
 - a) Remove Bridge Street from the Off Street Parking Order to allow the site to be "free" from any restrictions for development.
 - b) Extend the boundary of the Riverside Surface Car Park. There is a small stretch of road between Riverside Surface car park and Riverside

Underground car park which despite having double yellow lines, cannot be enforced as it is not covered by the existing Parking Order. As the land belongs to Spelthorne, it is proposed that the area is included within Riverside Surface car park so the yellow lines can be enforced to stop illegal parking, which can restrict access to the church and the Riverside Underground car park.

- c) Introduce a weekly season ticket to Kingston Road car park. Kingston road car park is quite well used by commuters so it is proposed that a weekly season ticket option is introduced to encourage usage and provide a better service for customers. We currently only have 3, 6 or 12 month options. The cost of a weekly ticket (Monday to Friday) will be £35.
- d) Since Bridge Street is closing we have allowed the market traders vehicles to use Elmsleigh surface car park but the existing Parking Order does not currently cover the charge that they have been paying. So it is proposed that the order specifies a £7 payment per day for vehicles between 3.5 and 10 tonne on market days (Wednesday, Friday and Saturday) and on any special market based events e.g. Italian or French markets.
- e) With the closing of Bridge Street it was necessary to provide 22 contract spaces in Riverside Underground car park for the Strata building agreement. The Riverside Underground car park has mixed usage and to ensure the spaces are kept free we need to be able to patrol the car park and enforce. However, historically as this car park has only been used by the public on Saturdays, the existing Parking Order just relates to enforcement on this day. It is therefore, proposed that the order is changed to allow 7 day enforcement of the car park so we can manage the contract parking spaces. The car park is also being lined (so spaces are clearly marked who they are assigned to) and the exit and entry barriers fixed so only “bona fide” users have access.
- f) In July we were notified by the Traffic Enforcement Centre (TEC) that an order had been approved by Parliament to increase fees for registration at the Traffic Enforcement Centre from £7.00 to £8.00 (debt registration is part of the notice processing of penalty charge notices if they are not paid in the early stages). Approval was given by Parliament on 20/07/2016 and the amended fees order came into effect from 25/07/2016. For Spelthorne Borough Council to be able to introduce this we need to update the Parking Order and hence its inclusion in this report. Details are provided including amendments in Appendix 1.

2.2 If Members are minded to agree with the recommendations and proposals, the Council will be able to enforce more effectively. Whereas the alternative will inhibit the Council’s ability to charge and enforce in some areas.

2.3 It is proposed that Members approve the implementation of the Spelthorne Borough Council (Off-Street Parking Places) Order 2016 in line with the proposals set out in the report.

3. Financial implications

3.1 Financial implications are limited in terms of increase in income but the better management of areas and ability to enforce will provide a very modest positive effect on income.

4. Other considerations

4.1 The proposed Parking Order should have equal impact on residents and visitors in terms of equality and diversity.

5. Timetable for implementation

5.1 28 September 2016 – Cabinet decision

October – 4 week public consultation

November - Consideration of objections

November – 4 week public consultation

December – Order implemented

Background papers: None

Appendices: - Schedule 9 Penalty Charge Notices

Appendix 1 Schedule 9 Penalty Charge Notices - amendments

SCHEDULE 9 PENALTY CHARGE NOTICES Article 51 - Penalty Charges

	Charge to be paid if higher level contravention as detailed in the Civil Enforcement of Parking Contraventions (Guideline on Levels of Charges) (England) Order 2007	Charge to be paid if lower level contravention as detailed in the Civil Enforcement of Parking Contraventions (Guideline on Levels of Charges) (England) Order 2007.
Payment received by Spelthorne Borough Council after 14 days of the date on which the Penalty Charge Notice was issued (The Discounted Penalty Charge).	£70.00	£50.00
Payment received by Spelthorne Borough Council within 14 days of the date on which the Penalty Charge Notice was issued.	£35.00	£25.00
Remains unpaid after 56 days from date of issue	Increase original notice by 50%	Increase original notice by 50%
Remains unpaid after 70 days from date of issue	Increase further the increased notice by £5.00 debt registration fee*	Increase further the increased notice by £5.00 debt registration fee*

Informative: The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) (Order) 2007 specifies that authorities outside London with civil enforcement powers must issue two different levels of penalty charges in their area higher and lower. What constitutes a higher and lower offence is detailed at Table 2 in the above mentioned Order.

* - The debt registration fee is set by Parliament. Consequently, any increase to the fee is outside of the Council's control. The current fee is £8 (as of 25 July 2016) but this may change from time to time.