

Cabinet

22nd January 2020

Report of: **Portfolio Holder for Growth and Prosperity**

Melton Borough Council (Off Street Parking Places) Order 2020

1.0 Corporate Priority:	Decision Type:
1.1 PL2 - Developing a thriving town centre and rural offer	Key Decision
1.2 OG3 - Becoming a more agile and commercial council; securing our financial future	

2.0 Summary:
2.1 Following a period of public consultation, undertaken as part of the wider Corporate Strategy consultation, this report highlights key proposed variations to the proposed Off Street Car Parking Order. The changes respond positively to the public consultation and the financial implications support the development of the draft budget and Corporate Strategy due for consideration by Council in February 2020. The report sets out the implications associated with the proposals and seeks approval on the recommendations outlined in Section 3

3.0 Recommendations
That Cabinet
3.1 Approve the draft Melton Borough Council (Off Street Parking Places) Order 2020 as shown at Appendix 1 and the commencement of statutory consultation
3.2 Delegate authority to the Portfolio Holder for Growth and Prosperity to consider and address any objections and amend the proposed Order if necessary following statutory consultation.
3.3 Note that any additional income received from the two additional chargeable parking bays at St Marys Way shall be used to fund initiatives in support of the Council's declaration of a Climate Emergency

4.0 Reason for Recommendation:
4.1 The above recommendation has been made due to the following: <ul style="list-style-type: none"> To ensure the order and charging schedule is reasonable and proportionate for residents and visitors to Melton Borough. To ensure the content of the parking order enables proper enforcement within MBC owned car parks. To cover the increasing costs of car parks to the Council following the freeze in prices over the last 4 years.

- To enable the introduction of cashless payment systems throughout Council owned car parks increasing choice for residents and visitors.

5.0 Alternate Options Considered

- 5.1 An alternative option is not to vary the terms of the current Order. This is not considered a preferable option as charges have not changed for four years and as it is prudent to review the Order on a regular basis and ensure that it meets the needs of the Council and customers. Under section 55 of the Road Traffic Regulation Act 1984 there are a number of areas that income from car parking can be used to cover after allowing for the cost of provision. Currently income after the costs of the car parks is covered is insufficient to cover these costs. Raising the charges helps to rebalance funds and ensures the council can meet its obligations in supporting both off street parking and wider council responsibilities.
- 5.2 The public consultation provided a number of options for changing car parking charges. Having considered the feedback from the consultation and associated implications, the following options are not recommended:
- The continuation of premium charging on Tuesdays. This option was rejected as only 25% of respondents were in favour of keeping it, with 75% preferring consistent charging throughout the week.
 - The introduction of a 20p charge for the 20 minute bays in St Mary's Place. This option was discounted as 83% of respondents were against the introduction of this charge
 - The introduction of a 20p charge for overnight and Sunday parking in St Mary's place. This option was discounted as over 70% of respondents were against the introduction

6.0 Report Detail

- 6.1 The Council is able to control parking within its administrative area through the production of an Off Street Parking Places Order "the Order" under the Road Traffic Regulation Act 1984.
- 6.2 As part of developing its budget for 2020/21 and a new Corporate Strategy 2020-2024, the Council has given extensive consideration to its priorities and how to finance them. It has also reviewed all its charges to ensure sufficient income is generated and costs covered. There are currently service costs that car parking income can be used to meet that due to the level of car parking income are being met from general council tax. Car parking charges have also been frozen for the last four years and therefore it is timely and necessary for these to be reviewed.
- 6.3 As part of the public consultation to support the Corporate Strategy development, a series of questions in relation to car parking charges were asked. It was recognised that additional income could be generated to address the service costs that could be met from car parking income with the consultation focussing on how best to achieve this.
- 6.4 Having reflected on the consultation feedback, 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.

- 6.5 Due to the number of changes proposed to the existing order, a new Off Street Parking Places Order is proposed to implement these changes and produce a comprehensive and up to date order.

- 6.6 A copy of the new order indicating the proposed changes to be made is attached at Appendix 1. The key changes that members should consider are set out below.

6.7 **Increase in Charges**

Following the freeze in prices it is proposed to increase car parking charges so as to allow for those services that can be met from car parking income to be covered. Within the current Order, the charges payable on Tuesdays are significantly more than on other payable days, Through the public consultation it is clear that residents do not like differential pricing and therefore to respond positively to the consultation, remove the unpopular Tuesday premium and simplify pricing structures it is now proposed to have consistent charges for all chargeable periods.

The cost for the proposed season tickets is set out in Schedule 1 of the proposed Order (provided within Appendix 1) and has increased both in line with the increased fees proposed within the Order and to ensure that increased administrative costs are taken into consideration.

6.8 **Introduction of Cashless Payments**

Cashless parking payments are an increasingly desirable attribute during the mobile and digital age. With the consultation a significant majority expressed their views that it would be a welcome function within the Borough. As well as being convenient, cashless payments will reduce the risk of receiving a Penalty Charge Notice as customers can receive a reminder text before their ticket expires. Such an alternative payment method is considered to be a good approach to ensuring that those persons who find it difficult to pay at payment machines are able to access parking over 3 hours in the Council car parks.

It is proposed that the Council will trial a cashless payment system for a year following which a review will be undertaken as to whether the Council wishes to permanently introduce the function.

6.9 **Prevention of School Buses at Wilton Road Car Park**

The Council currently supports Melton as a tourist destination through the allocation of coach parking within the Wilton Road Car Park. Working with our partners to promote Melton and increase tourism continues to be a corporate ambition for the Council. School buses currently use the allocated coach parking to drop children off in the morning and afternoon at nearby schools, however some park in between these periods which prevents coaches from parking and bringing tourists into the town centre. The Order as attached at Appendix 1 will prevent parking by school buses in the allocated coach parking area.

6.10 **Prohibition of vehicles other than Hackney Carriages parking in taxi rank (opposite toilets on Wilton Road)**

Following complaints the Order will specify that no vehicles other than Hackney Carriages will be able to park in the taxi rank and signage will be updated as

necessary.

6.11 Bi-annual review of season tickets

It is considered prudent to review bi-annual season tickets bi-annually to ensure that the costs are reasonable and proportionate.

6.12 Electric Charging Bays at Burton Road

The Council declared a Climate Emergency in July 2019 and is committed to becoming carbon neutral by 2030. It has recently established a Climate Change Working Group in order to support the Council's focus on climate change. The Council supports the declaration by allocating two electric charging bays within the Burton Street car park which are payable. The proposed Order would include a variation to ensure that only electric cars are able to park in the designated bays.

6.13 Increase of two chargeable parking bays in St Marys Carpark

Within the current Off Street Parking Places Order, there are eight parking bays that are allocated for free 20 minute parking. Following the introduction of free 30 minute on street parking bays in the Snow Hill area and in order to provide additional bays to those customers who wish to park for a longer period of time whilst visiting the town, it is proposed that these be reduced to six. In support of the Council's commitment to supporting climate change, any additional income arising from the additional charging bays shall be ring-fenced to supporting any initiatives that are recommended by the Climate Change Working Group. It is anticipated additional income will be approximately £2,000.

6.14 Blue Badge Holders

There are no proposed changes to charges for Blue Badge holders and they will therefore continue to receive three free hours in both short and long stay car parks.

6.15 Cattle Market Car Parks

These are currently outside of the car parking order following closure and removal of pay and display in 2016. A proportion of the income from the car parks is determined with the Gilstream Agreement. It has been pricing strategy to align the parking fee at the cattle market with our long stay pricing in the pay and display car parks. Discussions will be held with Gilstream to enable this to continue following the changes to our long stay pricing structure as a result of this change to the order.

6.16 Motorcycle parking

Motorcycles are currently provided free parking in designated motorcycle parking bays in Wilton Road, Chapel Street and St Mary's Car park. At the moment if the designated motorcycle bays are full Motorcyclists are able to park in car parking bays free of charge as MBC do not currently provide facilities for Motorcyclists to display payment tickets. Due to the introduction of the cashless payment systems it is proposed that any motorcyclist parking in a car parking bay will be expected to pay for the allotted time they use. Motorcyclists who are unable to use cashless payments will be expected to provide their own mechanism through which to display a ticket on their vehicle.

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| 7.1 | Options for variation to the Order were informally tested with key stakeholders (Business Improvement District, Melton Mowbray Town Estates and key tourism partners). 3 responses were received and have been used to inform the options presented as part of the consultation process. |
| 7.2 | Significant public consultation has been undertaken and feedback considered as part of the proposals being presented to members. A full analysis and documentation of responses to this survey are provided as Appendix 2. |
| 7.3 | This consultation received extensive local coverage across multiple media platforms and led to 253 responses being received. |

8.0 **Next Steps**

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| 8.1 | The Council will commence statutory consultation. 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. It is anticipated that any changes to car parking charges as a consequence of the new order will be implemented from April 2020. |
| 8.2 | Once the new parking charges have been put in place a yearly review will be undertaken to look at whether cashless payments have been a welcome introduction and to identify if there had been any unexpected implications to either increasing car parking charges (pushing people to use residential parking) or cashless payments system (reduction in fines received). This will be reported back to members and determination shall be made whether to implement permanently. |

9.0 **Financial Implications**

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| 9.1 | It is predicted that the introduction of these charges will generate an additional £150k a year and this has been built into the draft budget 2020/21 |
| 9.2 | Reduction of free car parking bays from 8 – 6 is likely to generate between £1500 - £1800 additional income which could be used from projects linked to the Council's climate emergency declaration |
| 9.3 | Whilst there are no direct costs to introduction of cashless payment system there could be the indirect impact of reduction in car parking related fines due to residents receiving warning messages when allotted time is about to run out and also the ability to top up whilst on the go |

10.0 **Legal and Governance Implications:**

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| 10.1 | The Council will be required to follow statutory processes to ensure the new car parking charging schedule can come into force as of the 1 st April 2020 |
| 10.2 | Once Cabinet have agreed the terms of the Order it has to be processed in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 as follows:- <ul style="list-style-type: none"> • To consult on the draft order by publishing at least once in local newspapers a notice which must contain specific particulars including charges and restrictions for use in terms of times or classes of vehicle. The documents must also be made available and a period of 21 days from the date of first publication must be given for representations, objections or other statements to be made in writing |

- Consultation by other appropriate means must be considered to ensure that adequate publicity about the Order is given to those likely to be affected by its provisions. This may involve notices being displayed on site or delivery of Notices or letters to premises likely to be affected by any provision of the Order.

In this case notices on site and to any properties immediately adjacent to the car park would seem to be appropriate.

- A statement of reasons for the new Off Street Car Parking Order must be provided.
- A copy of the notice of proposals must also be sent to the Freight Transport Association and The Road Haulage Association

10.3 Any response to the consultation will be considered by the Portfolio Holder and any necessary orders will be made subsequently through the delegation set out in the recommendations.

10.4 Within 14 days of making the order it has to be published again in local newspapers stating that the order has been made, the date the order is to come into force and that if any person wishes to question the validity of the order or of any of its provisions or that any requirement of the Road Traffic Regulation Act 1984 has not been complied with, that person may within six weeks from the date on which the order is made apply for the purpose to the High Court.

11.0 Equality and Safeguarding Implications:

11.1 None – no reduction in space availability or increase in charges for blue badge holders in affected car parks

11.2 Increase in car parking charge may affect some users of car parks who park there all day for work purposes – this will be mitigated through extensive promotion of monthly, 6 monthly and yearly passes where significant savings against the day rate can be realised. The feasibility of taking monthly direct debit charges for the annual passes to spread the cost of the annual passes was looked into by officers but was identified that MBC did not have the necessary payment functionality to enable this process to take place easily.

12.0 Community Safety Implications:

12.1 None

12.2

13.0 Other Implications

13.1 Some concerns have been raised by residents identifying that this increase in prices could push car park users to use the residential areas where car parking is free. This will be monitored over the course of the year after the fees have been introduced and any issues raised to members for consideration

13.2 Also some concerns around potential affect of car parking increase on vitality of the town centre area. Significant monitoring of town centre vitality takes place on a monthly basis and any unexpected changes which could be due to introduction of car park increases will be raised to senior officers and members for

consideration.

14.0 Risk & Mitigation:

14.1 [Identify what the risk is and how you will mitigate this risk.]

14.2	L I K E L I H O O D	A	Very High				
		B	High				
		C	Significant	2			
		D	Low				
		E	Very Low			1	
		F	Almost Impossible				
				Negligible 1	Marginal 2	Critical 3	Catastrophic 4

IMPACT

Risk No	Risk Description
1	Budgeted income not realised due to impact on car park occupancy – would look to mitigate through continued investment in town centre to ensure there is an strong offer to attract people to the area and use car parks
2	Reputation damage/ impact – this would be mitigated through a full and in-depth communications plan which will be developed along side the car parking order.

Background Papers:

none

Appendices

Appendix 1 – Draft Melton Borough Council (Off Street Parking Places) Order 2020 and associated schedules
Appendix 2 – Full analysis of consultation responses


Report Timeline:

Date of sign-off: (initials and date)

Equalities Check & Challenge

N/AThe Portfolio Holder for Growth and Prosperity to submit a

		report highlighting key variations to the proposed Off Street Car Parking Order and setting out the implications associated with the proposals. Appendix 1 is to follow.
	SLT Sign off	N/A
	Previously Considered by Cabinet	N/A
	Director Approval	14.01.20 PP
	Legal Approval	13.01.20 KS
	Finance Approval	14.01.20 DG
	Chief Finance Officer Sign Off	14.01.20 DG
	Monitoring Officer Sign Off	14.01.20 AWy
	Consultation with Portfolio Holder	14.01.20 LH

Report Author
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