

	REPORT TO CABINET TO BE HELD ON 11 SEPTEMBER 2018	
	Key Decision	No
	Forward Plan Ref No	22
Corporate Aims: place, prosperity, council	Cabinet Portfolio Holder Leisure	Cllr Martin Smith

REPORT OF DIRECTOR (LD) – 18/193

WARDS AFFECTED: ALL

**SUBJECT: OBJECTIONS TO THE PROPOSED INTRODUCTION OF
RESIDENTS PARKING CONCESSIONS ON OFF-STREET CAR
PARKS IN THE BOROUGH**

RECOMMENDATION (S):

Cabinet are recommended to

1. consider the objections raised to the proposed introduction of resident parking concessions and winter charging; and
2. consider whether to implement the proposed changes with effect from 1 November 2018

REASON FOR RECOMMENDATION (S):

To provide Residents Parking concessions on the Borough Council's Off Street Car Parks and to encourage usage and longer stays to help support the local economy

HIGHLIGHTED RISKS:

Failure to approve the recommendation could have an adverse effect on the local economy and encourage shoppers to drive to other towns and cities.

1. INTRODUCTION

1.2 This main purpose of this report is to assist Cabinet in making a decision on the matter by providing the full details of the objections received to a Statutory Notice and providing officer comments in response to the main issues. The report also outlines the recent action leading up to this report. It is recommended that members read Report of Director (LD) 18/129 in conjunction with this report.

2. BACKGROUND AND ISSUES

2.1 The Portfolio Holder for leisure considered a report on 13 July 2018 from Director (LD) 18/129 to approve the advertising of a Statutory Notice for public consultation with regard to the introduction of Residents' Parking Concessions as detailed in the report.

2.2 The Cabinet Member's decision was called in for scrutiny pursuant to Section 4.6 of the Constitution, Additional Overview and Scrutiny Committee Procedure Rules, paragraph 10 (v) and considered at the Overview and Scrutiny Board on 4th of July 2018.

2.3 The O&S Board made two recommendations:

- (i) that the Portfolio Holder reconsiders his decision to enable consultation with the Car Parking Working Group and the O&S Board;
- (ii) the proposal that in future, all Car Parking Working Group matters come to the Overview and Scrutiny Board before the Cabinet, be referred to the Governance Working Group for consideration

2.4 At a meeting of Cabinet on 17 July 2018 an oral report on the progress of Scrutiny of Executive Decisions was reported and resolved that the Cabinet:

- (i) confirm the original Leisure Portfolio Holder decision dated 13 June 2018; and
- (ii) refer the proposal that in future all CPWG matters come to the O&S Board before the Cabinet to the Governance Working Group for consideration, in addition to the broader issue of the working of the CPWG.

2.5 Subsequently the statutory advertisement to introduce the resident parking concessions was placed on 27 July 2018.

2.6 Following advertisement of the proposed changes six (6) letters have been received in relation to the changes to the Traffic regulation order to allow resident concessions in off street car parks. Appendix A sets out a summary of all the comments received, together with officers' observations.

2.7 A copy of the correspondence received can be found in Appendix B of this report. Any further correspondence received after the preparation of this

report will be submitted at the meeting.

- 2.8 As an amendment to a Traffic Regulation Order is required the County Council have been notified of the proposed changes as required by legislation, at the time of writing this report no objections have been received.

3. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 3.1 The parking function relates to the following Corporate Aims:

Environmental sustainability through, means including reducing carbon emissions

Ensure our services provide value for money

Develop Sustainable Tourism which is of high quality, varied and is all year round

5. CONSULTATION

- 5.1 Statutory consultations have been carried out to progress the amendment to the Traffic Regulation Orders (TROs) proposed.

- 5.2 Proposals for TROs are circulated directly to interest groups, e.g. all Emergency Services, Road Hauliers Association, Public Transport providers, NYCC etc. as a matter of course. It is also a legal requirement that TRO proposals must be advertised in the local press and notices placed on site to allow a minimum of 21 days for interested parties to comment upon or object to the proposals.

- 5.3 In addition Public Notices were placed on the Scarborough Borough Council Website thus giving the opportunity to object online.

6. ASSESSMENT

- 6.1 A detailed assessment and response is given to each of the objections comments in Appendix A.

7. IMPLICATIONS

(a) Policy

- 7.1 There are no changes in overall Council policy arising from the proposals in this report.

(b) Financial

- 7.2 The Financial Implications will include the signage on the car parks where motor caravans are to be prohibited. In addition a small cost will be attributed to enforcement of the said restriction out of hours.

(c) Risk
7.3 See Appendix.

(d) Legal
7.4 The Council as agents for the County Council has powers under the Road Traffic Regulation Act 1984 to make relevant orders. A statutory Notice of making will be required.

(e) Staffing
7.5 Additional cash collections will be required in the winter months which can be accommodated through existing resources.

(f) Other
7.6 I have considered whether the following implications arise from this report and I am satisfied that there is no identified adverse implication that will arise from the decisions:

Planning
Crime and Disorder
Health and Safety
Environmental
Equalities and Diversity

8. ACTION PLAN

Purchase of software and signage Sept 2018

Publicity of scheme October 2018

Implementation of amended Traffic regulation Order – 1 November 2018



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Background Papers:

Report 18/129 13 June 2018 the Cabinet Member for Leisure

Call in of an Individual Cabinet Member Decision: proposed introduction of Residents' Parking Concessions on Off Street Car Parks in The Borough

Minutes Item 5 – Progress of scrutiny and executive decisions. Cabinet 17 July 2018

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT JANE WILSON ON 01723 383582 e-mail jane.wilson@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	September 2018	Failure to introduce resident concessions	Reduction in use of car parks by residents resulting in migration of On Street parking or other nearby shopping towns	Adopt proposals in the report	C3	B3	S Clark	As detailed in report
2	September 2018	Failure to introduce Winter Charging	Result in Council being unable to achieve a balanced budget and to finance a Residents Scheme	Adopt proposals in the report	C3	B3	S Clark	As detailed in report

Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
		Likelihood				

Likelihood:

A = Very Low
 B = Not Likely
 C = Likely
 D = Very Likely
 E = Almost Certain

Impact

1 = Low
 2 = Minor
 3 = Medium
 4 = Major
 5 = Disaster

Appendix A

Objector Comments	Officer Comments
<p>The introduction of residents tariff is overly complicated which will cause confusion and an increase in parking tickets</p>	<p>Other local authorities successfully administer resident discount schemes, most noticeably York Council. Signage will be displayed adjacent to the pay and display machines explaining the tariffs. Information will also be provided to residents upon purchasing the permit and on the Councils Web site. Publicity surrounding the scheme will be widely available prior to commencement</p>
<p>The reduction is so insignificant as to offer a noticeable benefit</p>	<p>Users of the car parks will benefit from between a 30p and £1 reduction on shorter stay tariffs. Regular users will see a benefit after purchasing 10 tickets. This is after less than 1 visit per month.</p>
<p>The visitor increase is punitive</p>	<p>There is a 10% increase on current charges of 1 to 4 hour tariffs only. Visitors generally opt for longer stays which will remain unchanged. We will still remain competitive with other tourist destinations.</p>
<p>The scheme is unlikely to produce the results The Council are expecting.</p>	<p>The Council aim to encourage longer stays and offer a benefit to the residents of the Borough and are confident the resident concession scheme will achieve this.</p>
<p>Free winter parking supports many hospitality businesses / is mean spirited / unwelcoming/damaging to reputation.</p>	<p>There is no evidence to support this assertion. Officers see members of the public approaching machines expecting to pay in the winter months. It is considered that a charge of £1 for 24</p>

Objector Comments	Officer Comments
<p>The introduction of a winter charge will result in empty parking machines having to be emptied</p> <p>There will be additional costs in setting up and running such a scheme</p> <p>Locals don't want to , and <i>currently</i> often don't have to use the designated car parks</p> <p>Object to the time limit attached to the 2018 Amendment and its implementation during 'Scarborough's Spa Slope Stabilisation Scheme' (SSSSS).</p>	<p>hours parking is not unreasonable. As an comparison , East Riding Council currently charges £2.90 for daily parking in our neighbouring town of Bridlington</p> <p>Software within the pay and display machines supplies real time information on monies within the machines to allow targeted collection. The collections can be covered through existing resources.</p> <p>The costs associated with offering resident concession have been considered and the scheme can be self-financed, if approved as advertised.</p> <p>Surveys taken on car parks show that residents of the Borough are regular users of the car parks</p> <p>The Council follow statutory procedures for public consultation, namely The Local Authorities' Traffic Orders (procedure) (England and Wales) Regulations 1996. (LATOR)</p> <p>The order making authority shall before making an order publish at least one notice in a newspaper circulating in the area to which the order relates is situated and take such steps as it may consider appropriate for ensuring adequate publicity</p> <p>The Public notice appeared in the Scarborough Review and the Whitby Gazette, on the Councils website from 27 July https://www.scarborough.gov.uk/home/parking/public-notices</p>

Objector Comments	Officer Comments
<p>Ambiguous parking rules and conditions</p>	<p>and on each affected car park from 26 July which allowed for the Statutory 21 day advertising period. Any additional objections would be considered outside of this period up to the writing of this report or verbally at the Cabinet meeting.</p> <p>The proposed scheme has previously appeared in the Scarborough News and the report approving the statutory consultation period is available on the Council's web site. Therefore information is widely available</p> <p>The (LATOR) requires that deposited documents should be made available for inspection at the principal offices of the authority during normal office hours. Whilst there is no legal requirement for documents to be available on line The Council accepts that this is an appropriate option to offer.</p> <p>There is no conflict between offering a residents discount scheme and the current Scarborough's Spa Slope Stabilisation Scheme</p> <p>This objection refers to On Street Parking which is the responsibility of North Yorkshire County Council who are the highways authority. This is not relevant to the proposed off street scheme.</p>