

**Cheltenham Borough Council****Cabinet – 19<sup>th</sup> July 2005****Review of Parking Charge Dispensations****Report of the Deputy (Built Environment and Democracy)****1. Executive Summary and recommendation**

**1.1** The Council allows certain organisations and individuals to park on street and in its car parks for free or at a discounted rate. A review of these concessions was recommended in the Report of the Parking Solutions Working Group to Environment Overview & Scrutiny Committee in October 2003, which was approved by Cabinet in November 2003.

**1.2** The working group has identified and reviewed all known cases where preferential parking is provided by the Council. This report sets out its findings and makes recommendations to ensure that dispensations from parking charges are only agreed where they support land use planning, transport and corporate priorities, and that there is reasoned justification and clear set of criteria in each case.

**1.3 I therefore recommend that:**

**1.3.1 Cabinet approves the revised list of those eligible for parking charge dispensation, and the terms and conditions, in Appendix A;**

**1.3.2 Cabinet delegates authority to the Assistant Director (Integrated Transport), in consultation with the Deputy Built Environment & Democracy, Deputy Exchequer and section 151 officer, to amend and withdraw parking charge dispensations to ensure that policy and charges are kept up to date annually and are operationally effective;**

**1.3.3 changes to permit eligibility and terms and conditions are made with effect from 1<sup>st</sup> January 2006 except where otherwise indicated.**

**1.4 Summary of implications**

**1.4.1 Financial** It is important that the council has systems in place to ensure that parking charge dispensations are well managed as these have a financial value. Where charges are made these must be documented with reasoned justification.

- 1.4.2 Legal** A review of the various on-street and off-street parking places orders will require legal resources. Orders pursuant to Sections 32 and 35 of the Road Traffic Regulation Act 1984 in respect of off-street parking places and Sections 45 and 46 of that Act in respect of on-street parking places will be required. Such orders may be made under the authority delegated by Cabinet to the Assistant Director Integrated Transport.
- 1.4.3 Human Resources** The implementation of Single Status provides an opportunity to review terms and conditions of employment including parking permits for Council staff.
- 1.4.4 Equal opportunities, social justice and anti-poverty** This review has highlighted inequalities in the system. A precedent can be set if one organisation receives dispensation from parking charges and there are others who can reasonably expect to be treated in the same way. It is therefore important to ensure that decisions are based upon clear, documented and approved systems and reasoned justification.
- Where new or higher charges are introduced these will be phased in over more than one year so that any changes are more manageable for those affected.
- 1.4.5 Environmental** Dispensation from parking charges should support, and not undermine, the Council's approved policies in the Local Plan and the Local Transport Plan. The availability of free parking undermines efforts to manage traffic growth and reduces incentives to car share or use more sustainable modes of transport.

## **1.5 Links to Business Plan and Corporate Objectives**

- 1.5.1** One of the objectives of this review is to ensure that parking charge dispensations complement the council's sustainable transport and planning policies. In the Business Plan corporate priority number 4 is to promote sustainable transport, largely through implementing policies in the Local Transport Plan and Local Plan.
- 1.5.2** A further objective is to put in place formal processes and controls to manage parking charge dispensations. This supports corporate priority number 7, to deliver high quality services.

## **1.6 Statement on Risk**

- 1.6.1** Integrated Transport service risk assessment, item F5 (parking charge exemptions), initial risk score 15 (3 x 5).
- 1.6.2** By comparison with other local authorities the council provides a higher number and more diverse range of discretionary parking concessions. Currently there is little evidence of approved upper limits on permit allocations or controls on the usage of concessions. With demand for discounted parking increasing it is therefore prudent

for the Council to review existing arrangements to ensure that the council has systems in place to manage its financial exposure.

- 1.6.3** By implementing the recommendations of this report the residual risk should decline to 6 (2 x 3), reflecting the introduction of a managed approach.
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## **2. Introduction**

- 2.1** The Council owns and manages most of the off street public car parks in the town and, as agent for the local highway authority, Gloucestershire County Council, it also has delegated authority to manage on street parking. The council is responsible for setting the parking charges that apply to its car parks. The County Council, usually in consultation with the Council, sets charges for the town centre on-street pay and display zone. The administration of on and off street car parking and parking permits is carried out by the Integrated Transport division.
- 2.2** In 2002 Environment Overview & Scrutiny Committee established the Parking Solutions working group to conduct a review of key parking issues in Cheltenham. The group comprised Cllr Mrs Hibbert, Cllr Mrs Franklin, Cllr Garnham, the Assistant Director Integrated Transport, the Transportation Manager and Parking Manager. Its report to Committee in October 2003 made several recommendations including pursuing decriminalised parking enforcement, investing in the town's car parks and reviewing permits and parking charge concessions. In November 2003 Cabinet supported these recommendations and authorised further work to implement them.
- 2.3** The Parking Solutions Group has continued to meet since then, providing a steer to assist officers in implementing the recommendations. Progress has been reported to Environment Overview & Scrutiny Committee on several occasions.
- 2.4** Over the past year the working group has focused on a review of parking charge dispensations. Cllr Chaplin has taken the place of Cllr Garnham and a new Parking Manager has been appointed.
- 2.5** During the course of this review it became apparent that over the years many one off decisions have been taken to provide individuals and organisations with parking charge dispensation. Clear records have not been kept and, until now, there has never been a comprehensive list from which to make comparisons and determine the cumulative effect of these decisions. This has created operational and policy difficulties for officers responsible for administering the allocation and renewal of parking permits.
- 2.6** Furthermore several significant changes have taken place since the introduction of most of the parking charge dispensations. These include:
- growth in traffic levels and parking on Cheltenham's highway network;
  - new sustainable transport policies which seek to restrict the availability of free parking in accessible locations, and encourage local authorities to introduce parking charges to encourage sustainable travel and stem traffic growth.
  - the introduction of sustainable land use planning policies which encourage higher density development and set maximum rather than minimum levels of private

parking – this has encouraged on-street parking;

- a substantial increase in the number of blue badges issued;
- the expansion of Sunday shopping and demand for parking by shoppers and employees – Sunday is now the second busiest trading day for retailers in Cheltenham town centre; and
- the introduction of Pay on Foot/Exit parking in place of Pay and Display at Regent Arcade Car Park.

**2.7** Together these changes have placed additional demands upon the highway network and the Council's car parks. The Council's priorities for managing the highway and its car parks have had to change to reflect and address this challenge. It is therefore appropriate that it reviews its justification for providing dispensation from parking charges to ensure that it is relevant in the current operational issues and policies.

### **3. Proposed Changes to policy and practice.**

**3.1** This section summarises the changes proposed to parking dispensation in Cheltenham. Each case has been reviewed on its own merits as well as in the context of other concessions, approved council and national policies and the Council's Business Plan.

#### **A consistent approach**

**3.2** The Council provides a diverse range of parking concessions to various groups but there is no historical evidence of a consistent approach to entitlement. A consistent approach is required so that new rules can be provided to officers and members of the public with clear guidance in key areas. These are:

- who is entitled to parking charge dispensation and why?
- where and when are the permits/concessions valid?
- what is the charge, how is it administered and when is it reviewed?
- how many permits are allocated.

**3.3** To address these points the following measures are proposed:

- a single document with details of all current parking concessions – Appendix A;
- off-street parking permits shall be valid in nominated public car parks for specified days and times (further details are set out in Appendix A);
- in 2006 and 2007 the maximum allocation of permits to be made available to eligible organisations listed in Appendix A shall be capped at the number issued to them in the previous calendar year;
- when new charges are introduced, or concessions terminated, the Council will endeavour to phase these in. This may be by steadily reducing the discount off the equivalent full charge paid by the general public (paying 30% in year one, 60% in year two and 100% in year three) or by restricting the concession to those

residents and tenants currently in receipt of the parking dispensation; see details in Appendix A; a phased approach will not automatically apply to individuals or organisations with access to alternative private parking facilities.

- all charges (details of which are set out in Appendix A) shall be reviewed annually to take account of inflation, other parking charges, approved council policies, operational and market conditions;
- where individuals receive permits or dispensation through their affiliation to an organisation listed in Appendix A then that organisation shall be responsible for purchasing permits from the Council on behalf of those individuals and for ensuring that the permits are used correctly.
- All chargeable permits shall be paid for in advance of being issued.
- The legal orders which set out the charges and exemptions for parking charges in Council car parks and on-street will need to be updated to reflect the changes.

### **Specific Cases**

#### **3.4 Blue badge disabled parking in Council car parks**

**3.4.1** The Council allows vehicles displaying a valid blue badge to park for free up to all day in its pay and display car parks and at Regent Arcade car park.

**3.4.2** Over the past year the Council has committed itself to making its car parks more accessible to disabled users in compliance with the Disability Discrimination Act. All its car parks have been surveyed and new disabled bays which enable wheelchair access are being provided in positions nearest to local amenities.

**3.4.3** At Regent Arcade car park disabled bays and 'parent and child' bays have been completed, together with new lighting and accessible parking equipment. The centre management has installed automatic doors to improve access between the arcade and the car park. Disabled bays have been marked in convenient locations at the Bath Terrace, St James' Street and High Street car parks. By the end of this year all the Council's car parks will have wheelchair accessible disabled parking bays.

**3.4.4** In September 2004 the council surveyed the blue badge use in its car parks. This showed that on a weekday 169 visits were made to its pay and display car parks and 26 to Regent Arcade car park. Longer term monitoring of disabled parking at Regent Arcade car park this year has since identified an average of 300 blue badge visits per week or 43 per day.

**3.4.5** Having fully considered this complex and sensitive matter as part of the Council's review of parking charge dispensation our recommendations are:

- to complete the programme of improving disabled access to Council car parks;
- to continue to provide free parking to blue badge holders using the council's pay and display car parks and Regent Arcade car park. In the future a review of blue badge disabled parking linked to access improvements and additional parking enforcement may need to be considered. In the event of a review a further report will be taken to Cabinet.

### **3.5 Religious groups**

- 3.5.1** The review has identified that 1000 annual Sunday parking permits are issued free of charge to religious organisations in the town centre. These are typically valid for three hours. This arrangement stems from introduction of Sunday charges more than ten years ago. The Parking Solutions working group has identified the need for a review in light of the popularity of Sunday trading, the introduction of evening parking charges and new transport policies which recognise that free parking undermines the Council's sustainable transport objectives.
- 3.5.2** Having considered these factors, and representations from several groups, the Parking Solutions working group and Deputy propose a practical, phased withdrawal of this concession, to apply equally to all religious organisations. Details are set out in Appendix A.

### **3.6 Farmers Market**

- 3.6.1** The Farmers Market takes place on the Promenade on two Fridays every month. It was established with the support of the Council to promote the local rural economy following the foot and mouth epidemic. For operational reasons market stall holders need to load and unload on the Promenade at the start and end of trading. This is efficiently managed to minimise disruption to pay and display spaces. During market hours stall holders are provided with free permits to park in North Place car park.
- 3.6.2** It is clear that the market makes a positive contribution to tourism, the local economy and the Council's sustainability objectives. It is therefore proposed that an administrative charge only be introduced to cover the provision of annual permits to stall holders. This is currently £12.50 per permit.

### **3.7 Social and Community groups**

- 3.7.1** In the last year the Crown Prosecution Service, Magistrates Court and Probation office purchased from the council some 4700 daily parking permits for St George's Road car park. The council recognises that these permits provide valuable flexibility to magistrates and others delivering these public services. However as the fee has not been reviewed since 2001 an increase is proposed to reflect changes in parking charges over the intervening period.
- 3.7.2** Crescent Bakery Surgery also purchases annual parking permits for St George's Road car park to assist with the efficient delivery of community health nursing services. As these spaces are only in use for short periods during the day a fee has been negotiated which is based upon cost of an annual permit for North Place car park. It is proposed that this arrangement continue in light of the support this arrangement provides to primary health care in the community.
- 3.7.3** Traffic Wardens have historically received free parking in St George's Road car park. It is proposed that this arrangement continue until the introduction of decriminalised parking enforcement, in recognition of the difficulties in providing this service within existing resources. An administrative charge only is proposed for the permits.
- 3.7.4** Citizens Advice Bureau has historically received 16 permits for its staff and volunteers. It has since relocated to premises with some 15+ private parking spaces. It is therefore considered reasonable to terminate this arrangement at the earliest opportunity by requesting that all issued permits be returned to the Council within 28

days of notification.

- 3.7.5** The Open Door community service receives free Sunday permits and permits for a week prior to Christmas. In common with other similar permits charges will be phased in by January 2008, with a 30% charge made in the first year.

### **3.8 Council staff & councillors**

- 3.8.1** Some 200 annual parking permits are issued for free to council staff, primarily to those working in the town centre. Some staff need to use a vehicle in order to carry out their work. It is proposed that parking permits for Council staff will be considered as part of the Council's implementation of Single Status, within a review of terms and conditions of employment. This will be subject to consultation with staff and unions and changes could take effect from April 2007.

- 3.8.2** Borough councillors are allowed to park in marked bays to the rear of the Municipal offices and in designated bays in Chapel Walk car park when carrying out council business. It is proposed that with effect from 1<sup>st</sup> January 2006 permits will be issued, if required, at the same cost as an on-street residents parking permit – currently £52 per annum. Spaces will be available on a first come first served basis in these locations.

### **3.9 Residents living near car parks**

- 3.9.1** The council has historically allowed residents living in designated streets to park in its car parks for the same charge as applies on-street in residents parking zones. This arrangement has been carefully studied by the Parking Solutions group and the Deputy as appears to contradict more recently approved transport and planning policies which aim to limit private parking at new development.

- 3.9.2** Officers report that residents purchasing property in these designated streets consider this to be a valuable commodity, probably worth much more than £52 per year. Investigations have revealed that some 47 permits are currently issued for use in one of the town centre's busiest car parks, at St James's street.

- 3.9.3** It is therefore proposed that the current arrangement be phased out to conform with planning policies and safeguard parking spaces for shoppers and visitors to the town centre. To achieve this in a way which will minimise disruption to existing residents charges will be increased in accordance with the terms set out in Appendix A. Only those people currently resident at eligible properties will be allowed to renew or purchase permits, at the new rates.

### **3.10 Businesses**

- 3.10.1** A few businesses are eligible to purchase annual permits to park in the Council's car parks, as set out in Appendix A. In the town centre the Council seeks to limit permit parking in shoppers car parks by offering annual parking permits for long stay parking in North Place and Grosvenor Terrace car parks. Having reviewed each case with Parking Solutions group the Deputy proposes to withdraw Henrietta Street business permits for High Street car park, as alternative parking is available in North Place car park.

- 3.10.2** No changes are proposed to existing arrangements with Bath Road businesses, Regent Arcade management and Stanford House where fees are currently

considered to be set at a market rate. However the number of permits issued will be capped at today's levels to safeguard parking spaces for shoppers.

### **3.11 St John's Primary School**

**3.11.1** Currently 100 free permits are issued to parents to assist with dropping off and picking up schoolchildren using St James' Street car park, next to the school. The Council recognises that a safe parking area is required and that nearby roads are less attractive. However there is a substantial cost in administering this service and the Council proposes to recover this by applying an administrative charge, which is currently £12.50 per permit.

### **3.12 Festival parking on-street.**

**3.12.1** The Council recognises the important contribution that festivals make to the town's economy and cultural provision. Historically it has supported Cheltenham Arts and Festivals Ltd with free on-street parking permits by providing some 541 permits valid for 3 to 17 days. However our review has highlighted significant administrative costs and the County Council, which is the Highway Authority, has identified that the borough council is not in a position to offer this concession without their prior agreement. Officers have advised Cheltenham Arts Festivals that new terms and conditions shall apply from 1<sup>st</sup> January 2006. Integrated Transport officers will facilitate negotiations with the County Council, which will be responsible for approving any changes.

## **4. Consultation**

**4.1** This review has been carried out by officers and members of the Parking Solutions working group in liaison with the Cabinet Deputy Built Environment & Democracy. Several meetings have been held over the past year to consider each case where there is dispensation from paying full parking charges. Progress reports have been taken to Environment Overview & Scrutiny Committee and the last report, in February 2005 identified that a report would be taken by Cabinet in June 2005.

**4.2** In administering the renewal of annual parking permits officers have written to religious organisations and explained to others that shorter term permits would be issued until the outcome of the review is known. Subsequently written representations have been received from Cambray Baptist Church, Crescent Bakery Surgery, organisers of the Farmers Market, Gloucestershire Constabulary traffic wardens, Holy Trinity Church and St Matthews Church. The Parking Solutions working group has reviewed these with officers and the Deputy.

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<b>Background Papers</b>	Parking Solutions report to Cabinet, November 2003. Last update report to Environment Overview & Scrutiny Committee, 28 <sup>th</sup> February 2005
<b>Contact Officer</b>	Philip Williams, Assistant Director Integrated Transport, 01242 264141, philip.williams@cheltenham.gov.uk
<b>Accountability</b>	Councillor John Morris
<b>Scrutiny Function</b>	Environment Overview & Scrutiny Committee