

**Cheltenham Borough Council**  
**Council – 16<sup>th</sup> December, 2019**

**Consideration of a petition entitled – ‘Keep Parking at Pittville Park Free!’**

<b>Accountable Member</b>	Cllr Andrew McKinlay, Cabinet member development and safety
<b>Accountable Officer</b>	Mike Redman, Director of Environment
<b>Ward(s) Affected</b>	All
<b>Significant Decision</b>	Yes
<b>Executive Summary</b>	<p>The following petition was received by Council on 16<sup>th</sup> September, 2019.</p> <ul style="list-style-type: none"><li>• Keep Parking at Pittville Park Free!</li></ul> <p>The petition was collated in two separate formats, one in writing using a form and the other using a different proforma which could be completed over the internet. These different forms are set out at Appendix 3.</p> <p>As the petition had a total in excess of 750 names/signatories, it is entitled to a debate at Council.</p>
<b>Recommendations</b>	<p><b>Council is recommended to:</b></p> <ol style="list-style-type: none"><li><b>1. Consider the submitted petition, having regard to the adopted ‘Process for dealing with petitions at Council’, as set out at Appendix 1;</b></li><li><b>2. Take no further action in respect of the petition, in light of the officer comments set out at Section 3 and action already agreed by Cabinet, following public consultation, to modify the original proposal to introduce charges at the Pittville Pump Room and Albemarle Gate car parks (see in particular paragraph 3.3).</b></li></ol>

<b>Financial implications</b>	<p>The recommended changes within the proposed new Parking Order are likely to generate some additional income to the Council, as we will be charging for some car parks that were previously free, however, this will be offset by the need for additional enforcement resourcing, therefore it is expected that overall, the changes will have a minimal impact on the Council's finances.</p> <p>If no charges were applied, but the same policy objectives were applied through enforcement, this would have a negative impact on the Council's financial position.</p> <p><b>Contact officer:</b> Andrew Knott, <a href="mailto:Andrew.knott@publicagroup.uk">Andrew.knott@publicagroup.uk</a> 01242 264121</p>
<b>Legal implications</b>	<p>The petition will be debated at Council in accordance with the Council's Petition Scheme. The petition will be considered in accordance with the Council Procedure Rules, varied in so far as is necessary to comply with the attached Process.</p> <p><b>Contact officer:</b> Sarah Farooqi, Head of Law (Litigation and Business Development), One Legal email: <a href="mailto:sarah.farooqi@tewkesbury.gov.uk">sarah.farooqi@tewkesbury.gov.uk</a> – 01684 272012</p>
<b>HR implications (including learning and organisational development)</b>	<p><i>None arising directly from the recommendations in this report.</i></p> <p><b>Contact officer:</b> <a href="mailto:clare.jones@publicagroup.uk">clare.jones@publicagroup.uk</a></p>
<b>Key risks</b>	<ul style="list-style-type: none"> <li>• If car parking provision is too plentiful and/or too cheap, this may lead to increased congestion, poorer air quality and a reduction in the use of more sustainable transport modes.</li> <li>• If car parks are of poor environmental quality, they will detract from the visitor experience of Cheltenham and impact on the town's reputation.</li> </ul> <p>See Appendix 2</p>

<p><b>Corporate and community plan Implications</b></p>	<p>The introduction of a charge for up to a 4 hour stay at Pittville car parks contributes to:-</p> <ul style="list-style-type: none"> <li>• <b>Achieving a cleaner and greener sustainable environment for residents and visitors</b> – the Parking Order review contributes to balancing car travel against other more sustainable transport modes, thereby helping to mitigate congestion, poor air quality and emissions contributing to global heating.</li> <li>• <b>Continuing revitalisation and improvement of our vibrant town centre and public spaces</b> – will discourage long stay and commuter parking which has been identified as an issue by local ward members</li> <li>• <b>Delivering services to meet the needs of our residents and communities</b> – will facilitate turnover of parking spaces, thereby allowing access by a larger number of residents and visitors</li> </ul>
<p><b>Environmental and climate change implications</b></p>	<p>The Council’s approach to parking charges is designed to optimise public access to the town and its services, whilst ensuring that the cost of access by car helps promote the use of alternative and more sustainable transport modes, including walking, cycling and public transport.</p> <p>This is supportive of the Council’s stated wish to progress towards carbon neutrality by 2030.</p> <p>Introducing parking charges is therefore considered to be a positive change in terms of carbon impact.</p>
<p><b>Property/Asset Implications</b></p>	<p>Car parking charges make a positive contribution to the upkeep of the Council’s property assets and associated staffing costs.</p> <p><b>Contact officer:</b> <a href="mailto:dominic.stead@cheltenham.gov.uk">dominic.stead@cheltenham.gov.uk</a> 01242 264151</p>

## 1. Background to the Petition Scheme

- 1.1 The Council’s Petition Scheme is designed to ensure that the public have easy access to information about how to petition their local authority and they will know what to expect from their local authority in response. Included within the Scheme is the requirement to have a full Council debate should a petition with 750 signatures or more be received.
- 1.2 The Scheme recognises that the issue may be referred to another part of the authority where the matter is not one reserved for Council. The purpose of the requirement for Council debate, therefore, is not to ensure that the final decision relating to the petition issue is made at that Council meeting but to increase the transparency of the decision making process, ensuring that debates on significant petitions are publicised with sufficient notice to enable the petition organiser and public to attend. It also ensures that local people know that their views have been listened to and they have the opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject matter of the petition.

## 2. The Petition

- 2.1 The Council received a petition on 16<sup>th</sup> September, 2019 under the headline 'Keep Parking at Pittville Park Free!'. The main wording of the petition is set out in the Executive Summary of this report, with fuller details provided at Appendix 3.
- 2.2 Mr Stephan Fifield was nominated as the petition organiser.
- 2.3 The Council is required to debate the petition for a maximum of 15 minutes in accordance with the Petitions Scheme approved on the 13<sup>th</sup> May 2010. A process for dealing with a petition was produced by officers and is attached as Appendix 1, as the process to be followed for the debate at this meeting. The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows
- Taking the action requested in the petition (provided the matter is reserved to full Council for decision);
  - Referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration;
  - Holding an inquiry into the matter;
  - Undertaking research into the matter;
  - Holding a public meeting;
  - Holding a consultation;
  - Holding a meeting with petitioners;
  - Calling a referendum;
  - Writing to the petition organiser setting out our views about the request in the petition;
  - Taking no further action on the matter.

## 3. Officer Comments

- 3.1 As members will be aware, following three weeks' statutory public consultation, changes were proposed to a draft new Parking Order and these were the subject of a Cabinet report and recommendations which were accepted on 10th September, 2019.
- 3.2 These changes will not come into effect immediately as there is still work to do to finalise the new Order and to put the necessary operational arrangements in place. Unfortunately, the petition which is the subject of this report was not received during the consultation period and could not, therefore, be taken into account.
- 3.3 One of the originally proposed changes in relation to the Albemarle Gate and Pittville Pump Room car parks was to introduce charges. However, following the consultation, this was reviewed and **Cabinet has agreed to retain free parking for up to 2 hours, with a nominal charge of £1 for staying for up to a maximum 4 hours.**
- 3.4 It is therefore arguable that what the petitioners have requested will now happen, albeit that the free stay period will be limited to 2 hours.
- 3.5 The principal reason for this change was to prevent long stay and commuter car parking in the two council-owned car parks, the impact of which has been worsened by recent on-street parking changes. In addition, the car parks are in greater demand arising from the installation of new play equipment in 2016.
- 3.6 Charges will help cover some of the costs for enforcing the scheme, which is designed to help prevent long stay parking by commuters and others, thereby providing the opportunity for more

residents and visitors to enjoy Pittville Park than might otherwise be the case.

- 3.7** In light of the very recent public consultation and consideration of Parking Order changes by Cabinet, it is the officer view that no further action should be taken in respect of this petition, as maintaining the car parks free of charge would fail to address other Council policy objectives.
- 3.8** Council should have due regard to its unanimous decision in February 2019 to ask the Cabinet to declare a climate emergency and the subsequent decision by Cabinet on 9th July, 2019 to do so.
- 3.9** Council will also recall its endorsement of the De Courcy Alexander report entitled 'Carbon Neutral Cheltenham – Leadership through Stewardship' on 14th October, 2019 and subsequent related decisions by Cabinet on 10th September, 2019.

<b>Report author</b>	<b>Contact officer:</b> Mike Redman, Director of Environment <b>email:</b> <a href="mailto:mike.redman@cheltenham.gov.uk">mike.redman@cheltenham.gov.uk</a> , <b>Tel: 01242 264160</b>
<b>Appendices</b>	<ol style="list-style-type: none"><li>1. Council's petition scheme – approved by Council 13<sup>th</sup> May, 2010</li><li>2. Risk assessment</li><li>3. Process for dealing with a petition at council</li></ol>
<b>Background information</b>	<ol style="list-style-type: none"><li>1. Report to Cabinet – 13<sup>th</sup> June, 2017, entitled 'A place-based approach to town car parking and access'.</li><li>2. Report to Cabinet – 10th September, 2019, entitled 'The Borough of Cheltenham (Off-Street Parking Places) Order 2019'.</li></ol>

## **Process for dealing with petitions at Council**

The following is the recommended process to be followed for the debate of a petition at the Council meeting in accordance with the Council's Petition Scheme. The Council Procedure Rules shall be suspended in so far as necessary to facilitate this process.

### **1. The Mayor will remind members of the procedure to be followed**

### **2. Statement by the petition organiser**

The Mayor will invite the petitioner organiser or their representative to come to the microphone and speak for up to 5 minutes on the petition.

There will be no questions and the petition organiser/their representative will take no further part in the proceedings.

### **3. Clarification on the background information in the officer's report**

Members will be invited to ask any questions for clarification as to the facts in the officer's report.

### **4. Statement by the relevant Cabinet Member**

The Cabinet Member whose portfolio is most relevant to the petition will be invited by the Mayor to speak for a maximum of 5 minutes on the subject of the petition. They may wish to refer to the background report from officers circulated with the papers for the meeting.

They may also wish to propose a motion at this point; if so, the motion must be seconded.

### **5. Debate by members**

Where a member has proposed a motion (which is seconded), the usual Rules of Debate (Rule 13) will apply.

If there is no motion, the Mayor will invite any member who wishes to speak on the petition to address Council for up to a maximum of 3 minutes.

When the 15 minutes set aside for the debate (as laid down in the Council's Petition Scheme) is up, the Mayor may decide to extend the time allowed for the debate but will bring it to a close when they feel sufficient time has been allowed.

### **6. Conclusion of Debate**

The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:

- Taking the action requested in the petition (provided the matter is reserved to full council for decision);
- Referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration;
- Holding an inquiry into the matter;
- Undertaking research into the matter;
- Holding a public meeting;
- Holding a consultation;
- Holding a meeting with petitioners;
- Calling a referendum;
- Writing to the petition organiser setting out our views about the request in the petition;
- Taking no further action on the matter.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If car parking provision is too plentiful and/or cheap, this may lead to increased congestion, poorer air quality and a reduction in the use of more sustainable transport modes.	MR	22/03/16	4	2	8	Reduce	Investigative work undertaken as part of the strategy development identified the reasonable balance to reduce the likelihood of this risk becoming an issue.  The earlier Parking Order report proposed the introduction of some new charges and reduced provision of free parking at some locations.	2022	Parking Manager	No
	If car parks are of poor environmental quality, they will detract from the visitor experience of Cheltenham and impact on the town's reputation.	MR	22/03/16	3	3	9	Reduce	Public consultation has assisted understanding of the level of impact on environmental quality and the associated priority that should be given to it within the strategy.	2022	Parking Manager	No
	If car parking charges are set too high, this is likely to impact on the number of visitors to the town and could be damaging to the local economy	MR	17/05/16	3	3	9	Reduce	Investigation work undertaken as part of the strategy development identified a reasonable balance to reduce the likelihood of this risk becoming an issue.	2022	Parking Manager	No

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6  
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close

# Keep Parking at Pittville Park Free!



Residents have raised concerns at the Liberal Democrat-run Borough Council's plan to introduce charges at the Pump Room and Albemarle Gate free-to-use car parks.

We should be encouraging people to visit our town and in this case Pittville Park. This change will put off many of our elderly from visiting and it will be another unneeded charge on Pittville residents as well as tourists.

It also breaks the Council's long-standing practice and is entirely alien to the spirit of the provision of free park access established by the Victorians. It effectively introduces a 'stealth tax' on visitors arriving out of necessity by car.

This proposal, to create two brand new pay-to-enter car parks, should be stopped. Local Campaigner for Pittville, Stephan Fifield, has started a petition against this idea. If you are also against the change, please sign the petition below.

Full Name	Address and postcode	Phone/Email		Signature
		PLEASE ONLY COMPLETE THESE BOXES IF YOU CONSENT TO BEING CONTACTED IN THIS WAY		
		Phone		
		Email		
		Phone		



**Petition: Keep Parking at Pittville Park Free!**

**Name \***

**Address \***

**Postcode \***

**Email Address \***

**Mob/Tel**