

AGENDA ITEM

REPORT TO APPEALS & COMPLAINTS COMMITTEE

10 SEPTEMBER 2013

REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES

PROPOSED ON STREET CHARGING – A67, YARM HIGH STREET

1.0 SUMMARY

The purpose of this report is to seek Members' views on the unresolved representations received following the statutory advertising of the proposal to introduce on street pay and display parking charges on Yarm High Street.

There is considerable historical background surrounding the parking situation in Yarm, this is detailed in the report for Members attention.

The majority of on street parking on Yarm High Street is currently controlled via a disc parking scheme which allows parking for up to two hours between 8am and 6pm, Monday to Saturday, with no return in one hour. The remaining spaces at either end of the High Street are currently uncontrolled.

In January 2013, Cabinet authorised the statutory process for the implementation of the agreed changes to parking arrangements in Yarm to be progressed. A review of the impacts of the scheme was agreed to be conducted 12 months following implementation.

The proposal is to replace the Disc and uncontrolled areas of Yarm High Street with a more flexible, easier to understand and enforce 'Pay and Display' system.

The proposed charge is; first 30 minutes free (comprising 20 minutes free + 10 minutes observation/grace period), £1 for 2 hours then £1 for every hour thereafter applicable Monday to Saturday between 9am and 5pm inclusive, these charges would not apply to Blue Badge holders, residents' permit holders and visitors displaying a valid voucher.

1553 representations were received during statutory advertising of which 91% (1411) were identical copies of a round robin style letter. 13 of the representations were from significant interested parties, 73 were original letters or e-mails, 49 were a combination of a round robin letter with a bespoke/original element incorporated and 7 representations relate more to waiting restrictions/off-street proposals/displacement issues.

This report presents the response of the Head of Technical Services to these objections.

2.0 RECOMMENDATIONS

It is recommended that:-

Members give consideration to the objections and representations received from local residents, local businesses and other interested parties, including Ward Members, Yarm Chamber of Trade and Yarm Town Council, and also to the comments of the Head of Technical Services as detailed in the report.

3.0 BACKGROUND (also see Appendix 1 and drawing TM5 / 762)

Current car parking arrangements in Yarm

- 3.1 Yarm High Street is the A67 principal road. Parking bays are provided on both sides of the High Street on the cobbled area. The central section, between Mill Wynd and Silver Street, is currently controlled as a Disc Zone where parking is limited to a maximum stay of 2 hours, with a no return period of 1 hour applicable Monday to Saturday between 8am and 6pm (the existing hours of controlled operation are 2 hours longer than the advertised proposals). The disc zone was introduced by Cleveland County Council in 1983. Initially it provided 131 spaces but was amended by 3 subsequent Orders in 1985, 1989 and 1998 principally to provide more short stay spaces, now standing at over 200, to support the burgeoning economy of Yarm.
- 3.2 The cobbles are adopted public highway. Within the central disc zone area there are 185 marked bays providing general on street short stay spaces (in addition to 4 designated spaces for hackney carriages, 12 for Blue Badge holders and an area adjacent to the Town Hall for loading). There are also 121 un-restricted on street spaces located to the north and south of the central disc zone (plus 2 dedicated Police bays). The unrestricted spaces tend to be occupied on a long stay basis, by commuters, Yarm School students or residents.
- 3.3 There are also two off street car parks in central Yarm under Stockton Borough Council ownership; Castle Dyke Wynd (23 spaces) and The Old Market (16 spaces). A separate Agenda item for this Committee meeting details the advertised proposal to introduce long stay off street parking charges in these two, currently free, facilities.
- 3.4 There are a number of privately managed car parks in Yarm that are for use by residents only and enforced by private enforcement contractors. These car parks are typically under occupied Monday to Friday between 9am and 5pm when residents tend to be out at work or on personal business/leisure etc. Spaces are often allocated with a property tenancy so there are legal issues in making more efficient use of those private parking areas. Sainsbury's private car park has signs erected which specify 1 hour free parking for their customers with a maximum stay of 1 hour, no return within 2 hours. Smart Parking Ltd also trading as Town & City Parking are the appointed management company and the signs advise they will make checks on the duration of stay and issue a £60 fine for contravention. Information regarding enforcement of the system such as numbers of tickets issued and frequency of patrols is not available from Sainsbury's.

Comparison of parking tariffs between Yarm and Stockton town centres

- 3.5 Within the Borough's four town centres, car parking charges currently only apply in Stockton where there are 19 Council owned off street car parks and two privately operated multi-storey facilities. Off street charges have applied in Stockton town centre since 1989. The previous (1985) disc parking scheme in Stockton High Street was revoked at that time. It has proved necessary to manage demand for kerbside parking in the Stockton town centre initially by restricting duration of stay and more recently by introducing on street parking charges which have applied in Stockton since September 2007.
- 3.6 The 2 privately owned and managed multi storey car parks in the town centre; Wellington Square and Castlegate provide a significant proportion of the parking offer and both currently apply a set of tariffs that meet their customers' needs.
- 3.7 It should be noted that concerns have been raised during the statutory consultation that the proposed charges for Yarm are higher and not equitable to Stockton. Clearly in any Borough Wide Parking Strategy, detailed demand management proposals will be tailored to the particular needs of each individual town centre. For example, the proposed hours of charging in Yarm are Monday to Saturday, 9am to 5pm, to provide more flexibility particularly for early evening trade. In Stockton, the charging hours are currently Monday to Saturday between 8am and 6pm (2 hours longer than proposed for Yarm).

3.8 A comparison of tariffs in Stockton and those proposed for Yarm is tabulated below:

Table A

	Current tariff in Stockton	Proposed tariff in Yarm
Ultra short stay on street	Church Road and Maxwell's Corner - First 10 minutes free, up to 30 minutes 20p (Maximum stay). Prince Regent Street and Bishop Street - 20p for up to 30 minutes, 50p up to 1 hour, £1 for up to 2 hours (Maximum stay). All other areas: 20p - 30 minutes, £1 for 1 hour (Maximum stay).	First 30 minutes free.
Short stay off street	£1 for first 2 hours then £1 for every hour thereafter.	£1 for first 2 hours then £1 for every hour thereafter (this will be on street tariff in Yarm).
Long Stay off street	£2.40 all day or £1.50 all day in Thompson Street and Alberto Street car parks given their extra distance from the High Street.	£2.40 all day.

3.9 The charges used for comparison purposes by the objectors are between those proposed for Yarm and the privately owned and managed off street car park at Castlegate. For information, the charges in Castlegate are; Monday to Saturday between 9am and 5.30pm at 50p for the first 3 hours, £2.50 for 4 hours on the short stay roof top car park or £2 all day in the long stay multi-storey and free of charge on Sunday when the car park is open between 10am and 4pm. Wellington Square private car park tariffs are applicable 7 days per week at £1 up to 3 hours, £2.40 up to 4 hours, £3.20 up to 5 hours, £6 up to 8 hours and £7.50 for over 8 hours. Car park charging hours are Monday to Saturday 8am to 7pm and on a Sunday 9am to 6pm.

3.10 Members should be aware that short stay tariffs in Stockton's public car parks have not been increased since 2006. Parking charges have been kept as low as possible to support local businesses whilst still managing demand for parking space. Parking promotions have been implemented in Stockton recently to assist traders during times of severe disruption caused by lengthy road works associated with Stockton High Street regeneration and St. John's Crossing, affecting the routes into and around Stockton town centre.

3.11 The parking account is set up to break even or produce only a small operational surplus. The operational costs of the disc parking scheme in Yarm is currently subsidised by parking income from Stockton. Parking income surpluses by law can only be used on services prescribed by Section 55 of the 'Road Traffic Regulation Act 1984'. It must be used on car parking/highway improvements or improvements to public transport, and charges are not to be used as a general income stream.

Previous proposals

- 3.12 A recommendation to introduce pay and display on Yarm High Street first arose from a study conducted by consultant engineering firm White Young Green in 2003/4. The study was based on comprehensive parking surveys carried out in 2002 and recommended on street charging for Yarm High Street and provision of a long stay car park for around 250 vehicles on half of the Brickyard Allotments site (behind Yarm Medical Centre), accessed via Grammar School Lane. The allotments appeared to be only 50% utilised at that time.
- 3.13 A consultation on the proposal to expand Yarm Medical Centre and the need for additional land from the Yarm Town Council owned Brickyard Allotment site for car parking led to a review of the White Young Green study in 2006 by Arup. Arup based their study on parking surveys in 2006 including overnight resident and hospitality surveys. The review confirmed the need for an out of town long stay car park, the preferred site still being Brickyard Allotments but with the access shared with the existing Health Centre on Worsall Road.
- 3.14 An extensive public consultation exercise, based upon the Arup report was conducted in the summer of 2009. The objective of the exercise was to capture ideas and suggestions to resolve the long standing parking problems that have been reported since the late 1970's. The consultation ran for 4 weeks and the results were used to develop an action plan to be used to underpin the future process and investigations for solutions for parking in Yarm.
- 3.15 On 26 November 2009, Cabinet noted the summer 2009 consultation results and approved the early actions as a way forward (minute reference 129/09). Those early actions were the introduction of medium stay pay and display in the Council controlled off street car parks and waiting restrictions on roads where severe obstructive parking was occurring. The longer term actions were to provide a long stay parking facility which, at that time was again identified to be most likely the Brickyard Allotment site.
- 3.16 At a public meeting held in Yarm on 25 January 2010, the option of providing long stay parking on Brickyard Allotment site was accepted as not feasible for any further consideration, due to strong opposition from allotment holders, and it was agreed that alternative sites in a more central location should continue to be investigated. Although sites were identified they are privately owned and discussions with land owners were required. The option of using compulsory purchase powers if necessary was agreed in January 2013 by Cabinet.
- 3.17 The meeting in 2010 also heard from Yarm residents and traders who felt some measures arising from the 2009 consultation could be brought forward quickly whilst the longer term goal of providing additional long stay off street car parking was being pursued. These measures were essentially:
- to introduce waiting restrictions to help control the worst cases of obstructive parking in the Wynds and Streets surrounding the High Street;
 - to introduce some medium term car parking (for longer than the 2 hour stay permitted by the disc zone system) via pay and display.
- 3.18 Subsequently, authorisation to advertise these 'quick win' proposals was given on 26 August 2010 (Decision record TS.T.44.10). Statutory advertising ran from 6 January 2011 until 27 January 2011 during which time the Council formally received 296 individual statutory objections, in addition to 8 petitions containing a total of 1131 names. Whilst 8 petitions were received, it should be noted that the lead petitioner was in most instances already a statutory objector and the petition header was a repetition of their own objection letter. The matter was referred to Appeals & Complaints Committee, in March 2011. In view of the assertions and concerns voiced about the prematurity of the proposals, the Committee recommended that a decision be deferred for 6 months as Yarm Town Council had indicated they could bring forward long stay car parking sites in that time.

- 3.19 In December 2010, Cabinet had agreed the principle of charging for car parking specifically in Yarm, but stated, following the recommendation of the Environment Select Committee, that it should be introduced as part of a Borough wide review of car parking charges. Cabinet approved the Borough wide car parking strategy in December 2011 following extensive consultations and a comprehensive market research report. The Cabinet recommendations included the introduction of car parking charges in Yarm.
- 3.20 In March 2012, Yarm Town Council applied for a Judicial Review of the decision to introduce parking charges in Yarm. An order was granted which effectively delayed progress on proposals by preventing any steps being taken to progress the introduction of parking charges in Yarm. Following a challenge by the Council regarding the restrictions imposed by the order, a variation was granted to allow some consultations to take place. The Judicial Review concluded in Leeds High Court over two days on 23 August and 28 September 2012, with judgement being handed down on 10 October 2012. The application for Judicial Review by Yarm Town Council was dismissed which allowed the original Cabinet decision to introduce pay and display to proceed to statutory advertising.
- 3.21 In considering the representations made against the proposals, Members will need to be aware of additional background information regarding; the difficulty in enforcement of the current scheme, the consultation undertaken by the Council on the advertised proposals including the independent market research conducted by NEMS and the Yarm Town Council alternative parking proposal which signatories of the round robin letters have indicated their support for.

Enforcement

- 3.22 The Borough wide car parking review concluded that pay and display would address two issues that had been a longstanding concern of both Yarm Town Council and Yarm Chamber of Trade, namely allegations of over zealous enforcement and lack of flexibility of the current disc parking scheme. The former arises as a result of the difficulty of enforcing a long free limited waiting period with a no return in 1 hour restriction without a continuous active enforcement presence. The latter was a desire to encourage longer stays in Yarm to support town centre businesses, such as restaurants and hairdressers.
- 3.23 The Council's Annual Car Parking Report 2009-10 highlighted the most frequently occurring parking contraventions (a total of 3115) were in the disc zone of Yarm (parking without a disc), there were also a significant number issued for over stay in a disc bay (608 issued). These figures compare with 1059 Penalty Charge Notices issued for having no ticket in a Council car park in Stockton and 418 issued for parking after expiry of the parking ticket in a Council car park. These contravention figures suggest that enforcement of the Disc Zone in Yarm is onerous for the Council and that the Disc Zone restriction is perhaps not clearly understood by visitors and abused by some commuters, resulting in almost 3 times as many offences pro rata than in pay and display car parks in Stockton town centre. A clearer, less onerous and simpler form of parking control is 'pay and display'. This form of control is also more common and flexible than disc parking which is particularly unusual for occasional visitors. Many of the challenges and representations on Penalty Charge Notices issued in Yarm refer to confusion with the disc zone rules particularly from visitors (see **Appendix 2**). Research indicated that 24% of visitors arrive in the High Street without a disc and 13% had received a penalty charge notice.
- 3.24 Representations made against the advertised proposals highlight that the number of contraventions has already subsided and therefore change to the current system is no longer necessary. It is important to note that the decrease in number of contraventions is partly due to enforcement action being ceased for 4 months in 2011 as a result of legal challenges by the Town Council relating to unclear thermoplastic bay markings and yellow lines, use of white and yellow blocks, controlled zone signage and the legality of the Traffic Regulation Order. During the period of no enforcement action, obviously no contraventions were recorded but complaints were made to the Council from traders regarding difficulties

for their customers finding a space. A snap survey in June 2011 revealed that more than a third of the short stay spaces were occupied by commuters. Nevertheless, in view of the positive dialogue that was happening at that time with the Town Council, it was agreed to adopt a lighter touch insofar as hours and frequency of patrols were concerned, when enforcement attention re-commenced in August 2011.

Independent Market Research - NEMS

- 3.25 The Council, in partnership with Yarm Town Council, commissioned independent local company, NEMS Market Research, to carry out research during September 2011, to assist with understanding the reasons why people visit Yarm and to establish parking needs in the High Street. The scope of the research was discussed and agreed with Yarm Town Council at their meetings in July and August 2011, comments on the draft questionnaire were also sought. NEMS carried out 650 telephone interviews within a catchment area covering a population of 265,000 people. They also undertook 296 face-to-face interviews with people who had travelled to Yarm by car. 15 interviews were carried out with businesses along Yarm High Street, covering a range of locations and business types, as well as 5 interviews with taxi operators. The research conducted by NEMS underpins the proposals that were subsequently advertised.
- 3.26 It is worth noting that parking surveys in Yarm have also been conducted routinely to provide intelligence on peak accumulations, turnover and duration of stay (commuters and visitors) as well as residential demand. The 2002 surveys informed the White Young Green study, the 2006 surveys were augmented by some on street surveys by Arup in the lead up to the July 2009 consultation. The most recent surveys in 2013 covered the High Street only and may form part of any 'before and after' analysis of a pay and display system.
- 3.27 NEMS Market Research found that more than 50% of all potentially available parking spaces were being occupied by staff working in the businesses on Yarm High Street. This practice was found, through analysis using a real time simulation model, to be severely restricting the availability of spaces for visitors and customers, and also limiting their choice predominantly to spaces with a 2 hour stay restriction. The result is a direct loss of spend from abandoned visits.
- 3.28 NEMS research estimates that in order to satisfy parking demand and accommodate the full attractiveness of Yarm as a visitor destination will require freeing up the equivalent of around 80 -100 short stay spaces. Given the current occupation of bays by commuters, the report concluded that potential impact of reducing staff parking by just one car per High Street business had potential for immediate exploration that could have an instantaneous impact and financial return for Yarm. Conversely, if the number of commuters coming to Yarm by car continues to increase then this will reduce further the visitor spend. NEMS suggested that other options, such as out-of-centre staff parking, needed to be borne in mind for the longer term.
- 3.29 NEMS Market Research found that 6% of all visitors stayed longer than 3 hours and the average length of stay in Yarm is 102 minutes with an average spend of £78 per visit; this is significantly lower duration of stay than predicted by traders in the 2009 consultation. Furthermore, almost two-thirds of visits do not exceed one hour. The impact of the two hours time restriction in the Disc Zone therefore appears to be sufficient to meet the majority of visitors needs in terms of desirable duration of stay. Under the advertised scheme, 30 minutes free of charge is proposed to accommodate 'ultra-short stay' visits and to ensure those retailers/businesses dependent on more frequent lower spend visits are not disadvantaged. The current two hours stay, which appears to cover the majority of visits, would still be accommodated within the proposals as advertised at a small charge. Additional time could also be purchased thereby ensuring that the parking needs of all of Yarm's visitors are met. This is not currently an option with disc parking controls.

- 3.30 Extending the short stay disc zone to cover the entire length of cobbled area on the High Street would make available 120 bays (less those occupied by residents) to contribute to achieving the objective of 80 – 100 additional bays for visitors. It would encourage the regular turn over of parking spaces as confirmed by the results of the NEMS independent research and open up the potential for up to a 15% increase in trade for the town. This would also correspondingly reduce the number of long stay bays on the High Street for commuters although NEMS research highlights that every space made available for shoppers and visitors could contribute an estimated additional £20,000 into the economy of Yarm and action is therefore justified to protect Yarm's long term economic position.
- 3.31 During the 2009 public consultation, a recurring theme from Yarm Chamber of Trade, it's Members and Yarm Town Council was their requirement for longer permitted parking than the disc zone allows in order to provide somewhere shoppers could be directed to if they wanted to park for longer than the 2 hour limit. To echo the findings of the NEMS research, placing the needs of customers/visitors above the convenience of workers and students was seen as a priority to improve and protect the trading position of Yarm. The Chamber of Trade endorsed this priority in several subsequent discussions with them; longer stays would be an option under the advertised proposals, albeit at a charge.
- 3.32 The results of the NEMS market research were presented to the Leader of the Council and a number of Cabinet Members together with the three local Ward Councillors for Yarm on 11 October 2011. There were a number of questions from Members and answers were provided direct from NEMS. A meeting with Yarm Town Council was arranged on 17 October 2011 to deliver the results of the market research. This was cancelled by Yarm Town Council at short notice and, despite repeated attempts to secure an early meeting; it was not possible to hold the meeting until 25 November 2011.
- 3.33 At the meeting on 25 November 2011, the results of the NEMS research were presented and Yarm Town Council were informed of the report being drafted for presentation to Cabinet on 8 December 2011, no representations were made with respect to the proposals at that time.

Yarm Town Council alternative parking proposal (Appendix 3)

- 3.34 During the period of Judicial Review, some engagement with Yarm Town Council continued. At a meeting on 28 June 2012, Yarm Town Council agreed to submit an alternative proposal for car parking by September. This was eventually received on 30 October 2012 and can be viewed as submitted in **Appendix 3**. The round robin letters received as part of the statutory consultation identify support for the Town Council's alternative proposal. Members should consider this against the note made below **Table B**.
- 3.35 The principle of the Town Council's proposals is to retain free disc parking in the High Street but to extend it to cover all spaces. Resident permits will be valid in the disc controlled areas at either end of the High Street although no permit eligibility criteria have been provided by the Town Council. Administration and enforcement of the free short stay parking is to be funded from applying charges in off-street long stay car parks.
- 3.36 Yarm Town Council currently purchases parking discs in bulk and sells them to various outlets in Yarm High Street. The Town Council is also responsible for ensuring stocks are maintained but retains any profit from sales.

3.37 The Yarm Town Council proposal has been evaluated against criteria and objectives consistent with the Borough wide car parking strategy and the findings of the NEMS market research, a brief comparative analysis can be seen in **Table B** below;

Table B

Criteria/Objectives	Yarm Town Council Proposal	Stockton Borough Council Proposal
<i>Meeting residents parking needs.</i>	Permits restricted to either end of the High Street. Will require separate disc parking zones to be created.	Permit scheme at £10 per annum based on eligibility criteria. Will be open to full length of High Street rather than specific spaces that may not be conveniently located.
<i>Providing flexibility in length of stay.</i>	Disc parking for whole length of High Street will not be flexible if it is to be two hours maximum.	Pay and display will allow visitors to pay for the length of stay they require.
<i>Supporting potential for economic growth in Yarm.</i>	Increased short stay is proposed but disc zone parking controls have proved to be resource intensive to manage and not easily understood by visitors. The proposal will make signage and enforcement even more difficult and make it less easy to understand for visitors than the current disc zone.	Flexible pay and display with over 80 extra spaces will increase turn over and availability for visitors.
<i>Provision of additional long stay parking.</i>	A number of future sites are identified and some information on likely costs provided but no details on funding arrangements or on progress to secure sites.	Sites identified and discussions progressing with the Cabinet approved option of compulsory purchase if required. Some S106 funding has already been secured and earmarked. Planning obligations are created under Section 106 of the Town and Country Planning Act 1990. They are legally binding obligations that are attached to a piece of land and are registered as local land charges against that piece of land. Planning obligations enable Local Authorities to secure contributions to services, infrastructure and amenities in order to support and facilitate a proposed development.
<i>Charges applicable for long stay car parks*.</i>	Charges are proposed in both SBC and YTC car parks. Proposal for the existing SBC public car parks is to have a medium stay tariff of £1 per hour.	Charges will be applied to SBC off street car parks. The two existing public car parks will be long stay at £2.40 per day.

* The principle of charging has been adopted for the long stay car parks in both proposals.

4. PROPOSED MEASURES (see drawing TM2 / 159 in Appendix 4)

- 4.1 A permanent Traffic Regulation Order has been advertised to introduce pay and display on street parking charges in the designated parking places along the entire cobbled area of Yarm High Street (including the currently unrestricted areas at either end). The advertised charges are; Monday to Saturday between 9am and 5pm inclusive, with an exemption for valid Blue Badge holders, resident permit holders and those displaying a valid visitor voucher. The proposed tariff is first 30 minutes free (comprising 20 minutes free + 10 minutes observation/grace period), £1 for 2 hours, then £1 for every hour thereafter. Charges would not apply on Sundays or Bank Holidays.
- 4.2 Designated bays for blue badge holders, Police, Hackney Carriages and for loading are also included, principally in their current locations with the exception of a new evening Hackney Carriage Rank (operating 8pm to 4am) on the western side of Yarm High Street, near to The Keys public house which is proposed following a long standing request from Licensing and Stockton Hackney Carriage Drivers Association. Blue badge holders will be able to park on the High Street free of charge and without time restriction. The existing waiting restrictions on the High Street have been included within the advertised Traffic Regulation Order in order that all of the restrictions on the High Street are contained within a single document for ease of reference and efficiency.
- 4.3 The proposals would have implications for residents of Yarm High Street that have cars but do not have any off street private parking provision and rely on the High Street. They would effectively have to pay the proposed charges to park near their property during the hours of operation. To assist those affected residents, anticipated as 80-100 properties, it is proposed to operate a residents' permit scheme.
- 4.4 Draft guidance notes have been prepared (see **Appendix 5**) using the NEMS residential parking needs survey (Spring 2012) and focus group style discussions with interested residents in summer 2012. The Council also carried out overnight parking surveys in 2012 over a number of weeks to validate resident and hospitality parking demand produced by the NEMS simulation model.
- 4.5 The number of residents' permits to be issued, per address, has been determined using "The Supplementary Planning Document (SPD) 3" which is applicable when considering the parking standards associated with new development. Initially, a maximum number of one permit for single bedroom properties and up to 2 permits per larger property is proposed at an annual administrative charge of £10 each. This is significantly less costly than the charges that would be otherwise incurred by paying at the meter to park all day.
- 4.6 Unlike other residents' permit parking schemes within the Borough, it is not intended to mark bays specifically for residents' use only on Yarm High Street. The purpose of this is to create a flexible scheme for residents rather than limit a set number of designated bays that may not be positioned in the most convenient locations. It will also address a Chamber of Trade concern that dedicated resident parking bays would stand vacant during times of low resident demand which may coincide with high visitor demand. Vehicles displaying a relevant and valid permit will be eligible to park in any of the parking bays (excluding bays designated for specific types of vehicle such as Disabled, Police, and Taxi) and they will be exempt from the parking controls in place, so they will be able to park for as long as they wish.
- 4.7 Eligible residents would also be entitled to an annual allocation of visitor vouchers, each voucher would be valid for one specified day until 9am of the following day unless the following day is a Sunday or Bank Holiday (i.e. until 9am if charges would usually be in operation). The voucher is in the form of a scratch card whereby the visitor will need to validate it by scratching out the appropriate panels. Each eligible household will be able to

purchase a maximum of 1 book containing 20 scratch card vouchers per year at an annual cost of £10.

- 4.8 Appropriate amendments to the regulatory signs and posts and the installation of pay and display machines would also be required to reflect the arrangements. It is also an opportune time to review the existing lay-out of parking bays to ensure the capacity of bays is maximised as far as reasonably practicable. It is anticipated that public realm alterations associated with the proposals could provide an additional 9 legitimate spaces and reduce the current obstructive double parking that takes place in the uncontrolled area.
- 4.9 As agreed at Cabinet in January 2013, there would be a review of the impacts of all aspects of the proposals 12 months after introduction.

5.0 CONSULTATION

- 5.1 Consultation, as a formative process, has been ongoing in Yarm for a number of years. The proposals to address the issues have also undergone extensive consultation since 2009 as previously documented and furthermore have been the subject of an unsuccessful legal challenge at Leeds High Court in 2012 where the Council's decisions and processes were scrutinised.
- 5.2 During the statutory consultation in 2011, 15 representations were made requesting additional waiting restrictions in Atlas Wynd which have been incorporated into the proposals as advertised. The proposed waiting restrictions in surrounding streets are a separate Agenda item at this Committee meeting.
- 5.3 A draft layout of the locations of the pay and display machines was presented to Yarm Town Council following concerns regarding their impact on the layout for Yarm Fair (an annual event in October managed by Yarm Town Council) as raised by The Showmen's Guild of Great Britain. The machines would be located within the footway, not the cobbled area, to minimise any reduction in capacity for vehicles by taking up a parking bay, prevent queuing pedestrians coming into conflict with manoeuvring traffic or obstructing the established layout of the fair.
- 5.4 A street lighting improvement scheme is being progressed by the Council which will renew all of the columns and relocate those from the cobbled area into the footway which will make a further 8 spaces available for additional on street parking.
- 5.5 Dialogue with Yarm Chamber of Trade in November 2012 captured their views with regard to possible long stay provision on sites that the Council does not control and the period of free parking at the start of a visit. The proposals relating to the free period of parking were amended following these discussions from the intended first 10 minutes free to the first 30 minutes free.
- 5.6 The Council has long been advocating a hackney carriage rank in the vicinity of The Keys which has been incorporated into these proposals as advertised. Note for Members that no representations have been made in opposition to this particular element of the advertised proposal.
- 5.7 Consultations with residents to inform the proposals for residents parking permits were held in summer 2012. All those that had previously expressed a desire to be involved in formulating proposals for the operational conditions of a residents' parking scheme were invited to one of the sessions and their comments noted and used to inform the final proposals as advertised.

6.0 STATUTORY CONSULTATION (2013) DETAILS

- 6.1 The Officers' Traffic Group were consulted on all of the proposals as advertised for Yarm town centre area at their meeting held on 7 March 2013 (ref 30/13). The Head of Technical Services updated Yarm Ward Councillors, Yarm Town Council and Yarm Chamber of Trade on the position and advised of the forthcoming statutory consultation by e-mail on 26 June 2013.
- 6.2 Yarm Ward Councillors, Yarm Town Council, Yarm Chamber of Trade, Eaglescliffe Ward Councillors, Egglecliffe & Eaglescliffe Parish Council and Kirklevington & Castle Levington Parish Council were sent copies of the Statutory Notices direct on 27 June 2013.
- 6.3 The statutory consultation was conducted as required by the "Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996". In practice, this involved publishing a public notice in the free weekly newspaper, the Herald & Post, on 27 June 2013. Notices were posted on the affected lengths of highway and maintained throughout the consultation period which ended on 19 July 2013. Copies of the site notices, plans and draft Traffic Regulation Orders were also available on the Council's website with details of how to formally make a representation. Press reports publicising the ongoing consultation were printed in the Evening Gazette and the Northern Echo.
- 6.4 During the statutory consultation, 1553 representations were received in total, of which 13 were from interested parties such as Ward Members, MP, Town and Parish Councils (or their appointed advisors), Yarm Residents' Association and the Federation of Small Businesses. 73 were original letters or e-mails, 1411 (91%) were identical copies of 1 of 2 round robin style letters (*52 of the 1412 were incomplete in terms of address details*), 49 were a combination of a round robin template letter with a bespoke element incorporated and 7 representations would seem to be principally related to waiting restrictions/off street/a request for residents permits outside of the High Street. Counting the round robin letters as 2 formal objections with a total of 1411 signatories between them, the total objections received would be just over 140.
- 6.5 As is usual practice in receiving a petition/round robin letter in objection to an advertised draft Traffic Regulation Order, the lead petitioner is expected to contact the signatories direct regarding the arrangements for Committee. In this instance the lead petitioners appeared to be acting as individuals using a pro forma letter prepared for Yarm Residents Association. Some representations received during the statutory consultation have suggested that the consultation undertaken by the Council for the advertised proposals is flawed because consultation with key interested parties has not been conducted. The Federation of Small Businesses was invited to attend meetings but did not do so. iTRADE Yarm is an online forum for businesses and residents, no formal meetings are held and it is not formally constituted, therefore no pre-consultation was offered.
- 6.6 Following receipt of such a large number of objections during the statutory consultation it was agreed that it would be impractical to approach each individual objector to attempt to resolve their particular issue as is usual practice. It was considered appropriate to refer the matter direct to Appeals & Complaints Committee for Members consideration.
- 6.7 The following paragraphs briefly summarise the objections received from interested parties. Note the summary is not intended to be exhaustive and a copy of the representation will be available at the Committee meeting.

6.7.1 Chamber of Trade in Yarm (CoT):

Indicates general support of the proposals subject to 2 main concerns;

Firstly, long stay parking provision is needed - there will be a severe shortage of long stay spaces so may be worth keeping the existing long stay parking at either end of the High Street free of charge or at the same rate as long stay until an off street site is secured and operational.

Secondly, residents' permits and visitor vouchers could detract from the scheme's objectives if they are misused.

Scheme should be monitored after 12 months operation and the charges should be in line with those elsewhere in the Stockton Borough.

Response:

The general support is welcomed and the Council acknowledges the positive dialogue with the CoT that led to agreement on an extended free period to protect those traders reliant on very short visits to the High Street.

There is encouraging progress on securing suitable sites in the vicinity of Yarm High Street and an estimated 80 additional off street spaces could be provided on small pockets of land convenient to the High Street in the near future. It is not practicable to maintain long stay parking at either end of the High Street as this would require more regulatory signs, could be confusing for visitors and would not address the main aim of the proposals to free up those long stay bays at either end of the High Street for short stay parking to support the economy of Yarm.

The number of short stay spaces will be increased by over 120 spaces and since many permit holders will be at work during the week, it is expected that a minimum of 80 additional spaces will be available for shoppers/visitors on weekdays.

The scheme would be reviewed after 12 months as agreed at Cabinet January 2013.

For the response on equitability of charges, see Para 3.5-3.10.

6.7.2 Mark Chatburn, Yarm Local Ward Councillor:

Increased availability of short stay parking is over due, not certain this will be achieved by the proposals. Situation could deteriorate as a consequence. A study of current use and a beat survey are needed to assess impact of changes. The NEMS survey is not adequate for making informed decisions on changing the existing arrangements as they are not parking or travel planning consultants. Residents' permits impact has not been assessed. 150 properties could be eligible for 2 permits plus visitor vouchers and will reduce capacity for shoppers particularly on Saturdays.

Concerned about removing 2 hours max stay as it could convert all current disc zone area to medium-long stay parking leaving less for short stay visitors, reduced turn over of spaces and reduced spend contributing to economy. Suggests a maximum stay of 3 hours.

Proposed off street charges are a modest level but displacement will occur, income generated will be minimal. Displaced parking is a concern for surrounding streets and a parking study is needed to assess the impacts. Off street parking site is needed before the advertised proposals are implemented.

Response:

There is sufficient intelligence provided by transport consultants' surveys of 2006 and the NEMS residential survey of 2012 to be confident that increased availability of short stay spaces will result from the proposals. On Saturdays this increase may be lower particularly

in winter months due to more residents staying at home and that aspect will form part of the 12 months review. However, it needs to be understood that we are simply accommodating existing parking behaviour and residents are currently parking in the uncontrolled areas in similar numbers to those that will be there displaying permits in the new proposals. There are only around 120 uncontrolled spaces so if 150 properties are eligible for 2 permits then 180 cars are clearly being parked elsewhere. If the concern is that residents will purchase additional vehicles as a result of being eligible for a permit then we can consider not issuing further permits until after the 12 month review.

There is a small but significant need for longer stay parking identified by both the Chamber of Trade and the NEMS survey which has been accommodated by the proposed flexible parking controls. Provision of long stay off street car parking at a cheaper tariff than the short stay High Street charges should reduce the risk of commuter parking in the High Street but Members may wish to consider reducing the off-street tariff (considered as a separate agenda item) if they consider this objection has merit. Additional off-street parking sites are close to fruition but displacement of commuter traffic will form part of the 12 month review.

Maximum stay restrictions present difficulties in enforcement as a 'no return limit' would have to be imposed. Such suggestions are more onerous than the advertised proposals and would therefore result in the entire Order having to be re-advertised. The concerns would be considered as part of a 12 month review.

6.7.3 Egglecliffe & Egglecliffe Parish Council:

Proposal will increase displaced parking issues in areas that already suffer from long stay parking and school related traffic issues. Proposals will make access to St Johns Church difficult. Parking could fill uncontrolled areas such as the Blue Bell and Cleveland Bay which may have an impact on trade.

Residents permits will mean that controlled parking areas could be filled up by permit holders.

Disappointed there has been no direct consultation with residents on the proposals and there are no mitigation measures.

Response:

The Council is already in receipt of complaints that difficulties in finding long stay parking spaces near Yarm High Street has led to parking in Egglecliffe village. The Council will be bringing forward additional off-street car park proposals in due course. Private car park operators have the power to introduce patrons only parking regimes should they feel it necessary.

Permit parking will be closely controlled through the eligibility criteria which will be reviewed after 12 months.

Pre-consultation with residents about permit parking was restricted to Yarm as it is unclear where, if any, displacement issues will arise. All residents had the opportunity to comment during the statutory consultation but comments about the possibility of displacement parking were only received from 22 individuals.

6.7.4 Federation of Small Businesses (FSB):

The FSB hold up Yarm as a beacon of what a High Street should be like. 7 in 10 small firms think parking is a priority for the future of independent shops, parking charges are known to be detrimental to local shops. There is considerable opposition to the proposals

and the scheme is not justified. Lack of consultation is a concern. Current arrangements should remain.

Response:

Commuter parking in the High Street is detrimental to turnover and impacts on trade. The current arrangements have proven difficult to enforce and are open to manipulation and abuse. During the legal challenge by the Town Council in 2011, suspension of enforcement led to over a third of the disc parking spaces being occupied all day by commuters. The Council maintains that the proposals will benefit Yarm traders and will provide the conditions for visitor numbers to grow.

6.7.5 Ben Houchen, Yarm Local Ward Councillor:

Disputes the Officer findings that the Disc Zone does not work. The number of PCNs issued has significantly declined in Yarm over the last 12-18 months. SBC should look to put the current system right by bringing signing up to enforceable standards and encouraging effective enforcement. The alternative proposal by Yarm Town Council is supported.

NEMS survey states 60 people per day would like to stay for more than 2 hours with only 20 wishing to stay for more than 4 hours, this can be accommodated within Castle Dyke Wynd and Old Market if they are made long stay P&D.

What are the valid lawful reasons for the TRO?

SBC has not consulted with iTRADE.

Has an impact assessment been conducted? Copy requested, also copies of revenue forecasts, assessment of number of permits to be issued and number of vehicles to be displaced.

People will no longer be able to leave cars on the High Street overnight and collect the next day.

Disparity seems to exist between charges in Stockton and Yarm with Yarm paying more.

Response:

Any attempt to properly enforce the 2 hour maximum stay with no return in one hour is onerous and inefficient in use of resources and also leads to accusations of overzealous enforcement and revenue raising from penalty charge notices (pcns). The number of pcns has declined for reasons given at Para 3.24. The Council does not consider the current approach to be sustainable longer term and the Yarm Town Council proposal to have three separate disc zones covering 50% more spaces than the current zone would impose increased enforcement burdens.

The long stay off-street car parks will be provided for commuters so that visitors wishing to stay longer than 2 hours can do so in the more convenient and visible High Street bays.

The reasons for the TRO were set out in the Statement of Reasons accompanying the statutory advertisements. A copy was available to be inspected at the Customer Contact Centre.

The Council continued to have positive dialogue with the formally constituted Yarm Chamber of Trade. The status of iTRADE is unclear and they appear to be revisiting issues dismissed during the Judicial Review process. Nevertheless they have had the opportunity

to seek information and receive clarification in the run up to statutory advertising and have been treated as a significant interested party.

An assessment of the number of permits to be issued has been based on surveys and the residential survey. The number of commuters to be displaced from the High Street has been estimated at around 80-100 and additional off-street parking areas will be brought forward to address this displacement.

6.7.6 iTRADE Yarm:

Yarm Chamber of Trade no longer (since March 2013) represents the businesses of Yarm and consultation with iTRADE has not happened.

Number of PCNs issued and claims disc zone is not working are no longer valid reasons to introduce charges. (**Response** given at Para 3.24 and 6.7.5 above).

Pay and display will not reduce congestion; the cause is the 2 Pelican crossings which are not smart linked. No assessment of congestion caused by them has been made.

What is the lawful reason relied upon to introduce the TRO? There are no lawful, valid or practical reasons behind the proposals. (**Response** given at 6.7.5 above).

The validity of the TRO will be challenged.

iTRADE are opposed to the proposals which they believe will damage Yarm economy, they support the alternative parking proposal made by Yarm Town Council. (**Response** given at 6.7.5 above).

An impact assessment has not been carried out, forecast revenues should have been calculated, no assessment of the number of residents' permits has been made, no assessment of displaced parking issues has been made, no risk assessment for compensation to business owners has been made. (**Response** given at 6.7.5 above).

No arrangements in place for the workers to park in the town. (**Response** given at 6.7.1).

Impact on night trade will decline as motorists will need to move their cars early the next day.

Charges are not equitable with Stockton. (**Response** see Para 3.5-3.10).

Response (to points not repeated elsewhere):

iTRADE Yarm is an online forum for businesses and residents, no formal meetings are held and it is not formally constituted, therefore no pre-consultation was offered. However, the Council has been in written correspondence with iTRADE and continued to gather the trade views through the formally constituted Chamber of Trade and took on board their request for an extended free period.

The claims that the pelican crossings were the cause of congestion in Yarm was raised during the Judicial Review and responded to in the evidence the Council presented. Previous experiments by Cleveland County Council resulted in pedestrian safety issues and no improvement to traffic flow. Linking the two crossings will not aid vehicle progression due to the degree of interruption to traffic flow between the two crossings and could lead to driver frustration and higher speeds. The immediate impact of making it easier for visitors to locate a space on the High Street should improve traffic flow although if the increased visitor numbers occur then equilibrium will be restored as a result of increased economic activity.

There will be an opportunity to challenge the validity of the Order making process during the 6 week period following the making of any Traffic Regulation Order.

A carry forward facility in modern pay and display meters means that motorists will actually be able to select the time the next day that they wish to collect their vehicle reducing the likelihood of having to return whilst still under the influence.

6.7.7 Alan Lewis, Eaglescliffe Local Ward Councillor:

No confirmed provision of long stay parking so Butts Lane will be used for long stay parking causing obstruction issues and would interfere with traffic going to the Church.

Cars will be abandoned on South View, Yarm Road and Aislaby Road. Problems will be similar to those experienced during Yarm Fair which is onerous for Enforcement Team.

Response:

The Council has made positive strides in pursuing additional long stay off street parking close to the High Street (see Para 6.7.3) but will obviously continuously monitor any obstructive parking and take appropriate action. There will be a review of displacement issues after 12 months to allow the parking activity to settle down.

During Yarm Fair, all parking is displaced and Police No Parking cones are set out in Bridge Street – West Street and Bentley Wynd to protect the flow of traffic on the diversion route. The situations are not comparable.

6.7.8 Maureen Rigg, Eaglescliffe Local Ward Councillor:

Scheme did not look at current use of existing spaces.

Impact of charging is only a guess.

No estimate of impact upon surrounding areas that already suffers from some displacement issues. Insufficient long stay parking in Yarm and existing long stay at either end is to be removed. There has been no further consultation with residents most likely to suffer from the impacts of charging to the exercise conducted several years ago.

Response:

Parking surveys were undertaken in 2006 and have been augmented since then by residential parking and needs surveys. The information was used to support the first major public consultation in summer 2009.

The beneficial impact on traders of the additional short stay spaces was based on the NEMS Market Research which is not the same as guesswork.

The impact and extent of displacement will be difficult to predict but will be kept to a minimum if more convenient affordable off street spaces are provided. Around 80 spaces are at an advanced stage of negotiations. The residual impact of displacement and any appropriate actions will be considered as part of the 12 month review and consultation with residents will take place as part of that process.

6.7.9 Sainsburys' Supermarkets Ltd:

The free period does not appear to be supported by the NEMS report. Free parking period is unlikely to be sufficient to undertake a high proportion of retail trips and trade will decline.

It should be increased to 1 hour free parking to give businesses and shoppers time to adjust to a new regime that could be monitored and changed in the future.

Proposals will create additional demand on Sainsbury's car park which is free for 1 hour that may need to be changed to reflect on street conditions.

Proposals could mean high risk of negative impact upon businesses. Loss of town centre trade cannot easily be reversed.

Response:

The half hour free parking period has been negotiated with the Chamber of Trade and is intended to provide for one stop short shopping or personal business trips. It is very much at the limit as to what can realistically be enforced. A one hour free period could have the unfortunate trading consequence of the vast majority of visitors contracting their stay to remain within the free period.

Both the advertised 30 minute free period and the suggested 1 hour free period will likely lead to additional use of Sainsbury car parks since there is currently no enforcement of the 'patrons only' regulation. Anecdotal evidence suggests commuters use the car park to comply with the no return in 1 hour restriction in the Disc Zone. Sainsbury have been offered a double ticket machine to be able to reimburse patrons similar to that which operates at their store in Middlesbrough town centre in order to assist with controlling abuse of their car parks.

The proposals are designed to remove the barriers identified in the market research so that visitor trips can increase by up to 15% thereby improving the trading position of Yarm. Free car parking was not identified as an attraction of Yarm but difficulty in parking was quoted by almost half surveyed with 40% of those saying they continued on to another shopping centre if they failed to get parked. Difficulty parking and length of time able to park were the two main negative aspects of Yarm quoted by both businesses and visitors.

6.7.10 SK Transport Planning Ltd - on behalf of Egglecliffe Area Residents Association:

There are three main elements that the Council has not considered. In summary these are: The Council is acting unlawfully in its approach to the implementation of the parking scheme; we do not accept that the current parking disc scheme does not work, we do not believe the Council's 'Pay and Display' scheme is the solution to create extra capacity for visitors and we do not consider the Council has consulted appropriately on the proposals. (**Response** given at 6.7.5 above).

No technical evidence or impact assessment (in the form of parking beat surveys and a financial parking model) has been produced by the Council to justify the need for the scheme; this information is required to ensure the Council is progressing with a financially viable scheme, and to ensure that the impact of displaced parking into adjacent residential areas is appropriately assessed (**Response** given at 6.7.5 above).

There is considerable opposition to the proposals from residents and local businesses in the town; the Council is aware of the strength of local opposition but is continuing to move forward with the scheme (**Response** given at 6.7.4 above).

Response:

There are some misunderstandings in this submission which could suggest an initial inaccurate client brief. Two other leading consulting engineers have, with the benefit of

survey data, reached a different conclusion. Stockton Borough Council is the local highway authority and has powers to process Traffic Regulation Orders under the 'Road Traffic Regulation Act 1984' and to designate and manage parking accordingly. The Traffic Regulation Order process has been followed correctly.

6.7.11 James Wharton, MP:

Current system works well (**Response** given at 3.23 and 3.24).

Proposals will take money from Yarm's economy.

Residents and traders do not support the proposals but SBC has forged ahead. Consultation has undermined confidence.

Proposals require substantial new yellow lining to inconvenience residents and reduce capacity in streets and force motorists to use the High Street which will reduce capacity there.

Fully endorse iTRADE letter and would ask the Council to respond to their queries/concerns (**Response** to iTRADE letter given at 6.7.6).

Response:

The proposals are estimated to encourage regular turnover of spaces and open up the potential for up to a 15% increase in trade in Yarm. NEMS research highlights that every space made available for shoppers could contribute an estimated additional £20,000 into the economy.

The principle of charges has been challenged at the highest level for during the Judicial Review process in 2012. The application for Judicial Review was dismissed and confirmed that the Cabinet decision to introduce pay and display could proceed.

The Order detailing proposed waiting restrictions is a separate agenda item for Committee's consideration, but is intended to deal with the worst cases of obstructive parking that is inconveniencing residents. It will only displace a small number of inconsiderately parked vehicles and reduce the enforcement burden. There is a possibility, that some motorists will park further afield and Cabinet asked that a review of the impacts is conducted after 12 months.

6.7.12 Yarm Residents Association (YRA):

Charges will bring immediate drop in trade. (**Response** given at 6.7.4).

Disc system has worked for years so should not be changed (**Response** given at 3.23 and 3.24).

Charges are purely to raise revenue. (**Response** given at 3.11 and see Financial Section at 7.0)

If each of the 150 High Street properties is given a permit to park indefinitely then half of current capacity will be reduced. People are talking about buying visitors vouchers and selling them on to commuters. (**Response** given at 6.7.1 and 6.7.2)

Response:

The main thrust of these objections has been responded to earlier in the report. Note that a round robin style letter was available to print and send in from YRA website but the round robin letter was not sent in by YRA directly.

6.7.13 Yarm Town Council:

‘Pay and Display’ will have a detrimental effect on viability of local businesses and residents. (**Response** given at 6.7.4).

Machines are not in keeping with ‘conservation area’ status.

‘Pay and Display’ on the cobbled highway contravenes the ‘Road Traffic Regulation Act 1984’ as it will not manage congestion. (**Response** given at 6.7.6).

Disc zone contraventions are no longer an issue/justification for pay and display (**Response** given at 3.23 and 3.24).

There is no lawful/valid reason to obtain a TRO for pay and display (**Response** given at 6.7.5).

Proper consultation has not been undertaken and in particular with a major stakeholder (**Response** given at 6.7.6).

An impact assessment for revenue forecasts, impact on businesses, number of permits to be issued, displaced parking has not been conducted (**Response** given at 6.7.5).

Stockton and Yarm are being treated unequally (**Response** given in Para 3.5 – 3.10).

A maximum stay should be included (**Response** given at 6.7.2).

Long stay parking is needed before pay and display takes place (**Response** given at 6.7.3 and 6.7.7).

The Town Council’s alternative scheme is practical, less expensive and supported by residents and traders (**Response** see discussion of the alternative proposal given in Para 3.35 – 3.37).

Response (not already covered earlier):

Pay and display machines would be painted black in accordance with similar machines used in other Conservation Areas. Urban Design Officer and Historic Buildings/Conservation Officer would be involved in reviewing the proposed scheme for implementation.

6.8 A summary of key points raised in the other objections is indicated in Table C, note the summary is again not intended to be exhaustive and a copy of each representation will be available at the Committee meeting. The main comments are summarised below, with a response from Technical Services.

Table C

Issue / concern	Technical Services response
1. The proposed charges are too high for workers to pay to park all day.	The Council did not intend that workers paid to park all day but rather that the car parking spaces were reserved for customers and visitors. The proposed charges for long stay off street car parks could be reduced to £1.50 per day from the advertised £2.40 per day to help with these concerns. The short stay pay and display charges will provide a funding stream to provide additional subsidised off street long stay parking spaces to

	assist workers.
2. A long stay car park is needed.	The Council has spent several years exploring the opportunity to provide a large long stay car park for Yarm. Several of these sites remain in private ownership and discussions with the owners over lease or purchase arrangements have stalled for some time. As the implications for not providing additional long stay car parking remain of concern it was agreed by Cabinet in January 2013 that the Council could use its powers of compulsory purchase to help secure this provision from the private sector. Encouraging progress on securing suitable sites in the vicinity of Yarm High Street has been made and is estimated could provide around 80 off street spaces based across small pockets of suitable land.
3. The charges will deter visitors and shoppers from coming to Yarm resulting in a drop in trade and Yarm will become a ghost town.	The NEMS market research indicated that only 4-5% of visitors mentioned free parking as an attraction of visiting Yarm. 45% have visited Yarm and failed to get parked; 10% often. The failure to get parked results in abandoned visits and presumably a loss of trade now. A copy of the NEMS Report will be available at Committee.
4. Parking will displace to areas where free on street parking is available nearby, causing issues for residents.	There is a possibility, that some motorists will park further afield and Cabinet asked that a review of the impacts is conducted after 12 months. Waiting restrictions to address road safety concerns or areas of on street residents permit parking could arise from the review. It is likely that the provision of affordable off-street car parking will reduce the extent of this problem.
5. Residents permit holders will take up a significant number of spaces on the High Street, reducing capacity for shoppers/visitors. Permit system will be misused.	The number of short stay spaces will be increased by over 120 spaces and since many permit holders will be at work during the week, it is expected that a minimum of 80 spaces will be available for shoppers/visitors. On Saturdays this number will be reduced and that aspect will form part of the revisions considered during the 12 months review. The NEMS residents' needs survey does not indicate this will be the case and permit eligibility criteria has been established.
6. Objections to the general principle of parking charges.	The principle of charges has been challenged at the highest level for during the Judicial Review process in 2012. The application for Judicial Review was dismissed and confirmed that the Cabinet decision to introduce pay and display could proceed.
7. The proposals are contrary to the 'Mary Portas Report' which promotes free parking as Middlesbrough have implemented.	The Portas Review can be selectively quoted. The report also states that to offer free parking all day is not the solution and recognises that it would be potentially open to abuse by commuters. The Council recognises that

	<p>different town centres may require different parking strategies to underpin economic growth and maintains that pay and display is the correct approach for Yarm. Billingham and Thornaby town centres are privately owned, parking charges would therefore be a decision for the relevant town centre management team. It should be noted that the two privately operated car parks in Stockton do not offer free parking.</p> <p>The 2 hour free parking in Middlesbrough is not in all car parks and no evidence has yet been produced of benefits to traders across the town. Also it allows commuters to initially park for free in former short stay car parks so may have unfortunate adverse impacts for visitors. It should be noted that the three privately operated car parks in Middlesbrough do not offer free parking.</p>
<p>8. More houses from approved planning applications will make the parking and congestion issues worse.</p> <p>It is reckless of Stockton BC to continue to make decisions affecting car parking in Yarm, in the knowledge that a solution is not to hand. Stockton BC is mismanaging car parking in Yarm and approving exacerbation in its decision making. Where will the additional spaces arising from approved developments be sited?</p>	<p>Planning applications are treated on their individual merits by the local Planning Authority and Section 106 Agreements have secured contributions to provide more parking in Yarm and improve junction capacity.</p> <p>The Council has a strategy to secure additional car parking sites and is close to agreement on provision of an additional 80 spaces. It is not appropriate to comment on specific sites.</p>
<p>9. No impact assessment or revenue forecasts have been carried out. The reasons for progressing the Traffic Regulation Orders are unlawful.</p>	<p>The Road Traffic Regulation Act 1984 (Section 45) provides local authorities with a power to designate parking places on the highway, to charge for the use of them, and to issue parking permits for a charge. The Parking proposals for Yarm are not being promoted for the same purpose as a recent case in Barnet where proposals to increase charges for resident parking permits was in order to generate additional income to meet projected expenditure for road maintenance and improvement, concessionary fares and other road transport costs which was not authorised under The Road Traffic Regulation Act 1984.</p>
<p>10. The proposals will impact upon night time trade as motorists who drive into Yarm and leave their vehicle overnight would need to move their car early the next day.</p>	<p>New software in the latest parking machines means it is possible to set up “<i>carry forward</i>” – this means if a motorist parks on Yarm High Street after the proposed parking controls end, at 5pm and they insert £1, the ticket issued will display an expiry time of 11am the following day. This allows more flexibility regarding when the motorist would like to return to collect their car as they would be able to choose a time the following day, even in the afternoon and insert the relevant fee, the existing 2 hour Disc Zone</p>

	starts at 8am and means motorists would need to return by 10am (unless they are parked in the long stay area). The advertised proposals do not include parking charges on Sunday or a Bank Holiday and therefore no payment on a Saturday evening after 5pm or the Sunday before a Bank Holiday Monday would be required for motorists wishing to park overnight and collect their vehicle the following day.
11. The proposals will not ease the congestion problem in Yarm.	The immediate impact of making it easier for visitors to locate a space on the High Street should improve traffic flow although if the increased visitor numbers occur then equilibrium will be restored as a result of increased economic activity.
12. The existing system works well/should be maintained/only needs signing changed to make it clearer to understand.	The number of legal challenges to the current system indicates this is not the case. Appendix 2 to this report gives a sample of challenges and it can be seen that for visitors, the scheme is not well understood. The extent of legal challenges by YTC on zone regulations, layout, markings, use of blocks, signage and legal orders indicate that the Disc Zone encourages disputes and challenges in some quarters. It should be noted that had some of these challenges been successful the result would have been a reduction of around 70 parking spaces available on the High Street.
13. Period of free parking should be extended to first hour free or first 2 hours free.	Free limited waiting periods are difficult to enforce and the longer the free period the more onerous this becomes. Without adequate enforcement the restrictions are abused by commuters. The half hour free parking period has been negotiated with the Chamber of Trade and is intended to provide for one stop short shopping or personal business trips. It is very much at the limit as to what can realistically be enforced.
14. Poor consultation.	See Section 5 of this report.
15. Yellow lining and parking meters will detract from the Conservation Area status/look ugly.	See 'Environmental Implications' of this report.
16. 'Free after 3pm' promotion in Stockton is an acknowledgement that free parking is needed in town centres to boost trade.	Parking incentives tailored to the needs of Yarm can be considered.
17. Keep the long stay at either end of the short stay area and charge the long stay rate.	This would be contrary to the aims of the proposals to free up short stay spaces and would be confusing for motorists if 2 tariffs were in effect along the same length of road adjacent to each other.
18. How would pay and display be cheaper/better than the free disc parking system?	The current system in Yarm is difficult and inefficient to enforce. The proposals will allow more flexibility in duration of stay. The scheme would be much clearer and more

	easily understood by visitors. Residents relying on the High street for parking will also see benefits from the permit scheme.
19. The charges proposed are not equitable to Stockton town centre, they are higher.	See paras 3.7 – 3.9 of this report.

7.0 FINANCIAL IMPLICATIONS

Costs to implement the proposals

The cost of the press notices associated with the statutory advertising element is approximately £1250.

The estimated cost of 12 pay and display machines, including installation costs is £51,360.

Amendments to the signing would be required; estimates are in the region of £13,000.

Installation of CCTV is estimated at £42,000.

Initial Capital outlay is therefore estimated to be in the region of £108,000 to be re-paid within the first 3 years.

Running Costs

There are ongoing costs of running the system such as cash collection, CCTV and Enforcement which are estimated to be in the region of £13,000. Income from residents' permits/visitor vouchers will be a contribution towards the administration costs of the scheme.

In addition there are maintenance implications of the cobbled areas which are in the region of £50,000 per year.

8.0 POLICY CONTENT

The revised proposals will lead to more appropriate use of available spaces in the Yarm town centre, and provide the additional short stay visitor parking that has been identified as necessary to improve the trading position of local businesses and improve the vitality of the town centre. The proposals are in accordance with the Council's Parking Plan and the business case in the application for Decriminalised Parking Enforcement. The advertised Orders are seen as the best way forward in implementing the Cabinet decision of January 2013.

9.0 CONCLUSIONS

A strategy that deals with provision of car parking across the Borough that reflects the economic position of the respective centres is considered to be good practice. The Borough wide parking strategy for the Borough of Stockton-on-Tees made a series of recommendations for each of the Borough's town centres; Stockton, Thornaby, Billingham, Yarm and also included Norton as an economic centre.

Disc parking has been shown to be an out dated and inflexible system and the only truly manageable option of parking control is to introduce pay and display. The introduction of pay and display parking is intended to be a positive measure to enable a clearer system of controls that are easily understood by visitors to the town, enable more efficient enforcement and provide additional spaces for shoppers and the flexibility for visitors and business people requiring longer than the current 2 hours parking allowed under the disc scheme. This longer stay facility has been requested a number of times in discussions with Yarm Chamber of Trade.

Market research, commissioned in consultation with Yarm Town Council and traffic survey data has provided the evidence base with clear conclusions to develop the proposals for Yarm within the reports presented to Cabinet. Challenges to the principle of charging and the consultation undertaken has been challenged and dismissed at Judicial Review.

It is recommended that the Traffic Regulation Order is made and that a review of the impacts is conducted, as approved by Cabinet, 12 months following implementation.

Corporate Director of Development and Neighbourhood Services

Contact Officer : **Mike Chicken**
Tel No : **01642 528148**
E-mail address : **mike.chicken@stockton.gov.uk**

Environmental Implications

Yellow lines implemented would be reduced in width from the standard width and applied in a paler yellow colour more compatible with Conservation Area status. Street clutter from new posts and signs would be minimised as far as practicable but must still be informative for motorists and meet Regulatory requirements. The no waiting at any time plates which are no longer a legal requirement and associated redundant posts would be removed as part of the scheme (estimated to be in the region of 36 plates and 11 posts for removal).

Pay and display machines would be painted black in accordance with similar machines used in other Conservation Areas. Urban Design Officer and Historic Buildings/Conservation Officer would be involved in reviewing the proposed scheme for implementation.

Community Safety Implications

There is one CCTV camera in Yarm High Street and further cameras may be added as a result of these proposals, subject to consultation. Street lighting improvements will enhance the ambient lighting at night reducing likelihood of anti-social behaviour.

Background Papers

Parking Plan

Report to Cabinet 16 December 2010 - Environment Select Committee Report

NEMS Market Research – Yarm Town Centre Car Parking Study September 2011

Borough Wide Car Parking Strategy - Report to Cabinet 8 December 2011 – Borough Wide Parking Review

Report to Executive Scrutiny 19 January 2012 – Borough Wide Parking Review Call-in Report.

Report to Cabinet 9 February 2012 – Borough Wide Parking Review Next Steps

NEMS Residents Survey Report – June 2012

Judicial Review decision – October 2012 Case Number CO/2469/2012

Cabinet Report 10 January 2013 – update on Borough Wide Car Parking Strategy

Supplementary Planning Document (SPD 3)

Officers Traffic Group meeting minutes 7 March 2013 (item ref 30/13)

Cabinet Member Report TS.T.44.10

Cabinet Member Report TS.T.09.13

Parking Annual reports 2011-2012 and 2009-2010

Education Related Item?

No.

Ward(s) and Ward Councillors:

Yarm : Councillors M.Chatburn, B.Houchen and A.Sherris.
