

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

10 JANUARY 2013

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Mike Smith

BOROUGH WIDE CAR PARKING STRATEGY REVIEW

1. Summary

Cabinet approved the borough-wide car parking strategy in December 2011 and an update was provided on progress in February 2012 following the call in by Executive Scrutiny of the original decision. This strategy arose from the report to Cabinet from the Environment Select Committee that identified that it was inequitable not to charge in three town centres when charges were applied in Stockton Town Centre. Cabinet agreed the principle of charging for car parking specifically in Yarm, but stated that it should be introduced as part of a borough wide review of parking charges that would include charging blue badge holders in council owned off street car parks.

This report updates Cabinet on the work that has been carried out on this strategy in respect of Billingham, Norton, Thornaby, Yarm, Stockton Town Centre and the approach to charging blue badge holders for parking. There has been a great deal of activity particularly in Billingham, Stockton and Yarm town centres around the car parking agenda but a very clear plan has been developed to ensure that the original Cabinet decision is under implementation. In summary, Billingham has seen proposals brought forward for extra care provision adjacent to the town centre which will impact on current provision of car parking and this report sets out the options to offset this impact. In Stockton construction work at the south end of the High Street is well underway and a range of incentives have been identified to help support visitor numbers during disruption. In Yarm a complex legal dispute has delayed original intentions for the introduction of pay and display however, this is now concluded and a clear plan of implementation is set out in this report which includes engagement with affected residents groups and the Chamber of Trade for Yarm. This engagement has provided some very useful feedback in designing the details of the proposals going forward.

2. Recommendations

1. Cabinet note the progress in respect of delivery of the borough wide car parking strategy.
2. Cabinet give careful consideration to the alternative car parking proposal submitted by Yarm Town Council and welcome the elements that compliment the delivery of the objectives within the car parking strategy.

3. Cabinet authorise the Head of Technical Service in conjunction with the Head of Legal Services to pursue the acquisition of suitable land to provide a long stay car park for Yarm, if necessary by using a Compulsory Purchase Order.
4. Cabinet endorse under the Council's Scheme of Delegation that the Head of Technical Services, in consultation with the Cabinet Member for Regeneration & Transport, proceed through the statutory process for the implementation of the agreed changes to the parking arrangements in Yarm. (Subject to determination of the above recommendations).

3. Reasons for the Recommendations/Decision(s)

The implementation of changes to car parking arrangements across the Borough are moving at various stages and in the case of Yarm have been subject to a legal challenge. The report therefore updates Cabinet on the progress in each of the towns. In the case of Yarm an alternative proposal to the agreed Cabinet position has been submitted by Yarm Town Council and a commitment was given that this proposal would be shared with Cabinet at the next update. With regards to recommendation 3 in Yarm there are a number of suitable sites for additional long stay car parking provision that remain outside of the Council's control. Approval is sought to move to compulsory purchase powers to enable the Council to be in a better position to acquire additional provision for long stay.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code).

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RECOMMENDATIONS

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through the statutory process for the implementation of the agreed changes to the parking arrangements in Yarm. (Subject to determination of the above recommendations).

DETAIL

Borough wide car parking strategy review

1. The Borough wide car parking strategy considered the issues that were evident in each of the town centres, the current parking provision and actions to be taken where appropriate to improve the situation. Taking each of these town centres in turn a review of progress is presented;

Billingham

2. The majority of off street parking in Billingham Town Centre is privately owned by Stockland. Billingham Town Centre regeneration is moving forward, aided by investment from the council, but there are no plans at this stage to introduce any parking charges in Billingham. It is entirely possible that such measures could be introduced but the economic position of the town centre is not sufficiently robust to sustain such a proposal at this time.
3. The plans for the development of the council owned elements of the town centre such as the Art Gallery, Council offices and land adjacent to the Community Centre will require a redesign of available car parking to meet the needs of new facilities planned. Surveys have been completed in early December 2012 of the parking demand in existing car parks in Billingham Town Centre.
4. The situation remains fluid within the town centre as the extra care development, NHS facility changes and increase of council employees continues. Proposals will now be considered in light of the recent surveys to consider what new provision may be required and where it will be located in order to ensure there is no loss of parking capacity above any demand that will arise from the impending changes.

Thornaby

5. The Council does not own any off street car parking in Thornaby town centre, it is privately owned and managed by BAE Systems Pension Funds Trusted Limited. There is a three hour maximum stay in place at the main BAE ran town centre car park adjacent to LIDL to discourage commuter parking and is enforced with fixed penalty fines being imposed. Although parking meters are installed, there is no short term intention of introducing charges by the owners although they insist that the limited stay controls are essential for the success of the shopping centre.
6. The issue that is causing some concern to ward members and the local community is that of commuter parking in adjacent residential areas. This is currently being assessed as part of a study to measure the scope and extent of the problem.
7. The outcome of this study will be to devise a plan to try to resolve the issue. This will likely be through a mix of education, enforcement and where appropriate the introduction of Traffic Regulation Orders. A long term solution for the provision of a long stay car park has unfortunately not been delivered due to the only significant site, the former Tristar Neasham site, being withdrawn from the market. It would appear that the site may well be developed and therefore permanently denied as a car park. However, the ongoing study is looking at any other opportunities for provision of long stay off-street parking.

Norton

8. Issues in Norton have not been as significant as experienced in other town centres and therefore priorities have re-focused resources.
9. It is intended to survey the parking problem hot spots early in 2013 with a view to developing a range of options to take forward to consultation with residents and businesses in the village.

Stockton

10. Stockton Town Centre regeneration has begun and there is going to be some inevitable disruption and potential impact on businesses in the centre. To support the retailers a range of measures are being considered and will be implemented for example "Free after Three" in the off street short stay car parks.
11. The plans for Stockton Town Centre include additional short stay parking on the High Street to increase accessibility to the retail centre.
12. New pay and display machines are being installed that will accept chip and pin and provide information on car park usage that will provide useful intelligence on patronage to the town. Installation of the new machines is scheduled to begin in January 2013 and once operational further incentives for short stay car parking will be able to be implemented. It is hoped that the incentives will change to reflect the ongoing disruption in the High Street so that differing incentives can be considered throughout the calendar year.
13. The redevelopment in the town centre provides an opportunity to review the existing car parking charges and the hours in which parking restrictions are applicable. The objective being to create car parking that encourages visitors, is not onerous to manage and is not open to misuse.
14. Signage for the car parks, in terms of location and information boards adjacent to the pay and display machines are being addressed during the regeneration of the town centre.

Yarm

15. The proposal approved by Cabinet in December 2011 included:
 - The introduction of pay and display to improve the availability of short stay parking spaces and increase the number of short stay spaces by 80 to cover the whole High Street.
 - Visitor parking will have the flexibility to accommodate quick 10 minute visits up to longer periods of 3 to 4 hours.
 - Commitment to increasing long stay provision within the Town through possible use of third party land.
 - Residents who rely on the High Street to park will be able to access a resident parking permit costing £10 per year allow them to park anywhere on the High Street.
 - New restrictions will operate 9am till 5pm instead of the current 8am – 6pm, so will offer more flexibility, particularly to the vibrant evening economy.
 - The Council is committed to working with every business to help with effective staff travel planning.
16. The decision in respect of introducing parking charges to Yarm has been the subject of an Executive Scrutiny Committee Review which decided not to refer the decision back to Cabinet. A clear plan for changes to car parking arrangements in Yarm has been developed since December 2011. This has included clear engagement with residents groups and the Chamber of Trade to understand how the changes will impact on them and

how their needs can be taken into consideration. A plan of the existing car parking arrangements in Yarm is included at **Appendix 1** of this report.

17. 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 prevented any steps being taken to progress the introduction of parking charges in Yarm.
18. As this order was considered to be too restrictive it was challenged by the Council and a variation secured which allowed consultation with residents to take place but still prevented any steps being taken in terms of the formal process of implementing charges. During this period three resident meetings were held to consult with those residents who would be directly affected by the introduction of charges. Every house within the town centre was surveyed to understand their current parking arrangements and vehicle ownership. This enabled officers to understand how many residents may need to rely on a permit to continue to park on the High Street after charges are introduced. It was made clear to residents that the cost of any permit would be £10 per year and that that permit would allow them to park anywhere on the High Street without restriction. The engagement with residents also offered the opportunity to understand current concerns over indiscriminate parking particularly in the side and rear streets.
19. The Judicial Review concluded in Leeds High Court over two days on 23rd August and 28th September 2012, with judgement being handed down on 3rd October 2012. The application of judicial review by Yarm Town Council was dismissed which confirmed that the original Cabinet decision to introduce pay and display could proceed.
20. During the period of legal challenge engagement with the Town Council did continue and at a meeting with the Town Council members on 28th June 2012 they agreed to submit an alternative proposal for car parking in Yarm and this would be available by the end of September 2012. This was received, eventually after a final request, on 30th October 2012 (see **Appendix 2**).
21. The Town Council proposal has been evaluated against a series of criteria and objectives consistent with both the borough wide strategy and the finding of the market research, the results are in the table below;

Criteria/Objectives	Yarm Town Council	Stockton Borough Council
1. Meeting residents parking needs.	Restricted to either end of the High Street but not clear if this is available during the day while disc parking is in place.	Will be open to full length of High Street via a permit scheme at £10.00 per annum based on eligibility criteria.
2. Providing flexibility in length of stay.	Disc parking for whole length of High Street will not do so if it is to be two hours maximum.	Pay and display will allow visitors to pay for the length of stay they require.
3. Supporting potential for economic growth in Yarm	Increased long stay is proposed but disc zone parking has proved to be resource intensive to manage and not easily understood by visitors.	Flexible pay and display with over 80 extra spaces will increase turn over and availability for visitors.
4. Provision of additional long stay parking.	A number of sites are identified and some information on costs but no detail on funding arrangements or on progress to secure sites.	Sites identified and discussions will progress with the option of compulsory purchase being considered.
5. Charges applicable to long stay car	Charges are proposed in both SBC and YTC car parks.	Charges will be applied to SBC owned off street car

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22. Clearly there are areas where the Town Council scheme differs significantly in approach but it is refreshing to see that the principle of charging has been adopted at least for long stay car parks.
23. Dialogue with the Chamber of Trade for Yarm continued in November 2012 and their views were captured 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. It was quite clear that the Chamber of Trade would like to see an increase from the proposed 10 minute free period beyond 20 minutes free. This has been given considerable thought and a period of up to 30 minutes would become difficult to manage and would require a labour intensive enforcement regime similar to that currently in use with the disc zone. However, up to or close to a 20 minute window could possibly be managed more effectively and it is proposed as a result of dialogue with the Chamber of Trade that up to the first 20 minutes could be free. The tariff beyond the free period of, say, 20 minutes remains subject to further detailed consultation through the statutory process of a new Traffic Regulation Order, however, a charge of £1 for the first two hours and then £1 per hour thereafter is a reasonable measure at this stage and this charge is similar to the tariff of Stockton off-street car parks. The likely time for charges to apply would be between 9.00am and 5.00pm which would mean that the successful evening economy in Yarm would benefit from free parking outside of these hours. It is noted that a range of incentives are now in place for parking arrangements in Stockton town centre and any charging regime in Yarm would also benefit from the same flexibilities and incentives used in Stockton town centre.
24. It is now proposed to move forward with the design of the charging arrangements in Yarm, taking into consideration the input from residents and business meetings before embarking on the formal consultation process.
25. Consultation on the proposal will help shape the detail for the residents permit scheme, the charges applicable, hours of operation etc. At this stage these details have not been formulated.
26. There will be a need to bring forward a range of parking restrictions to address existing indiscriminate parking and to manage the inevitable displacement that will occur as a result of introducing charging.
27. It is also inevitable that objections will be made to the proposed Traffic Regulation Order and these objections will be heard by the Appeals and Complaints Committee. The process for bringing a Traffic Regulation Order in place is likely to take around six months.
28. As a result of discussions with residents and the Chamber of Trade and the Town Council alternative proposal officers are continuing to pursue the acquisition of new sites for long stay car parking provision. 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 is proposed that the Council uses its powers of compulsory purchase under the Highways Act 1980 to help secure this provision from the private sector.
29. Feedback from the community has also included complaints about a number of Yarm school pupils who park vehicles on the High Street and a commitment has been given to work with the school to secure ways to help reduce the impact of this potential problem on the High Street.

Blue Badges

30. Many Councils are charging blue badge holders for parking in off street car parks. The principle was agreed at Cabinet in December 2011, since then consultation with disability groups has taken place. One concession that is to be introduced is the extra time for no extra cost to allow disabled drivers/passengers to do what they need to in the town centres and to facilitate the extra time it can take to get in and out of their vehicles.

FINANCIAL IMPLICATIONS

The Capital costs of introducing car parking charges in Yarm would be met through the Medium Term Financial Plan.

LEGAL IMPLICATIONS

Associated Traffic Regulation Orders and car parking Control of Use Orders associated with the Borough wide Car Parking Strategy will be processed in accordance with statutory procedures and advertised as required by the "Local Authorities Traffic Orders (Procedure) (England & Wales)) Regulations 1989 as amended" to enable objections to be made. Any unresolved formal objections will be considered by the Council's Appeals & Complaints Committee, to which objectors are invited to attend in person. The Committee's recommendations are referred to the Head of Technical Services and Cabinet Member for Regeneration & Transport as part of the decision making process.

RISK ASSESSMENT

The recommendations contained within this report and the Borough Wide Car Parking Strategy are categorised as medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

The implementation of the Borough Wide Car Parking Strategy will assist in achieving key ambitions to improving the economic performance of the Borough in general which is firmly embedded in regional, sub-regional and local regeneration policies.

The Borough Wide Car Parking Strategy will contribute towards the ambitions outlined in the Sustainable Communities Strategy under the following core theme for 2008-2021:

Economic Regeneration and Transport

Flexible charging tariffs and parking management across the Borough will positively support the planned and on-going regeneration projects in the Borough's town centres. The recommendations outlined in the Borough Wide Car Parking Strategy will provide a consistent approach to car parking across the whole Borough whilst reflecting the local issues in each of the individual town centres to underpin the ambition to create vibrant and successful town centres.

The Strategy further supports this theme by improving access into town centres.

Stronger Communities

Improving urban competitiveness and liveability will secure the long term economic viability of the Borough.

Arts Leisure and Culture

The ambition to make the Borough more attractive physically but also in terms of attracting new people, business and cultural opportunities to the Borough would be assisted by flexible charging tariffs and parking management.

EQUALITIES IMPACT ASSESSMENT

This report has been subject to an Equality Impact Assessment because the proposed changes to charging for blue badge holders, introduction of additional short stay car parking on Stockton High Street and introduction of or amendment to pay and display tariffs. The assessment overall indicates that a neutral to positive score has been identified as a result.

CONSULTATION INCLUDING WARD/COUNCILLORS

The consultation on the "Borough Wide Car Parking Strategy" was documented in the report to Cabinet 8 December 2011.

Name of Contact Officer: Mike Chicken
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Education related?

No

Background Papers

Report to Cabinet 9 February 2012 – Borough Wide Parking Review Next Steps
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 16 December 2010 (Min. 115 refers) - Environment Select Committee Report
Borough Wide Car Parking Strategy
Report to Cabinet 8 December 2011 – Stockton Town Centre Regeneration
Annual Car Parking Report 2009/10 & 2010/11
NEMS Market Research – Stockton Town Centre Study October 2011
NEMS Market Research – Yarm Town Centre Car Parking Study September 2011
Stockton Town Centre Prospectus

Ward(s) and Ward Councillors:

All