

EAST HERTS COUNCIL

EXECUTIVE – 5 AUGUST 2014

REPORT BY EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT

OFF STREET PARKING PLACES ORDERS 2014

The East Hertfordshire District Council (Bishop's Stortford) (Off Street Parking Places) Order 2014.

The East Hertfordshire District Council (Hertford) (Off Street Parking Places) Order 2014.

The East Hertfordshire District Council (Ware) (Off Street Parking Places) Order 2014.

The East Hertfordshire District Council (East Herts Rural) (Off Street Parking Places) Order 2014.

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To inform the Executive of objections received following the advertisement of the above Traffic Regulation Orders.
- To ask the Executive to confirm how they wish these Orders to be progressed.

<u>RECOMMENDATIONS FOR EXECUTIVE:</u> That:	
(A)	the objections received in respect of the above Orders be considered;
(B)	the record of the petitioner's address to a meeting of the Council on 30 July 2014, be received;
(C)	the making of the East Herts Rural Order be authorised;
(D)	in respect of each the Hertford, Bishop's Stortford and Ware Orders, the Executive confirms how it wishes to proceed, having noted the available options outlined in Section 3 of the report.

1.0 Background

1.1 On 1 May 2014 East Herts Council advertised four Traffic Regulation Orders (TROs) in respect of its off-street car parks. The advertisement of a TRO gives any interested party twenty one days to object to the proposals contained therein. The Council allocated thirty days to this process (1-30 May).

1.2 Each of the TROs relating to Bishop's Stortford, Hertford and Ware contains broadly the same proposals:

- The introduction of a stand-alone free half hour parking option.
- Increased short stay parking time at no additional cost.
- A flat rate parking charge of £1 between 4pm and 10pm.

The public notice summarising the proposals can be viewed at **Essential Reference Paper B**.

1.3 The TRO relating to the rural towns (Buntingford, Stanstead Abbots and Sawbridgeworth) does not propose changes to current fees and charges. It is primarily a consequence of the decision to advertise a separate TRO in respect of each of the other towns.

2.0 Report on Objections

All TROs

2.1 Advertisement of the four TROs drew one hundred and fifty nine individual responses. A small number were in favour of the Council's proposals. A summary report on these individual responses can be found at **Essential Reference Paper C**.

East Herts Rural TRO

2.2 No objections were received in respect of the East Herts Rural Order. Officers recommend that this TRO is implemented.

Hertford TRO

2.3 In addition to one hundred and fifty nine individual responses the Council received a petition containing two thousand and eleven signatures. The covering letter and front pages of the petition showing the terms on which it was raised can be found at

Essential Reference Paper D. The full petition may be viewed at <http://www.eastherts.gov.uk/index.jsp?articleid=29363>

- 2.4 The petition was gathered in Hertford by a Hertford resident and it appears that the signatures are predominantly those of Hertford businesses and residents; however Members may wish to apply the spirit of the petition to all three towns where fees and charges changes are proposed.
- 2.5 The lead petitioner has exercised her right to address the Council on this matter. This will take place on Wednesday, 30 July. A note of this meeting will be made available to the 5 August Executive.

Hertford, Bishop's Stortford and Ware Objections - Main Themes

- 2.6 Members may wish to acquaint themselves with the detail of the objections and in particular the 'free text' comments; however it is apparent that two main themes have emerged:
- Opposition to the flat rate evening charge in car parks and in particular its perceived effect on town centre residents and businesses.
 - Opposition to the effect an evening charge in car parks might have on on-street parking.
- 2.7 Respondents have tended to express support for those elements of the Council's proposals that offer additional parking for the same charge and a free, stand-alone half hour. In respect of the latter, many have gone on to suggest that the free parking period should be for longer than the thirty minutes proposed.
- 3.0 Implications
- 3.1 Members have three options in respect of each of these Orders:
- Overrule in full and implement.
 - Accede in full and withdraw.
 - Accede in part and modify one or more Orders to accommodate some, if not all, of the objections.

In respect of the third option, Members are advised that any modification to an advertised Order may only *lessen* its effect. For example, if the proposed £1 flat rate charge was ended at 1830 it would be possible to amend and then proceed to enact the

current TROs, whereas to do away with the £1 flat rate charge altogether and retain the current pay and display charges between 1600 and 1830 would require the Council to prepare and advertise new TROs. This is because for some motorists the cost of parking between 1600 and 1830 would then become greater than the £1 flat rate charge currently proposed.

- 3.2 The financial assumptions underpinning the Council's original proposals may be found in the report to the 4 March Executive. In the revised scenario outlined in 3.1 (above) the additional expenditure on evening enforcement would no longer be required and could be removed from the base budget. This reduction in expenditure would result in a full year saving of approximately 50k.
- 3.3 Ending the flat rate evening charge at 1830 would, however result in a further reduction to pay and display income, estimated at £74k per annum based on a mid-point assumption of 50% of pay and display customers trading up to the next available tariff and 50% trading down.
- 3.4 Summary tables showing the financial implications of the original and revised options based on this assumption of 50% of pay and display customers trading up to the next available tariff and 50% trading down may be found at **Essential Reference Paper E**.
- 3.5 It is unlikely that the £340k identified currently as the possible full year cost of the proposals based on a 50% trading up and 50% trading down model (to be taken from the Council's Priority Spend Budget) would be sufficient to make good the additional shortfall on the Council's pay and display revenue budget should the revised approach be adopted.
- 3.5 Should Members instruct officers to making any or all of the TROs, the Council will be required to write to each objector (and in the case of the petition the lead petitioner) giving the reason why their objection has not been acceded to.
- 3.5 Members may be aware that a local authority has up to two years to implement a TRO from the date the proposals were advertised (in this case 1 May 2014) . In practical terms this means the Council could elect to not implement any or all of the TROs, perhaps until separate arrangements had been made to meet some or all of the concerns of the objectors.

- 3.6 Should Members elect to withdraw one or more of the TROs it will be necessary for officers to re-advertise a fresh TRO on revised terms. This could take several months, during which time the Council's ability to charge for and enforce in the affected car parks would be vested in the current Off-Street Parking Places Order.
- 3.7 The Bishop's Stortford Order contains proposals to reduce long stay parking charges in the town's Northgate End and Link Road car parks from £4 (5hrs) and £6 (all day) to £3.60 and £4.40 respectively. Should the Bishop's Stortford TRO not be implemented these changes could not be made until an alternative TRO had been enacted.
- 3.8 Further information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper A**.

Background Papers

Minutes of the East Herts Executive on 4 March 2014 (Authority to promote the TROs, background and full financial modelling)
<http://online.eastherts.gov.uk/moderngov/ieListDocuments.aspx?CId=119&MId=2311&Ver=4>

Contact Member: Councillor Paul Phillips – Executive Member for Economic Development
paul.phillips@eastherts.gov.uk

Contact Officer: Neil Sloper – Head of Information, Customer and Parking Services
Contact No - extn. 1611
neil.sloper@eastherts.gov.uk

Report Author: Andrew Pulham – Parking Manager
andrew.pulham@eastherts.gov.uk