

Chichester District Council

THE CABINET

7 November 2017

Parking Proposals and Off-street Parking Charges

1. Contacts

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2. Executive Summary

This report reviews the parking charges in the Council's off-street car parks in accordance with parking policy. The report makes proposals for parking charges to be implemented from 1 April 2018 for the purposes of consultation.

The report also provides some proposals for consideration relating to parking in the District, including the introduction of Regulation 10 Penalty Charge Notices; improvements to parking payment options and the inclusion of Florence Road Car Park on the Council's Parking Order.

3. Recommendations

- 3.1. That the Cabinet approves the charges set out within appendix 1 of the agenda report which, subject to consultation responses, be implemented from 1 April 2018.**
- 3.2. That the Head of Commercial Services be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2015 and the Road Traffic Act 1984.**
- 3.3. That the Cabinet approves the use of Regulation 10 Penalty Charge Notices within Chichester District from 1 April 2018.**
- 3.4. That the Cabinet approves the inclusion of Florence Road car park (subject to agreement from West Sussex County Council as the Highway Authority) onto the Parking Order for Chichester District and implements a maximum stay as indicated in section 4.13 of the agenda report.**

4. Background

- 4.1. Off-Street Parking Charges Income generated by car parking charges is regularly reviewed. In accordance with the Review of Fees and Charges Policy, Cabinet will recall that a number of increases in charges were approved and came into effect on 1 April 2017. These covered both rural and Chichester city car parks, with an increase in the cost of season tickets in the city car parks. A decision was also made at this time to extend the hours of charging in the Northgate and New Park Road car parks, Monday to Saturday, from 6pm to 8pm. Cabinet agreed at its meeting on 6th October 2016 that the hourly charges be frozen until 31st March 2018.
- 4.2 Car park users expect charges to be reasonable and proportionate. The Council needs to generate enough income from car parking to cover its costs and to allow for future investment. Car parks occupy valuable sites and charges need to reflect this. If they are not serving their purpose effectively, or their usage could be consolidated, there may be another economically beneficial use to which a site could be put.
- 4.3 Chichester District Car Park Strategy 2010-20 reflects the need to maximise the capacity of the existing stock. One method of doing so is to ensure that charges are set at a level which encourages turnover of use in higher demand areas.
- 4.4 It is understood that West Sussex County Council are likely to undertake a review of on-street parking charges in the coming months, with implementation of any proposed changes to these charges likely to be during 2018. Any amendments to charges would be closely monitored for deflection onto the highway.
- 4.5 Regulation 10 Chichester District Council's Civil Enforcement Officers operate under Regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Directions 2007. Under this regulation a Penalty Charge Notice (PCN) is legally served by being affixed to the vehicle concerned or being handed in person to the vehicle's driver at the time of the contravention. In some cases, after preparing the necessary documentation, the Civil Enforcement Officer (CEO) is prevented from serving the PCN by the driver returning to the vehicle and driving off, or by the driver becoming abusive or threatening. Presently, PCNs which cannot be served in these circumstances are not pursued further.
- 4.6 Regulation 10 of the Civil Enforcement of Parking Contraventions (England) General Directions 2007 enables local authorities to serve PCNs by post in the above circumstances (referred to as Regulation 10 PCNs). Those authorities currently enforcing parking controls on behalf of West Sussex County Council do not presently use Regulation 10 PCNs. A number of local authorities in the southern region do issue Regulation 10 PCNs – including Fareham, Portsmouth, Southampton, Surrey Heath, Brighton and Hove and Winchester.

- 4.7 West Sussex County Council has requested local authorities in West Sussex who are currently operating civil enforcement on their behalf to extend this to include the serving of Regulation 10 Penalty Charge Notices. The vehicle keeper's details will be obtained from the DVLA at a later date and the PCN served by post. If the driver returns to the vehicle during the initial observation period, no PCN is issued, as at present. Approximately 240 Penalty Charge Notices were prevented from service during 2016/17 as a result of vehicles driven away / abusive or aggressive behaviour.
- 4.8 Where a PCN is served under Regulation 10 all rights of appeal and access to discount periods for early payment are the same as for a PCN served via Regulation 9.
- 4.9 It is important that motorists feel that the system is fair and consistent and this process will demonstrate that anyone committing a parking offence will be subject to the same enforcement which should promote increased compliance with regulations. Motorists who prevent a PCN being served by either driving away or who adopt threatening or abusive behaviour towards CEOs may at times be currently avoiding any penalty and therefore poor parking habits are perpetuated which has a detrimental effect on road safety.
- 4.10 Florence Road Car Park Chichester District Council owns the car park immediately adjacent to Florence Park in Chichester. This free of charge, 21 space car park is accessed from Pound Farm Road and provides parking for users of Florence Park and its amenities. There have been a number of comments received from customers using the park along with local organisations, relating to the use of the car park. There is increasing evidence of commuters using the car park all day which results in genuine customers of the park and the local amenities being prevented from parking. The car park is not currently included on the District Council's Parking Order and therefore enforcement by Civil Enforcement Officers cannot be undertaken on these vehicles.
- 4.11 It is recommended that the authority includes Florence Road car park onto its Parking Order to assist with the turnover of spaces. Whilst it is recommended that parking within the car park should at this stage remain free of charge it is proposed that a maximum stay of three hours should be stipulated within the car park, with a Penalty Charge Notice to be issued should this be exceeded. This stay duration is supported by local Members and local organisations. The proposal will require consideration by West Sussex County Council as the Highway Authority and will also require advertisement and consultation with the public.

5. Outcomes to be Achieved

- 5.1. To ensure Chichester District parking charges remain competitive with neighbouring centres leaving our business centres in a strong position and do not cause unacceptable parking deflection into residential areas.

- 5.2. The proposed charges assist with delivering the objectives of both assisting with capacity issues in the higher demand car parks and helping to cover administration and maintenance costs of each car park.
- 5.3. An enforcement service which is consistent regardless of the behaviour of the driver at the time of contravention occurring.

6. Proposal

- 6.1. The proposed charges as set out within Appendix 1 are approved for the purposes of consultation. The charges proposed are considered modest and competitive when compared with other neighbouring authorities. Details of charges in other nearby competing centres are included in Appendix 2 and 3. Subject to the outcome of the consultation they are to be implemented with effect from 1 April 2018.
- 6.2. The proposal to introduce Regulation 10 Penalty Charge Notices is recommended for approval to assist further with a consistent and effective civil enforcement service. It is not proposed at this time to issue PCNs using enforcement or CCTV cameras; however should this be a requirement then it is proposed that this would be undertaken in consultation with the relevant Portfolio Holder, community groups and local councillors. The adoption of Regulation 10 PCNs will help to reduce the number of unenforceable PCNs which present a loss of Civil Enforcement Officer time.
- 6.3. The inclusion of the Florence Road Car Park into the Parking Order is recommended for approval to assist with car park usage, capacity and consistency of approach.

7. Alternatives Considered

- 7.1 A series of options were considered by the Chichester District Parking Forum and these are fully detailed in the minutes of the Parking Forum.
- 7.2 Do nothing – however this would not assist with covering the costs of the provision of the car parks service, provide further consistency to customers or assist with car park usage or turnover.

8. Resource and Legal Implications

- 8.1. To implement changes to charges and car parks there will be minor costs associated with the provision of new signs and necessary adjustments to the machine tariffs as well as changes to back office software; these costs are contained within the service's revenue budget. In addition there may be costs associated with additional enforcement.
- 8.2. The Parking Order will require amendment once the charges are agreed.
- 8.3. Civil Enforcement Officers and Notice Processing staff will require additional training relating to Regulation 10 PCNs.

- 8.4. The recommendation to increase charges as set out in appendix 1 will generate an estimated additional gross income of £340,000 per annum.

9. Consultation

- 9.1. The proposed changes to parking charges were supported by the Parking Forum meeting of 6 September 2017 and were considered by the Commercial Programme Board in June 2017.
- 9.2. Amendment to the Parking Order will include a further period of public consultation.
- 9.3. Additional consultation was undertaken with the Chichester Festival Theatre and New Park Community Centre as part of the discussion and consideration by the Parking Forum of the impact of evening charges in the area.

10. Community Impact and Corporate Risks

- 10.1. Any increase in charges could cause people to park within neighbouring residential areas and reduce the economic effectiveness of the localities they serve. The modest nature of the increases and other mitigation proposed is designed to minimise this risk.
- 10.2. It is considered that the adoption of the power to issue Regulation 10 PCNs would reduce the number of PCNs evaded and improve compliance with the parking regulations, which will contribute to improving road safety, reducing public transport journey times and reducing congestion.
- 10.3. The inclusion of Florence Road Car Park onto the Parking Order is considered to improve the turnover of spaces in an area where sport and recreation is undertaken and might therefore encourage further use.

11. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact Whilst there is no legislative requirement to provide designated disabled bays free of charge; this has been the case within the district for a number of years. The introduction of Regulation 10 Penalty Charge Notices will assist with a more consistent enforcement service.	None
Safeguarding and Early Help	None
Other	None

12. Appendices

- 12.1 Proposed Chichester District Parking Charges 2018-2019
- 12.2 Winchester City Council parking charges
- 12.3 Horsham District Council and Arun District Council parking charges
- 12.4 Havant Borough Council parking charges

13. Background Papers

- 13.1 None