

FLINTSHIRE COUNTY COUNCIL

REPORT TO: CABINET
DATE: 19TH FEBRUARY 2013
REPORT BY: DIRECTOR OF ENVIRONMENT
SUBJECT: CIVIL PARKING ENFORCEMENT

1.00 PURPOSE OF REPORT

1.01 To make a final decision on Civil Parking Enforcement (CPE), following a Call-in of the decision taken on 18th December 2012.

2.00 BACKGROUND

2.01 On 18th December 2012, Cabinet considered a report entitled 'Civil Parking Enforcement' (attached at Appendix '1'). A copy of the Decision Notice for the report is attached at Appendix '2'.

2.02 The Council is the only North Wales authority which has not adopted CPE so far. A report was presented to Executive in March 2010 which approved work towards the introduction of a Civil Parking Enforcement Area within the County, with the exception of high speed dual carriageway lengths of trunk roads.

2.03 The effective enforcement of on-street parking regulations is essential for:

- Improving safety for both pedestrians and drivers through de-cluttering streets of illegally parked vehicles which often obstruct clear safe views of the highway network by both pedestrians and other road users
- Improving the general flow and efficiency of pedestrians, vehicles and cyclists through the road network
- Improving the local environment by preventing parking on grass verges, pavements and through such activity causing damage and tripping hazards
- Meeting the needs of people with disabilities through the increased provision of specific parking bays which are easily accessible and close to local shops
- Supporting the local economy through improving the general flow of traffic through our highway network, and regularising journey times; and in doing so improving the

quality, accessibility and overall reliability of public transport which uses the network

- Improving the general ambience of our car parks which are, for many visitors, the first visible arrival point within our towns
- Management and enforcement of Residents Parking Permits and on street parking where applicable

2.04 Any application for CPE has to be associated with a Parking Policy and Business Case.

2.05 As part of the general process of approvals, Members will need to agree a number of measures which will have to be reflected in the Order. Of particular significance will be the need to confirm the adoption of Civil Parking Enforcement Powers. Within Appendix 1 (Appendices 'A', 'B' and 'C') of this report are documents relating to Contravention codes, Residents Permits and Disabled Parking Bays which will require confirmation and adoption.

2.06 The majority of Local Authorities in North Wales process any Penalties through Denbighshire County Council (Wales Penalty Processing Partnership {WPPP}). This is an efficient and cost effective service and links into a regionalised approach to service delivery and cross regional partnership working. Flintshire County Council, as part of the implementation of CPE, proposes to take advantage of this regional service. Under CPE this will create a single enforcement regime that will provide members of the public with a more easily understood parking enforcement system.

2.07 As part of the CPE process, it will be necessary for the Council to nominate a Councillor to serve on the Adjudication Joint Committee. The Joint Committee Lead Authority is Manchester City Council and a Memorandum of Participation will be issued for subsequent signature before the commencement date of CPE within Flintshire. It is proposed that the nominated Councillor will be the Cabinet Member for Environment.

2.08 The Council has already submitted a draft application to Welsh Government (WG) for their consideration and has received some initial feedback on this document. Generally the feedback was positive and has been taken account of in current proposals.

2.09 To accord with legislation, the Council, in addition to other powers set out within this report, need to approve the following :-

- Clamping and removal powers, even if the Council chooses not to use them in the future
- A formal start date
- The use of Bailiffs

- The style, colour and type of uniform to be used by Civil Parking Enforcement Officers
- How the Council will deal with TUPE issues should they arise
- The formal SLA with the Central Ticketing Unit

2.10 Integral to Civil parking Enforcement, which takes place 'On-Street', is the issue of 'Off-Street' parking, as a significant proportion of vehicles displaced from roads are likely to resort to public and privately owned car parks.

2.11 There is an inconsistent practice in car park management and charging which goes back to the predecessor authorities of Delyn and Alyn & Deeside. Delyn had a policy of charging, whereas Alyn & Deeside did not and, as a result of this position not having been reviewed since local government re-organisation, we now have the situation where the Council charges for the use of its car parks in Mold and Holywell, whereas all of the other Council car parks are free. At the moment, the Council provides Off-Street parking permits in both Mold and Holywell for the use of residents and businesses. These currently cost £100 p.a. in Mold and £60 p.a. in Holywell. Furthermore, the level of charges have not been reviewed for over 18 years. It is therefore long overdue for the Council to review current practice and set a new policy. This review was included in the 18th December 2012 Cabinet report as Appendix 'D' 'Off-Street Parking Policy'.

2.12 Recognising that Members would want to comment on Appendix 'D', the decision taken on 18th December 2012 was to :-

"Approve the 'Off-Street' Parking Policy shown in Appendix 'D', subject to the views expressed during the Scrutiny process in January 2013, and a review of all car parks listed against the criteria set out in paragraph 10 of Appendix 'D', with consideration of any temporary exemptions for special Reasons."

Also

"That a further report be brought to Cabinet on Appendix 'D', to finalise the proposals."

2.13 Notwithstanding the above, the decision taken by Cabinet on the Civil Parking Enforcement report was called-in by six Members of the Council. The Call-in meeting was held at the end of the scheduled Environment Overview & Scrutiny meeting held on 9th January 2013. The reason for the Call-in and the debate at the Scrutiny meeting focussed on that part of the Decision dealing with the Off-Street Parking Policy, rather than any of the other parts of the Decision taken in December. For completeness, the Recommendations from the December report, as amended to take account of the Call-in, are set out in Section 4 for Members to re-consider.

2.14 The Minutes of the Call-in meeting are attached at Appendix '3'.

3.00 CONSIDERATIONS

3.01 The key points raised at the Call-in meeting fell into the following categories :-

1. Have we reviewed all car parks consistently?
2. The level of usage of the car parks by residents.
3. The cost of residents' parking permits.
4. Can we undertake a review of signs and lines to ensure they are fit for purpose?
5. Is it possible to have a period of free parking within our car parks, before people are asked to pay?
6. Are we charging people to access health facilities and pharmacies?
7. Can we change the type of machine to be used?
8. Can the number of parking spaces required per dwelling under the planning process be changed?
9. Have Town & Community Councils been notified of the proposals?

These points are addressed in the following text.

3.02 Further work has been done to re-assess the car parks against the criteria in the draft policy, which were not challenged at the Call-in meeting and to take account of the views expressed by Members. For reference, the criteria are :-

- Town Centre location, as identified in the Council's UDP
- Occupancy levels of the car parks
- Vibrancy of the Town Centres
- Proximity of the town centre to public transport
- Percentage use by surrounding residents not having access to a private parking space or on street parking.

3.03 The re-assessment has resulted in some minor amendments to the

charging proposals, which are outlined below :-

- Bistre Avenue, Buckley - retain as free, due to level of usage by surrounding residents without access to a private parking space or On-Street parking
- Somerfield, Connah's Quay – continue with proposals to charge, but review prior to their introduction, due to reduced usage (from 76% to 45%) as a result of Council offices and the Co-op closing
- Feather Street, Flint – introduce charges, as it's a central location, and should be available for shoppers. Should they wish to, employees working in the town will be able to park on other 'free' car parks in the town
- Swan Street, Flint – continue with proposals to charge, but review prior to their introduction, due to the potential impact demolishing the maisonettes and implementation of the Masterplan
- Halkyn Street, Holywell – retain as free, due to the level of usage by people accessing the adjacent healthcare facilities.

3.04 The complete list of car parks suitable for charging is set out at the rear of the proposed Off-Street Parking Policy in Appendix '4'.

3.05 The proposed cost of Residents' Parking Permits has been reviewed. In the 18th December 2012 Cabinet report, Annual Parking Permits for residents would have cost £312 per annum. Currently permits in Mold cost £100 p.a. and in Holywell they cost £60 p.a. It is proposed to change the cost of annual permits for residents living within 250m of a car park the Council charges on to £62.40 for each permit (10% of the aggregated yearly charge). This equates to £0.20 per day and reduces the cost of Off-Street parking permits for residents in Mold.

3.06 Also, the cost of permits for business users has been reviewed. It is proposed that businesses within 250m of a car park the Council charges on will be entitled to one permit at a cost of £156.00 (25% of the aggregates yearly charge). This equates to £0.50 per day.

3.07 It is proposed that a review of signs and lines is undertaken in the centres of Buckley, Holywell and Mold, to ascertain whether it would be appropriate to include any 20 minute stay on street parking areas and also the potential for disabled bays. Such areas would make provision for people that want to make a quick visit to a specific shop-facility without having to use our car parks. Similarly, a review of lines and signs will be undertaken in Shotton prior to the introduction of Civil Parking Enforcement, as part of a long standing commitment to Shotton Town Council.

- 3.08 Some of our car parks have peak usage periods greater than the number of spaces within them. For example, the King Street car park in Mold has 68 spaces, but has a peak usage rate of 91 cars per hour. Without charges for an initial stay, it is likely that the peak number of vehicles would increase and that they would stay for the length of the free period, before going to another car park to gain benefit from the initial free period. It is not therefore considered appropriate to pursue this approach. However, any short stay On-Street provision resulting from the lines review outlined in 3.07 would go some way to providing limited free parking.
- 3.09 In undertaking the re-assessment of car parks outlined in 3.02 and 3.03, the proximity of free car parks to healthcare and pharmacy facilities has been assessed. By keeping the Halkyn Street car park in Holywell free, each Town Centre now has a free car park within easy walking distance of a health facility and pharmacy.
- 3.10 The type of ticket machines has been reviewed and it is proposed to install easier to use models.
- 3.11 It is proposed that the Planning Strategy Group should review the number of car parking spaces associated with new dwellings.
- 3.12 Town & Community Councils have been consulted as part of the development of our proposals for Civil Parking Enforcement. Following the Call-in meeting, the report considered by Cabinet on 18th December 2012 was sent to all Town & Community Councils for their information. On 8th February, a Petition was received from Holywell Town Council, seeking the removal of charges from Holywell.
- 3.13 A copy of the proposed Off-Street Parking Policy, amended from the version considered by Cabinet on 18th December 2012 to take account of the above comments, is attached at Appendix '4'.
- 3.14 Based on the proposed Off-Street Parking Policy shown in Appendix '4', a Summary Business Case has been prepared for the introduction of Civil Parking Enforcement. This takes account of factors such as the level of fines generated by enforcement, the anticipated income from the Council's car parks, and the cost of Civil Enforcement Officers required. This Summary Business Case is shown in Appendix '5'.
- 3.15 For completeness, it is worth noting the full extent of costs that would be borne by the Council, should it decide to withdraw charges from all of its car parks. These fall into two categories, namely: one off; and fixed/ongoing as outlined below, based on the following assumptions :-
1. Charges were withdrawn on 1st July 2013, as we would have to go

through a period of consultation before being able to remove them.

2. It is assumed that the 5.5 employees are assimilated from the existing members of staff to provide the resources required for CPE from its proposed implementation in October 2013, compared to the current 6.5 employees, subject to established HR policies. During the period between 1st July – 1st October, these employees would undergo training for CPE.

➤ One-off costs	£k
<ul style="list-style-type: none"> • Redundancy of 1 Full Time employee, assuming they cannot be re-deployed • Salaries of 5.5 employees from 1st July to 1st October 	<p>20</p> <p>32</p>
TOTAL one-off pressure	<u>52</u>
➤ Ongoing/fixed costs per annum	
<ul style="list-style-type: none"> • National non domestic rates • Electricity • Maintenance <ul style="list-style-type: none"> - Grounds (snow clearance, litter) - Repairs (lining, signing, patching) • Ground rent (for use of others' land) 	<p>56</p> <p>13</p> <p>17</p> <p>30</p> <p>26</p>
	<u>142</u>
<ul style="list-style-type: none"> • Net base revenue budget 	(25)
TOTAL on-going pressure p.a.	<u>117</u>

Taking account of Appendix '5' of this report, which summarises the Business Case for introducing the proposed Parking Policy (Appendix '4'), should Members decide to withdraw charges from all of the Council's car parks, the budget pressure for 2013-14 would be £55k (efficiency in Appendix '5') + £52k (One-off costs) + (£117k x 75% July to March) = £194.75k.

3.16 It is recognised that the implementation of the Off-Street Parking Policy set out in Appendix '4', together with the introduction of CPE,

is likely to have a significant impact upon vehicular usage of our town centres and car parks. In addition, Masterplans are either scheduled to be developed or have already been approved for the County's Town Centres. The implementation of these Masterplans is likely to change the dynamics of our Town Centres. It is therefore intended to review the Policy during the 2013-14 financial year, when the initial impact of the introduction of CPE has had time to settle down, and then annually thereafter.

4.00 RECOMMENDATIONS

4.01 That Members:

4.01.1 Approve the list of Contravention Codes and Policies on Residents Permits and Disabled Parking Bays shown in Appendix '1' (Appendices 'A', 'B' and 'C').

4.01.2 Approve the 'Off-Street' Parking Policy shown in Appendix '4' and grant delegated authority to the Director of Environment, following consultation with the Cabinet Member for Environment, to review the Policy annually and implement any changes, following appropriate consultation.

4.01.3 Approve the Summary Business Case shown in Appendix '5' for submission to WG, as a formal request for CPE powers to be conferred upon Flintshire County Council.

4.01.4 Approve the use of Wales Penalty Processing Partnership {WPPP} to process all Parking Contraventions Notices (PCNs).

4.01.5 To grant delegated authority to the Director of Environment, following consultation with the Cabinet Member for Environment, to finalise all detailed aspects of the process, including the matters listed in paragraph 2.09.

4.01.6 Approve the Cabinet Member for Environment, or their nominated substitute, as the Council's representative on the Adjudication Joint Committee outlined in paragraph 2.07.

5.00 FINANCIAL IMPLICATIONS

5.01 Civil Parking Enforcement has specific resources of £186k allocated to the project.

5.02 Based on Appendix '4' (revised Policy to be introduced on 1st July 2013), and the implementation of CPE on 1st October 2013, the Summary Business Case is set out in Appendix '5'.

5.03 Should Members decide to withdraw charges from all of the Council owned car parks, it would leave a £194.75k pressure on the 2013-14

budget proposals.

6.00 ANTI POVERTY IMPACT

6.01 None as a direct result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 Should be positive in terms of parking controls and general street improvement.

8.00 EQUALITIES IMPACT

8.01 Positive in creating increased access opportunities for those with disabilities.

9.00 PERSONNEL IMPLICATIONS

9.01 The figures shown in the Summary Business Case in Appendix '5' assume there are 9 employees compared to the current team of 6.5. The roles of affected employees will need to be reviewed to take account of these proposals.

9.02 Should the Council decide to withdraw car park charges from all of its car parks, there would be implications for the 6.5 employees currently undertaking associated works. The Council's established HR processes for dealing with the issues would be followed.

10.00 CONSULTATION REQUIRED

10.01 Key stakeholders and Members is an ongoing activity.

11.00 CONSULTATION UNDERTAKEN

11.01 Initial report into Executive March 2010.

11.02 Update report to Environment Scrutiny Committee, 17 November 2010.

11.03 Meetings with staff and other key stakeholders, such as Town & Community Councils.

12.00 APPENDICES

12.01 Appendix '1' – 18th December 2012 Cabinet report on Civil Parking Enforcement

12.02 Appendix '2' – Decision Notice for the 18th December 2012 report on Civil Parking Enforcement.

- 12.03 Appendix '3' - Minutes of 9th January Environment Overview & Scrutiny Meeting
- 12.04 Appendix '4' – Off-Street Parking Policy, as amended to take account of comments made at the Call-in on 9th January 2013
- 12.05 Appendix '5' – Summary Business Case

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

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