

**AGENDA ITEM NO.**

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:**                    **CABINET**  
**DATE:**                         **19<sup>th</sup> MARCH 2013**  
**REPORT BY:**                 **DIRECTOR OF ENVIRONMENT**  
**SUBJECT:**                     **CIVIL PARKING ENFORCEMENT**

**1.00 PURPOSE OF REPORT**

**1.01** To update Cabinet, following the Council meeting on 1<sup>st</sup> March 2013.

**2.00 BACKGROUND**

**2.01** On 19<sup>th</sup> February 2013, Cabinet considered a report entitled 'Civil Parking Enforcement' (attached at Appendix 1). This contained, at Appendix 4, an Off Street Parking Policy. All of the Appendices from the 19<sup>th</sup> February report are available in the Members' library.

**2.02** At the Council meeting on 1<sup>st</sup> March 2013, Members resolved to invite Cabinet to review its proposed Policy as follows :-

1. No introduction of charges for car parks which are currently free or to implement any increase in current car parking charges later.
2. The withdrawal of car parking charges in Holywell from 1<sup>st</sup> October 2013.
3. A review of the car parking charging and management system in Mold in partnership with Mold Town Council to be completed and implemented by 1<sup>st</sup> October 2013.
4. The introduction of Civil Parking Enforcement (CPE) from 1<sup>st</sup> October 2013, with the transfer of employees currently employed in car park management and control to the new service, in accordance with the Council's established HR procedures.

**2.03** Furthermore, Members resolved that a budget income provision of £104,000 only should be included in the Council Fund budget, which is equivalent to the combined charging income for Holywell and Mold for 1<sup>st</sup> April to 30<sup>th</sup> September 2013 only. Any assumption for any income

for Mold beyond that date would be presuming the outcome of the review with Mold Town Council, which we propose to conduct.

- 2.04** As CPE and the Off-Street Parking Policy, which includes car parking charges, are matters for consideration by Cabinet, this report seeks approval to the points set out above.

### **3.00 CONSIDERATIONS AND CONCLUSIONS**

- 3.01 Given the information above, which could result in the removal of parking charges totally from across the County, there will be a significant change to the Business case set out in Appendix 5 in the 19<sup>th</sup> February report for CPE. Accordingly, a revised Business Case, based on zero income being derived from car parking charges, is set out in Appendix 2. Should some form of charging regime be retained in Mold into the future, this will generate additional income for the Council and hence Appendix 2 has been chosen as the base level for Cabinet to consider.
- 3.02 Given the Council resolution, Appendix 4 of the 19<sup>th</sup> February report is no longer valid and will have to be amended, following the review of charging in Mold. A further report will be brought to Cabinet for a final decision on this.
- 3.03 The changes required to Appendix 4 and 5 of the 19<sup>th</sup> February 2013 report affect recommendations 4.01.2 and 4.01.3 of that report. All other recommendations remain consistent with the Council resolution on 1<sup>st</sup> March and are set out again in Section 4 for completeness.
- 3.04 It is proposed that the review of Mold's car park charging regime is conducted within the following Terms of Reference :-
1. To further develop baseline data on the current On-Street and Off-Street parking management measures in Mold (see Appendix 3 for a parking plan of the review area), including vehicle numbers, existing car park charges in the various car parks and current Traffic Regulation Orders (TROs).
  2. To clarify the impacts of the proposed introduction of CPE on the current arrangements for On and Off-Street parking management in 1. above.
  3. To analyse the potential options for car park charges in Mold and their impact upon vehicle movements within them and through the town, noting that removal of charges could lead to inconsiderate parking by motorists which could create traffic management and health and safety issues.

4. To identify and recommend whether changes should be made to the current On-Street and Off-Street parking management measures in Mold, based on 1. 2. and 3. above.
  5. To review the use of any income derived from charging, including subsidising CPE and the cost of car park management, as well as for local benefit.
- 3.05 The review will be conducted in partnership with Mold Town Council and will include consultation with key stakeholders, such as Mold Town Partnership.
- 3.06 It is anticipated that the review will take around three months to conclude, and hence it is intended to bring a report to the July 2013 Cabinet meeting. Until the review has been concluded and its outcomes implemented, status quo will remain in Mold's car parks.
- 3.07 Subject to Cabinet approval, the legal process of withdrawing TROs, to enable the permanent removal of charges from Holywell will commence in April 2013. In the event that the review of charges in Mold concludes that they should be withdrawn, this will be done temporarily under the existing Order in the first instance, as it makes provision for suspension of charges. The process for permanent removal of TROs in Mold would then follow afterwards.
- 3.08 Subject to Cabinet approval, an application for CPE will be submitted to WG, with an anticipated implementation date of 1<sup>st</sup> October 2013.
- 3.09 Consideration needs to be given as to what enforcement actions will be taken in all car parks across the County following a successful application for CPE powers to the Welsh Government. This is because there could be indiscriminate and inconsiderate parking by motorists which could create traffic management and health and safety issues. Enforcement action across all the Council's car parks would help to manage this.

#### **4.00 RECOMMENDATIONS**

- 4.01 That Members approve the following recommendations from the 19<sup>th</sup> February Cabinet report (Appendix 1) :-
- 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 use of Wales Penalty Processing Partnership {WPPP} to process all Parking Contraventions Notices (PCNs).
  - 4.01.3 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.

4.01.4 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.

4.02 That Members :-

4.02.1 Approve the Summary Business Case shown in Appendix '2' for submission to WG, as a formal request for CPE powers to be conferred upon Flintshire County Council.

4.02.2 Approve the Terms of Reference for the review of Mold's car parking and parking management regime set out in paragraph 3.04 of the report dated 19<sup>th</sup> February 2013.

4.02.4 Note that a further report will be brought to Cabinet in July 2013, setting out recommendations, following the review of Mold's car parking and vehicle management regime.

## **5.00 FINANCIAL IMPLICATIONS**

5.01 CPE has specific resources of £186k allocated to the project.

5.02 The Summary Business Case is set out in Appendix 2.

5.03 The budget pressure agreed at Full Council of £129k provides a break even position for 2013/14. In subsequent years the pressure will need to be increased by a further £65k to enable a continued break even position.

## **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 2 assume that charges have been withdrawn from the car parks in Mold

and that there are 5.5 employees, compared to the current team of 6.5, to deliver CPE. The Council's established HR processes for dealing with the issues would be followed.

- 9.02 Should it be decided to retain car park charges in Mold there would be a requirement for 6.5 employees.
- 9.03 Should it be decided that the Council takes enforcement action against drivers parking outside the lines of bays, or unauthorised in disabled bays across all of the car parks in the County, this will increase the number of employees required in 9.01 and 9.02 above by 0.5 – 1 employee, depending on the level of enforcement required.

#### **10.00 CONSULTATION REQUIRED**

- 10.01 Mold Town Council, key stakeholders and Members in Mold.

#### **11.00 CONSULTATION UNDERTAKEN**

- 11.01 Initial report to Executive, March 2010.
- 11.02 Update report to Environment Scrutiny Committee: 17<sup>th</sup> November 2010, 9<sup>th</sup> January 2013.
- 11.03 Meetings with staff and other key stakeholders, such as Town & Community Councils.

#### **12.00 APPENDICES**

- 12.01 Appendix 1 – 19<sup>th</sup> February 2013 Cabinet report on CPE.
- 12.02 Appendix 2 – Summary Business Case.
- 12.03 Appendix 3 – Plan of the review area.

#### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

##### **Background Documents:**

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