

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Portfolio Holder for Place – Roger Gambba-Jones

**To:** Cabinet Tuesday, 12 March 2019

**(Author:** Charlotte Paine Environmental Services Manager)

**Subject** Car Parking Consultation Outcome

**Purpose:** To provide Members with the details of the outcomes of the statutory consultation and agree changes to the car parking order

### **Recommendation(s):**

- 1) That members agree, having taken into account the results of the consultation, on the installation of card and cash payment machines for the car parks at;
  - Sheep Market - Spalding, PE11 1BE
  - Victoria Street - Spalding PE11 1EA
  - Holland Road - Spalding PE11 1UL
  - Winfrey Avenue - Spalding PE11 1DA
  - The Vista - Spalding PE11 2RA
  - Swimming Pool - Spalding PE11 1QD
- 2) To agree, having taken into account the results of the consultation, that the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended so as to allow payment of parking charges by ‘any means advertised’ such as coin, card and mobile phone.

### **1.0 BACKGROUND**

- 1.1 Cabinet of 20<sup>th</sup> November 2018 received two reports which detailed the background of the car parks owned and maintained by South Holland District Council and the options for payment methods and electric charging opportunities in suitable car parks across the District.
- 1.2 It was agreed that the statutory consultation would commence to seek feedback from consultees regarding the proposals to introduce more ways to pay in SHDC car parks. This consultation was seeking to amend the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 and it ran from 6<sup>th</sup> December to the 11<sup>th</sup> January 2019.
- 1.3 During this time, we received 76 responses, of which 64 were from residents and 12 from businesses.

### **1.4 CONSULTATION RESPONSES**

- 1.5 Most of the responses received were objections to the perceived introduction of parking fees to car parks that are currently non fee paying. As this was not the intention, or within

the scope of this consultation, to amend the order, it is deemed that these are not relevant objections to this consultation and therefore, whilst noted below, there is no impact to the proposals.

<b>Objections and representations</b>	<b>Response</b>
<p>Object to paragraph 1(b) of the public notice (proposals to introduce card and cash payment machines at named car parks where cash only machines are currently installed, and potentially at further named car parks in future)</p> <p>on grounds that do not wish charges to be introduced at Long Sutton now or in the future</p>	<p>The proposed amendments were never intended to introduce parking charges in Long Sutton. A further formal decision would be required before charges could be introduced in Long Sutton which would be subject to further consultation.</p> <p>Rather, this paragraph was partly intended to 'future proof' the car parking arrangements so that if any charges were ever introduced into the named car parks the Council could provide card and cash machines rather than cash only machines.</p>
<p>Object to paragraph 1(b) of the public notice (proposals to introduce card and cash payment machines at named car parks where cash only machines are currently installed, and potentially at further named car parks in future) and paragraph 1(c) of the public notice (proposals to add the option to pay parking charges by 'any means advertised' in the future)</p> <p>on grounds that do not wish charges to be introduced at Long Sutton and/or introduced or amended at other car parks mentioned in the notice now or in the future</p>	<p>The proposed amendments were never intended to amend existing parking charges, nor introduce new parking charges, in any of the Council's car park. A further formal decision would be required before any new charges could be introduced at any car parks which would be subject to further consultation.</p> <p>A further formal decision would also be required before any existing charges could be amended.</p> <p>Rather, these paragraphs were partly intended to 'future proof' the car parking arrangements so that:</p> <ul style="list-style-type: none"> <li>• if any charges were ever introduced into the named car parks the Council could provide card and cash machines rather than cash only machines; and</li> <li>• the Council can introduce further payment methods in the future such as paying by mobile phone.</li> </ul>
<p>Object to paragraph 1(c) of the public notice (proposals to add the option to pay parking charges by 'any means advertised' in the future)</p> <p>on grounds that do not wish charges to be introduced at Long Sutton and/or introduced or amended at other car parks now or in the future</p>	<p>The proposed amendments were never intended to amend existing parking charges nor introduce new parking charges in any of the Council's car park. A further formal decision would be required before any new charges could be introduced at any car parks which would be subject to further consultation.</p> <p>Rather, this paragraph was intended to 'future proof' the car parking arrangements so that the Council can introduce further payment methods in the future such as</p>

	paying by mobile phone.
Reference to Kings Road in the public notice is incorrect. Should refer to Kings Street.	The schedule attached to the off-street car parking order incorrectly refers to Kings Road rather than Kings Street. This will need to be amended but any amendment will require a further formal decision and further public consultation and does not impact the current proposals.

Under section 39 of the Road Traffic Regulation Act 2004 the Council cannot make an amending order without the consent of the County Council. This consent has now been received.

## **EQUALITY IMPACT ASSESSMENT**

The Equalities Act 2010 requires a public authority, in exercising its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation etc; advance equality of opportunity; and foster good relations between persons who come within the terms of the Act and those who don't. In furtherance of this officers have carried out an equality impact assessment on the proposals, which is attached at Appendix A. The Equality Impact Assessment concludes that no implications arise from the proposals.

## **OPTIONS**

1.6 Amend the South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012 to allow payment of parking charges by 'any means advertised' such as coin, card and mobile phone. This will then allow the Council to introduce card and cash machines in place of existing cash only machines, and to add more modern methods of payment in the future where required such as payment by mobile phone.

1.7 Do nothing

## **2.0 REASONS FOR RECOMMENDATION(S)**

2.1 It is recommended that the order is made future proof by amending it to accept the provision of 'any payment method as advertised' to allow for changes in technology and include current options such as mobile phone payments for car parking as part of this consultation.

2.2 In addition to making the order future proof, this also provides the customers of our car parks a much improved service by giving them a variety of payment methods. The changes ensure that payment by coin continues to be available whilst ensuring those without coin can still use our car parks.

## **3.0 EXPECTED BENEFITS**

3.1 Improving the ease with which people can use our car parking facilities could likely result in an increase in usage of our car parks.

- 3.2 Updating the order to be future proof in regards to methods of payment ensure that amendments, and the associated work that accompanies the need for these, are reduced.

#### 4.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

#### 4.1 **Constitutional & Legal**

- 4.1.1 The Council has undertaken formal consultation in accordance with the requirements of the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996 and this report takes into consideration the results of that consultation.
- 4.1.2 Under section 39 of the Road Traffic Regulation Act 2004 the Council cannot make an amending order without the consent of the County Council. This consent has now been received.
- 4.1.3 This report also considers the proposals in relation to its duties under the Equalities Act 2010.

#### 4.2 **Crime and Disorder**

- 4.2.1 The existing cash machines have been subject to theft. By maintaining use of cash machines the implications may be that further theft of the machines may occur.

#### 4.3 **Equality and Diversity / Human Rights**

- 4.3.1 When considering the removal of cash as a payment option, consideration was given as to whether this would impact on the users who may not have access to a bank card and the options remaining to them if the SHDC car parks were card only. This was done as part of the Equality Impact Assessment which has been completed.

#### 4.4 **Financial**

- 4.4.1 There is a financial impact to introducing machines which accept both card and cash as the purchased card only machines have had to be altered. This is at the cost of £8,500 which was highlighted in the previous report.

#### 4.5 **Reputation**

- 4.5.1 The introduction of multiple payment methods ensure SHDC provide varied and easily accessible car parking options to residents and visitors.

#### 4.6 **Risk Management**

- 4.6.1 The risk of theft of a car parking machine remains whilst cash is accepted but may be considered to have lowered as a number of payments are now made via card and therefore the value in the machines will be less.

#### 4.7 **Stakeholders / Constitution / Timescales**

4.7.1 The consultation was undertaken in the statutory timescales and responses were received from the mandatory consultees.

5.0 **WARDS/COMMUNITIES AFFECTED**

5.1 All

6.0 **ACRONYMS**

6.1 None.

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Background papers:- The South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012

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**Key Decision:** N

**Exempt Decision:** N

**This report refers to a Discretionary Service**

**Appendices attached to this report:**

Appendix A Equality Impact Assessment