

**Wiltshire Council**

**Cabinet**

**19 August 2011**

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**Subject: Proposals for Car Parking in Salisbury**

**Cabinet Member: Councillor Dick Tonge – Highways and Transport**

**Key Decision: Yes**

**Executive Summary**

The purpose of this report is for Cabinet to reintroduce a one hour off-street car parking charge in Salisbury, vary the current two hour charge and approve the implementation method.

The review of the Wiltshire Local Transport Plan (LTP) Car Parking Strategy was subject to an extensive consultation and democratic process. As part of this process, the Council agreed to the removal of the one hour parking charge in Salisbury.

Subsequently, there has been an expressed public desire to reintroduce the one hour charge as quickly as possible. This report proposes that, in line with the Council's 'well-being power', a one hour charge of £1.50 and a two hour charge of £2.50 is implemented through a variation to the existing 'The County of Wiltshire (Southern Wiltshire) (Off-Street Parking Places) Order 2011'.

A risk assessment is included together with the financial and legal implications of the proposals.

**Proposals**

That Cabinet:

- (i) Approves the reintroduction of a one hour off-street parking charge in Salisbury (excluding the Market Place car park) at a level of £1.50.
- (ii) Approves the variation of the two hour off-street charge in Salisbury (excluding the Market Place car park) to £2.50.
- (iii) Agrees that the above changes are implemented through a variation to the existing 'The County of Wiltshire (Southern Wiltshire) (Off-Street Parking Places) Order 2011'.

**Reason for Proposals**

To reintroduce a one hour off-street car parking charge and vary the two hour charge in Salisbury within the minimum legal timeframe

**Mark Boden**  
**Corporate Director – Operations**  
**Department of Neighbourhood and Planning**

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### **Purpose of Report**

1. For Cabinet to reintroduce a one hour off-street car parking charge in Salisbury, vary the current two hour charge and approve the implementation method.

### **Background**

2. A report on the proposed approach to reviewing the Wiltshire Local Transport Plan (LTP) Car Parking Strategy was presented to the Environment Select Committee on 12 January 2010.
3. The Council commissioned its term consultants, Mouchel, to undertake the review of the Car Parking Strategy in January 2010. Mouchel's final reports were issued to the Council at the beginning of July 2010.
4. Consultation on the draft Car Parking Strategy was then undertaken from 12 July to 3 September 2010. A variety of means were used to inform people of the consultation including:
  - web portal and documents/questionnaire provided in libraries
  - press release (which led to good media coverage)
  - parish newsletter article (July and August 2010 editions)
  - Area Board announcements (Salisbury Area Board 22 July 2010)
  - emails and letters sent to some 8,000 Area Board and LTP contacts.
5. The representation made by Salisbury City Centre Management was processed and confirmed through the Council's consultation portal on 31 August 2010. No representation was received from Salisbury City Council.
6. Feedback on the consultation findings were presented to all the Area Boards between 22 September and 23 November 2010. The following resolution was made by the Salisbury Area Board at its meeting on 30 September 2010:

*The Salisbury Area Board draws the attention of Cabinet to the importance to Salisbury of its continued economic vitality, both as a popular tourist destination and an attractive shopping centre. We are keen to encourage the use of Park and Ride, so that our relatively compact city centre is not full of*

*cars, but we also need to ensure that parking charges for Salisbury as a whole are lower than our competitor.*

7. The Environment Select Committee considered the Car Parking Strategy at its meeting on 2 November 2010 where Members resolved:

*To congratulate the Cabinet Member on the work undertaken and note the update provided and request that the comments made are taken into consideration by the Cabinet Member prior to the final report's submission to Cabinet.*

8. Following the Environment Select Committee meeting, a minority report was received on 18 November 2010. The response to this report was issued on 13 December 2010.
9. In reply to an email from Councillor John Brady, Mr Ian Newman, Chairman, Salisbury City Centre Management, agreed in an email dated 19 November 2010 that "The charge of £2.00 for two hours with no one hour tariff makes sense". As a result, this proposal was included in the report presented to Cabinet at its meeting on 14 December 2010.
10. The minutes of the above Cabinet meeting record the receipt of two questions and 46 written submissions. Ten verbal representations were also made at the meeting. The following written submissions were received from Salisbury:
- John Glen MP, Member of Parliament for Salisbury
  - Terry Parkinson, Salisbury (two submissions received)
  - Mr Vince Delderfield, Salisbury
11. The following off-street (Monday - Saturday) car parking charges in Salisbury were agreed by Cabinet:

**Table 1: Off-street car parking charges in Salisbury (Monday-Saturday)**

<b>Stay</b>	<b>&lt;1hr</b>	<b>&lt;2hrs</b>	<b>&lt;3hrs</b>	<b>&lt;4hrs</b>	<b>&lt;5hrs</b>	<b>&lt;8hrs</b>	<b>All day</b>
Short	-	£2.20	£4.20	-	-	-	-
Long	-	£2.20	£4.00	£4.60	£5.50	£7.40	£7.40

Note - Excludes the Market Place car park where the following charges apply: <½ hr £1.40; <1 hr £2.70; <1½ hrs £4.20; and 2 hrs £5.50.

12. The Sunday parking charge in Salisbury was set at a flat rate of £1.70.
13. In accordance with the Overview and Scrutiny Procedure Rules (Part 8 of the Constitution), the Cabinet decision was called in by the Environment Select Committee. At the extraordinary meeting held on 21 December 2010, the Committee resolved:

*That it was satisfied by the response, and agreed to no further action being taken and requested that the decision-maker (Cabinet) was informed accordingly; noting that the decision would then be implemented immediately.*

14. On 3 February 2011, the Cabinet Member for Highways and Transport approved the report 'Season Ticket and Permit Options and Costs' (reference HT-003-11).
15. Following Cabinet's decision and the above Cabinet Member's decision, the required amendments to the Traffic Regulation Orders (TROs) were advertised in accordance with the processes set out in the Road Traffic Regulation Act 1984. Consultation on the amended TROs was undertaken between 27 January and 21 February 2011; nine letters of objection were received to the proposed changes to off-street parking in Salisbury.
16. The LTP Car Parking Strategy was formally adopted by the Council at its meeting on 22 February 2011 as part of the Wiltshire LTP 2011-2026. Three petitions relating to car parking issues in Bradford-on-Avon, Devizes and Marlborough were presented at the meeting.
17. Following Cabinet Member approval of the report 'Off-Street Traffic Regulation Orders for Wiltshire' (reference HT-006-11) on 11 March 2011, the revised car parking charges were introduced on 18 April 2011.
18. The Council has subsequently received correspondence from a number of individuals and organisations regarding the new car parking charges in Salisbury. In particular, representations have been received from Salisbury City Council and Salisbury City Centre Management / Federation of Small Businesses / Salisbury and District Chamber of Commerce and Industry, and the Salisbury Journal has put forward proposals as part of its 'Show Some Sense' campaign.
19. At a special meeting on 4 August 2011 to discuss car parking, the Salisbury Area Board made the following draft resolution:

Decision

1. *Having heard the views expressed this evening by the people of Salisbury, the Salisbury Area Board recommends to Wiltshire Council's Cabinet that:*
  - a) *the 1-hour parking option for off-street car parks in Salisbury be reintroduced as soon as possible;*
  - b) *in the interim and while the process of reinstating the 1-hour charge is taking place, the 2-hour charge be immediately reduced; and*
  - c) *following the reintroduction of 1-hour parking charge as at 1a) above, the charges be set as follows:*
    - *1 hour: £1.20*
    - *2 hours: £2.00*
2. *The Salisbury Area Board recognises that the Cabinet is faced with a difficult decision in how to find the costs of the proposed measures set out at 1a, 1b and 1c above.*

3. *The Salisbury Area Board wishes to ensure that Wiltshire Council engages in 2012 at an earlier stage with the local community (residents, businesses, traders and other organisations).*

### **Main Considerations for the Council**

20. This report only considers the reintroduction of a one hour charge in Salisbury, the variation of the existing two hour charge and the method by which these changes will be implemented. The other proposals put forward by Salisbury City Council, Salisbury City Centre Management / Federation of Small Businesses / Salisbury and District Chamber of Commerce and Industry, and the Salisbury Journal will be considered as part of a report to full Council on 8 November 2011.
21. This report is being brought to Cabinet in light of the need to respond to the expressed public desire in Salisbury to reintroduce a one hour car parking charge as quickly as possible. Given this, the report is simply seeking to amend a small element of the LTP Car Parking Strategy and not be a fundamental revision requiring the approval of Full Council.
22. Indeed, the principle of a one hour charge in Wiltshire's towns is well established in the LTP Car Parking Strategy. As indicated in paragraph 9, the current one and two hour charging situation in Salisbury was only agreed by the Council following the endorsement of Salisbury City Centre Management. Therefore, the reintroduction of a one hour charge in Salisbury is simply a reversion to the principles of the strategy.
23. In line with the Council's 'well-being power' to improve the economic, social, or environmental well-being of Wiltshire, it is proposed that the reintroduction of a one hour charge and the change to the two hour charge is made through a variation to the existing 'The County of Wiltshire (Southern Wiltshire) (Off-Street Parking Places) Order 2011'. Following this process will enable the changes to be made in the shortest possible time period.
24. At a meeting between Councillor Jane Scott, Leader of the Council, Councillor John Thomson, Deputy Leader, Councillor Dick Tonge, Cabinet Member for Highways and Transport, and representatives from Salisbury City Council, Salisbury City Centre Management and others on 8 August 2011, it was agreed that Wiltshire Council would work towards the introduction of a one hour charge of £1.50 and the variation of the two hour charge to £2.50 as quickly as possible.

### Operational Implementation

25. There will be significant changes to be made to pay and display machines, charge information posters, council website, back office processing software, MiPermit (pay and text by telephone) and enforcement hand held computer systems, to implement a one hour charge and vary the two hour charges in Salisbury. The implementation will be carried out in the shortest time possible and within the likely timeframe of approximately four weeks, assuming the

Traffic Regulation Order process commences on the 22 August 2011. Therefore, the earliest date to introduce the new charges would be 19 September 2011 and in any event, the ideal weekday to introduce these changes is a Monday.

### **Environmental and Climate Change Considerations**

26. At a time when fuel costs are increasing sharply, sustainable transport measures are vital to provide residents with economical, reliable alternatives to private car usage. It is therefore crucial that the estimated £540,000 cost pressure resulting from this proposal does not reduce the funding available for sustainable transport options.
27. It is difficult to assess the environmental implications of this proposal as it is not clear how they will impact on vehicle movements. Any steps to reduce parking charges have the potential to increase the number of vehicles entering town centres. It is therefore likely that the reintroduction of one hour parking will increase the number of trips to the city centre, which will have a detrimental impact on congestion, air quality and carbon emissions. Conversely, the increase in the two hour charge may encourage greater use of the Park and Ride service for slightly longer trips into the city centre. It will therefore be important to monitor the impacts of this proposal on Salisbury's Air Quality Management Area and review as appropriate.
28. It is estimated that 40% of an average UK citizen's contribution to CO<sub>2</sub> comes from transport. Almost three quarters of this can be attributed to car use. The Council's Energy, Change and Opportunity Strategy therefore promotes measures which will decrease individual car use.

### **Equalities Impact of the Proposal**

29. The Car Parking Strategy was subject to an Equalities Impact Assessment (EqIA) as part of the development of the Wiltshire LTP 2011-2026. The EqIA was subject to public consultation from 4 October to 26 November 2010. The previous report to Cabinet on 14 December 2010 provided details of the summary findings of the EqIA.

### **Risk Assessment**

30. As Members will be aware, the Car Parking Strategy is incorporated into the Wiltshire Local Transport Plan, which is part of the Budget and Policy Framework. Changes to the Framework can only be made by Full Council. However, as mentioned above (paragraph 21), it is considered that the proposed changes to the charging provisions in Salisbury involve amendments to a small element of the LTP Car Parking Strategy, which would not, therefore, constitute an amendment to the Framework, requiring a decision by Council.
31. There are two ways of implementing changes to an Off-Street Parking Places Order. Where the changes only involve a variation to existing parking charges, the changes can be made by way of notice, as set out in paragraph

40 below. Any other changes would require an amendment to the Order. The process for amending an Order is essentially the same as that for making a new Order, requiring notice of the proposed changes to be advertised and for there to be an opportunity for objections before those changes are implemented. The process would, therefore, usually take a minimum of about 14 weeks. Officers are satisfied that the proposed reintroduction of a one hour charge in Salisbury can be implemented as a variation to the existing Order. However, this has not been determined by a Court and, if a Court were to determine that the full amendment procedure should have been used, then this would, of course, lead to a delay in the date on which the revised charges, if approved, could be introduced.

### **Financial Implications**

32. The potential full year cost of reintroducing a one hour charge of £1.50 and varying the two hour charge to £2.50 is estimated at £540,000. This estimate is based on user levels increasing back to 2010/11 levels. If those levels were achieved then there would be a full year shortfall against the current income budget of £540,000.
33. In the longer term, this will need to be assessed against the assumptions within the Council's Financial Plan and will result in an additional unfunded pressure that will need to be added to the savings requirement from 2012/13 onwards, all other factors being equal.
34. For 2011/12, the shortfall is harder to predict, as firstly the timing of the introduction will be half way through the financial year. Some shortfall due to user levels against budget has already occurred, thus the second half of the year will need a significant increase in use to compensate. This is clearly part of the reasoning behind the proposals put forward within this report. Given the current national economic position, there are other external factors that the Council does not have significant influence over.
35. As a result, the forecast shortfall is the assumed maximum level based on current trends compared to previous years; they could be less. However, if the cause of the lower usage levels seen already in 2011 is perpetuated by wider national economic forces then this position could also worsen. As such, we will ensure budget monitoring of these income levels is monitored every month and reported to Members with options to address the position.
36. In 2011/12, the funding for the potential shortfall of the one hour £1.50 / two hour £2.50 option (£540,000) will be contained within the Department of Neighbourhood and Planning. Budget monitoring is currently being undertaken within the Department as a whole and further details will be provided to Cabinet in October that shows how the Department is planning to address the anticipated shortfall in income.
37. Accountancy staff are also working with the Car Parking Service to establish an economic demand and supply sensitivity model to inform future decision making.



38. There will be one-off operational costs to implement the changes, these being estimated at no more than £5,000.

### **Legal Implications**

39. The legislation that enables local authorities to make and amend Off-Street Parking Places Orders is the Road Traffic Regulation Act 1984. The detailed procedural requirements are set out in the Local Authorities' Traffic Order (Procedure) (England & Wales) Regulations 1996. Use of an experimental traffic regulation order to implement these changes is not considered lawful, as these orders only apply to roads and are, in any event, intended to allow an assessment of the traffic impact of proposed permanent TROs.
40. Implementing a variation to the existing 'The County of Wiltshire (Southern Wiltshire) (Off-Street Parking Places) Order 2011' would necessitate a Public Notice appearing in the Salisbury Journal and affected car parks with an operational date at least a minimum of 21 days after the notice has appeared. Assuming the Public Notice appears in the Salisbury Journal on 25 August 2011, the earliest date to introduce the new charges would be 19 September 2011.
41. The procedure set out in the 1996 Regulations must be followed in order for any proposed changes to be lawfully implemented.

### **Options Considered**

42. A range of options have been considered which have been rejected largely on affordability grounds

### **Conclusions**

43. The review of the LTP Car Parking Strategy was subject to an extensive consultation and democratic process. As part of this process, the Council agreed to the removal of the one hour off-street parking charge in Salisbury.
44. Subsequently, there has been an expressed public desire in Salisbury to reintroduce the one hour charge as quickly as possible. This report proposes that, in line with the Council's 'well-being power', a one hour charge of £1.50 and a two hour charge of £2.50 is implemented through a variation to the existing 'The County of Wiltshire (Southern Wiltshire) (Off-Street Parking Places) Order 2011'.
45. Assuming the Traffic Regulation Order process commences on the 22 August 2011, the earliest date to introduce the new charges would be 19 September 2011.
46. It is considered that the proposed changes do not require a decision by Full Council and that they can be achieved through a variation to the existing Order.

47. The potential full year cost of reintroducing a one hour charge of £1.50 and varying the two hour charge to £2.50 is estimated at £540,000.

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**The following unpublished documents have been relied on in the preparation of this Report**

None

**Appendices:**

None