

# REPORT TO THE EXECUTIVE

Report No. 18

Date of Meeting	15 <sup>th</sup> March 2007
Title of Report	New Pay and Display Charges
Portfolio	Car Parking and Decriminalisation
Link to Corporate Priorities	Getting North Wiltshire to "Think Before You Park" is pledge number 15
Key Decision	Yes
Executive Workplan Ref	B136
Public Report	Yes

## Summary of Report

This report is to advise members of the results of contractual consultation requirements relating to new pay and display charges for car parks at Newlands Road, Corsham and Borough Fields, Wootton Bassett.

## Officer Recommendations

**That authority be delegated to the Strategic Manager - Customer Services in consultation with the Lead Member to make a final decision with regard to varying the pay and display charges at Newlands Road, Corsham and Borough Fields, Wootton Bassett following consultation with Somerfields.**

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	Yes	No	Yes

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## **1. Introduction**

- 1.1 North Wiltshire District Council, at the Council (Budget) meeting on the 22<sup>nd</sup> February 2007, agreed to increase the car parking charges within North Wiltshire District Council owned car parks.
- 1.2 Further to that meeting, it was agreed that an Executive decision was required to agree the exact level of the charges within each car park to avoid any legal challenges to the validity of the decision based on the minute record from the Council (Budget) meeting 22<sup>nd</sup> February 2007 being insufficiently descriptive to what the charges will rise to.

## **2. Options and Options Appraisal**

- 2.1 Option 1: Leave the charges at the present level.
- 2.2 Option 2: Approve the proposed charges as set out in Appendix 2.
- 2.3 Option 3: Approve a different scale of charges.

## **3. Background Information**

- 3.1 At the Council (Budget) meeting 22<sup>nd</sup> February 2007 it was agreed to raise the car parking charges to raise the projected income as outlined within the budget papers.
- 3.2 The schedule of charges was then agreed at a special meeting held on 6<sup>th</sup> March 2007 to ensure the individual charges for each car park were accepted.
- 3.3 At that meeting the views of the Car Parking Working Group were considered and it was reported that there would need to be consultation in respect of two of the car parks as they were subject to management agreements. It was then resolved:
  - (1) *That the charges outlined in the revised Appendix 1 (attached to these Minutes) are advertised and implemented as from 2<sup>nd</sup> April 2007 with the exception of the proposed charges for the Newlands Road Car Park, Corsham and Borough Fields Car Park, Wootton Bassett which are adopted for consultation as required under the terms of the management agreements applicable to each car park; and*
  - (2) *In accordance with the Council's Constitution the Executive consider this decision to be urgent, and not subject to call in, as any delay caused by the call-in process would prejudice the Council's and public's interest.*
- 3.4 Consultation meetings have now taken place and the results are attached at Appendix 1 to this report.

## **4. Equality and Diversity Implications**

- 4.1 All members of the public wishing to park within the North Wiltshire District Council owned car parks are expected to pay the same fee for the same duration of stay except Disabled Drivers Blue Badge holders who are allowed to park for free.

## **5. Community and Environmental Implications**

- 5.1 The Wiltshire County Council Structure Plan 2016 states:

Demand management measures will be promoted where appropriate to reduce reliance on the motor car and to encourage the use of sustainable transport modes. Public car park charges – to avoid wasteful competition between adjacent areas within Wiltshire and outside, parking charges should be set to reflect the availability of parking spaces, local travel patterns and the availability of alternative travel modes.

5.2 The North Wiltshire District Council Local Plan 2011 states within the Transport Topic Area:

Promote more sustainable transport choices for both people and moving freight.  
 Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.  
 Reduce the need to travel, especially by car.

## 6. Legal implications

6.1 Failure to clarify the charges at the meeting of the Executive could leave the Council open to a legal challenge to the validity of the implementation of charges.

## 7. Financial Implications

7.1 Failure to accept the charges set out in Appendix 2 will leave a shortfall in the monies expected to be raised from the North Wiltshire District Council owned car parks.

## 8. Risk Analysis

8.1 The risks associated with not implementing increased charges have been made clear within the Council (Budget) meeting on 22<sup>nd</sup> February 2007. Failure to accept the whole of the pricing structure will leave a shortfall in the monies raised from the North Wiltshire District Council owned car parks compared to the figures of £554K per annum forecast at the Council (Budget) meeting of the 22<sup>nd</sup> February 2007.

8.2 The risk associated from not clarifying the exact scale of charges are the possibility of a legal challenge to the validity of the decision taken within the Council (Budget) meeting on 22<sup>nd</sup> February 2007 and to the exact charges agreed.

<b>Appendices:</b>	<b>1. Consultation Responses</b> <b>2. Proposed schedule of charges</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"> <li>None</li> </ul>

### Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
<ul style="list-style-type: none"> <li>Number 8a</li> </ul>	Council (Budget) 22/02/07	C95
<ul style="list-style-type: none"> <li>Number 4</li> </ul>	Executive 06/03/07	E194

Consultation Responses in respect of Newlands Road Car Park, Corsham

Response from the Martingate Shopping Centre Management Company

1. Newlands Road car park, Corsham is a special case. It is essentially a supermarket car park and not an all purpose car park. It was built as an integral part of the commercial retail development at what is now Martingate, primarily to accommodate customers of Somerfields and the smaller retail units. This distinguishes the car park at Newlands Road from other Corsham car parks in the High Street and Post Office Lane.

2. The inclusion of the car park within the lease to Martingate is further evidence of its special relationship to the retail development. Responsibility for maintaining the car park belongs to Martingate. So the Council is not picking up the maintenance costs and do not require funds for this purpose. Ultimately, it is the tenants of the retail units that pay for maintenance through their service charges. The Executive could not have been aware of this at the time of making their original decision.

3. Removal of the free first hour will lead to a loss of trade. When charges were first imposed in 2005 Somerfield experienced a drop in trade of 15 - 20% for two to three weeks before recovering. This was primarily because people failed to appreciate that the first hour was still free due to an ambiguity in the notices posted in the car park. This drop in trade will be repeated and may not recover if the free hour is removed. It would in fact be preferable to keep the free hour and increase charges for the second hour.

4. Sainsburys is only 2 miles down the road and they have a free car park. Once customers are lost to Sainsburys they are unlikely to return. Customers simply get irritated by parking charges and will go elsewhere even if, strictly speaking it costs them more in other ways e. g. fuel costs. There are over 2000 MOD staff in the Corsham area many of whom use Somerfields at lunch time. These customers might well drive on to Sainsburys where the car parking is free.

5. There are 73 businesses in central Corsham employing 507 people. A survey was carried out when charges were proposed in 2005 and 50 businesses responded in favour of two hours free parking. This was influential in persuading the Executive to forego charging for the first hour. The view of small businesses will be the same now. The imposition of charging led to the displacement of cars onto adjoining residential streets, which is still causing problems in Corsham. The current proposal will simply exacerbate that problem. Furthermore, the economic climate is not good for small businesses in the market towns at present. There are already two empty units at the centre, one of them a double unit. The Council has policies which are meant to support and foster local businesses but this proposal runs directly contrary to those policies.

6. The leisure centre problem ought not to be solved by putting up car parking charges. The tenants of Martingate and their customers are not responsible for the problem and should not have to pay for it. Everyone should contribute to the shortfall through their Council Tax. 30 pence may not sound a lot but some people use the car park several times a week or even more than once in a day. The cost mounts up and makes free parking elsewhere more attractive. Experience at West Wiltshire has shown that customer resistance can lead to increased charges producing less annual income.

7. Somerfield should be properly consulted. This whole issue should be deferred until Somerfield have had an opportunity to make representations. If they are not given this opportunity they might get litigious and seek to recover any trading losses from the Council. Somerfield should be given at least 4 - 6 weeks to respond to the consultation.

8. There was a belief that the decision had already been made. It was also irrational to bring in these charges when the Council was still consulting on a car parking strategy .Ultimately, the maintenance of the one hour free parking was a matter of principle.

Response from Somerfields

Unfortunately my colleagues have been unable to attend the meeting that took place today otherwise I am sure they would have contacted you.

In the circumstances I would want to record Somerfield's objection to any proposal that would remove free parking for the first hour without further details being made available.

Nonetheless, I trust that we will be given the opportunity to be properly consulted on this issue in the future before any final decision is made by the Council.

Consultation Response in respect of Borough Fields Car Park, Wootton Bassett

Response from Agents on behalf of the long leaseholder

I have reported to my clients and I have no comments other than we feel that the introduction of charges for short term car-parking is not beneficial to the retail environment of the centre.

We recognise that the charges are in line with other car-parks and you have the right to review these charges pursuant to the terms of the lease.

## Appendix 2

### **Newlands Road Car Park, Corsham**

Current	Suggested	Revised
First hour FREE	Up to 1 hour £0.50	First hour £0.30
Up to 2 hours £0.40	Up to 2 hours £0.70	Up to 2 hours £0.80
Up to 3 hours £1.00	Up to 3 hours £1.30	Up to 3 hours £1.30

### **Season Tickets**

Current	Suggested	Revised
£220 per annum	£270 per annum	No Change
£65 per quarter	£80 per quarter	No Change

### **Borough Fields Car Park, Wootton Bassett**

Current	Suggested	Revised
Up to 2 hours FREE	Up to 2 hours £0.50	Up to 1 hour £0.30
Up to 5 hours £2.00	Up to 5 hours £2.30	Up to 2 hours £0.80
Up to 8 hours £3.00	Up to 8 hours £3.60	Up to 3 hours £1.30
Over 8 hours £4.00	Over 8 hours £4.90	Up to 4 hours £1.80
		Up to 5 hours £2.30
		Up to 8 hours £3.60
		Over 8 hours £4.90

### **Season Tickets**

Current	Suggested	Revised
£220 per annum	£270 per annum	No Change
£65 per quarter	£80 per quarter	No Change

### **Business Permit**

Business Permit (Borough Fields Car Park Wootton Bassett)

Current	Suggested	Revised
£20.00 (+£1.50 Daily Ticket) per annum	£70.00 (+£1.50 Daily Ticket) per annum	No Change

### **Resident Permit**

Current	Suggested	Revised
£20 per annum	£70 per annum	No Change