

**CABINET MEMBER FOR TRANSPORT, WASTE, STREET SCENE AND FLOODING –
CLLR DR MARK MCCLELLAND**

PARKING SERVICES

OFFICER CONTACT: Joanne Pattison joanne.pattison@wiltshire.gov.uk

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ON-STREET PARKING PLACES CHARGES FOR WILTSHIRE

Purpose of report

1. To:
 - (i) Consider comments and objections to the advertised proposals for amendments to the Traffic Regulation Orders (TROs) applicable to on-street pay and display areas in Wiltshire.
 - (ii) Recommend the making of the Orders.

Relevance to the Council's Business Plan

2. The on-street parking TROs can help deliver many of the Business Plan outcomes that are relevant to the Wiltshire Local Transport Plan (LTP) Car Parking Strategy:

Priority: Growing the economy

The car parking strategy can:

- Support the local economy (e.g. by making it easy for shoppers and visitors to park) and facilitate development growth (e.g. by enabling the planned housing and employment growth set out in the Wiltshire Core Strategy to 2026).
- Enhance the built and natural environment (e.g. by reducing the amount of land required for parking and by improving the look of streetscenes through the appropriate enforcement of parking contraventions).
- Manage residents' needs for car parking near their homes (e.g. by introducing residents' parking zones).
- Improve journey time reliability for road users (e.g. by designing and managing on-street parking facilities to reduce traffic conflicts and delays).
- Help fund public transport provision through the income generated on council owned car parks.

Priority: Strong Communities

The car parking strategy can:

- Enable community groups to take over (ownership and/or management) identified off-street car parks in accordance with the Council's Community Asset Transfer (CAT) Policy.

- Enable community groups to run identified car parking services in accordance with the Council's Delegation of Services to Town and Parish Councils and Funding of Delegated Services Policy.
- Make Wiltshire a safer place (e.g. by ensuring that car parks are 'safer by design').
- Encourage the use of sustainable travel modes and reduce reliance on the private car (e.g. by setting parking charges at appropriate levels).

Priority: Protecting the Vulnerable

The car parking strategy can:

- Provide access to key services and facilities for special needs groups and mobility impaired (e.g. by providing appropriate Blue Badge spaces).

Background

3. The current Wiltshire LTP Car Parking Strategy was approved by Cabinet at its meeting on 17 March 2015. The strategy sets out how parking management, including charging, is undertaken in Wiltshire. The strategy focused on three key factors:
 - **Regeneration:** using parking measures to support town centre regeneration.
 - **Restraint:** using parking controls as a means of restraining / managing traffic and improving environmental quality, or to encourage the use of sustainable transport modes.
 - **Revenue:** securing sufficient revenue to cover the costs of providing car parking and using any surplus revenue to fund other important local services.
4. In order to help find the right balance between the above factors, relevant economic, social and environmental data was used to inform the strategy. A key outcome of this process was a move to a more 'fine grained' approach to car parking management, and in particular charges, based on the local circumstances of each car park / settlement (see below).



5. A Review of charges, with a full TRO consultation was undertaken in 2017, with new charges being introduced in 2018. The charges were based on a fine-grained approach in compliance with the LTP Car Parking Strategy outcomes.

6. The 2018 charges were based on an assumed inflation increase for four years for which time TRO parking charges would not be increased. The inflation in 2021/ 22 was far higher than forecasted. Inflation rates remain high, and the costs of the Parking Services have increased accordingly. The Council has also undertaken a number of initiatives which have increased spending or reduced income this includes the removal of the convenience charge on mobile payments and the replacement of its payment machines. The change in visitor behaviour has changed the type of demand for parking, be this shopping habits or tourist visits to rural car parks. To meet the changes in demand, there has been a need to look at all council services and consider where further efficiencies can be made, and/or where there is an opportunity to generate income.
7. Full Council considered the option detailed above at its meeting on 15 February 2022 as part of the budget setting process and decided to proceed with the on-street TRO public consultation.
8. The public consultation exercise on the above proposal was held between 23 June 2022 and 18 July 2022. No comments or objections were received.
9. As a result of the budget setting process the following TROS were proposed under the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 for consultation:

THE COUNTY OF WILTSHIRE (MARLBOROUGH) (PROHIBITION AND RESTRICTION OF WAITING, TAXI RANK CLEARWAYS AND ON-STREET PARKING) CONSOLIDATION ORDER 2010 (AMENDMENT NO.10) ORDER 2022

THE COUNTY OF WILTSHIRE (MALMESBURY AND MALMESBURY WITHOUT) (PROHIBITION AND RESTRICTION OF WAITING, TAXI RANK CLEARWAYS AND ON-STREET PARKING) CONSOLIDATION ORDER 2017 (AMENDMENT NO.6) ORDER 2022

THE COUNTY OF WILTSHIRE (SALISBURY) (PROHIBITION AND RESTRICTION OF WAITING, TAXI RANK CLEARWAYS AND ON-STREET PARKING) CONSOLIDATION ORDER 2013 (AMENDMENT NO.30) ORDER 2022
10. The above proposed TROs were advertised in accordance with the requirements of the Road Traffic Regulation Act 1984 and Traffic Management Act 2004. The associated public consultation exercise was undertaken on the amended TROs between 23 June 2022 and 18 July 2022. No comments were received.

Safeguarding implications

11. There are no direct safeguarding implications as a result of the proposals put forward in this report.

Public Health Implications

12. A potential impact of implementing the TROs is reduced car trips and circulating traffic, and possibly encouragement for people to use more sustainable transport modes such as walking, cycling and buses. In turn, this may have a positive impact on air quality, carbon emission, reliance on fossil fuels, activity levels and communities.

Equalities Impact of the Proposals

13. Age

Issue: Young people and the elderly are more likely to be on low incomes and are therefore more likely to be adversely impacted by any higher parking charges.

Response: Surplus revenue from parking charges supports other transport measures including non-commercial, but essential local bus services. This is one of the main reasons why the Council has been in a position to retain the vast majority of these bus services, in contrast to other local authorities which have seen significant cuts to services.

14. Other

Issue: People on low incomes are more likely to be adversely impacted by any higher parking charges.

Issue: People living in rural areas with little public transport and who therefore need to use a car to access shops and services in the towns, are more likely to be adversely impacted by any higher parking charges.

Issue: Increased parking charges may have some influence on reducing the numbers of people accessing local towns and businesses (i.e. increased charges may result in people not visiting certain areas so often).

Response: Surplus revenue from parking charges supports other transport measures including non-commercial, but essential local bus services. This is one of the main reasons why the Council has been in a position to retain the vast majority of these bus services, in contrast to other local authorities which have seen significant cuts to services.

If the implementation of the TROs is not agreed then this could have the following possible impacts on each identified Protected Characteristic group:

15. Age / Disability/ Other

Issue: The loss of additional parking revenue may impact on the Council's ability to support some non-commercial local bus services which provide access to essential services and facilities.

Environmental and Climate Change Considerations

16. A potential impact of implementing the proposed options is reduced car trips and circulating traffic, and possibly encouragement for people to use more sustainable transport modes such as walking, cycling and buses. In turn, this may have a positive impact on air quality, carbon emission, reliance on fossil fuels, activity levels and communities.

Risks that may arise if the proposed decision and related work is not taken

17. Failure to meet the Council's budget requirement.

18. Reductions in supported bus services as a result of lower surpluses in off-street parking income.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

Risk	Action to mitigate the risk
Adverse impact of proposals on businesses and local economies.	<p>The public consultation undertaken this year and the TRO consultation provided the opportunity for comments to be made by all interested parties.</p> <p>The impact of approved proposals will be monitored by the council. The LTP Car Parking Strategy states that:</p> <p><i>“A full review of parking charges will be undertaken by the Council at approximately five-year intervals based on the factors outlined in Policy PS3. Annual interim reviews of parking charges (at a car park or town level) may also be carried out based on some or all of the factors outlined in Policy PS3 [Parking charges]”.</i></p>
Increase in inappropriate parking (e.g. in residential streets) as a result of the proposals.	Town parking reviews will continue in line with a prioritised programme.

Financial implications

19. Accountancy is supportive of the proposals. Due diligence on the assumptions has been undertaken. Future income levels and impact will be monitored through the budget monitoring process.

Legal implications

20. Any significant changes to the terms and conditions applicable to car parks will require the processing of a TRO under the Road Traffic Regulation Act 1984 (‘the 1984 Act’) and the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996. In deciding whether or not to make a TRO and exercising any of their powers under the 1984 Act, the Council also has a duty to (having regard to the matters specified in s.122 (2)) secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The matters referred to in s.122 (2) are: the desirability of securing and maintaining reasonable access to premises; the effect on the amenities of any locality affected; the importance of regulating and restricting the use of roads by heavy commercial vehicles; the national air quality strategy; facilitating the passage of public service vehicles including the safety and convenience of persons using public service vehicles and any other matters the Council considers to be relevant. Failure to adhere to any of the statutory processes could potentially result in the proposed changes being successfully challenged in the High Court.

21. The making of a TRO includes a statutory public consultation process over a period of 21 days to permit responses including any objections to be made. Any objections must then be considered before an Order is made. The Order may be modified before it is made, in light of any objections or representations that have been received.
22. Failure to adhere to the statutory processes could potentially result in:
 - (i) The new charges being successfully challenged in the High Court resulting in loss of income and/or loss of reputation for the Council.
 - (ii) Delay arising from the Council being unable to increase the charges on the anticipated implementation date.

Options Considered

23. To:
 - (i) Implement the TROs as advertised.
 - (ii) Not implement the TROs.
 - (iii) Implement the TROs with amendments.

Reason for Proposal

24. To satisfy the requirements of the decision of Full Council at its meeting on 15 February 2022.

Proposal

25. That the following Traffic regulation Orders be implemented as advertised:

THE COUNTY OF WILTSHIRE (MARLBOROUGH) (PROHIBITION AND RESTRICTION OF WAITING, TAXI RANK CLEARWAYS AND ON-STREET PARKING) CONSOLIDATION ORDER 2010 (AMENDMENT NO.10) ORDER 2022

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

None