

CABINET

Parking Charges-Objection 11th March 2014

Report of Chief Officer (Environment)

PURPOSE OF REPORT			
To allow Cabinet to consider objections to the Council's plan to charge for car parking in Lancaster on bank holidays.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Referral from Officer	<input checked="" type="checkbox"/>
Date of notice of forthcoming key decision	N/A		
This report is public			

OFFICER RECOMMENDATIONS

- (1) Not to uphold the objections and to continue the process of implementing the decisions already made by Cabinet.
- (2) In the event that Cabinet did uphold the objection Cabinet would be requested to consider whether it represents a substantial change.

1.0 Introduction

- 1.1 Cabinet (21st Jan 2014) agreed a number of revisions to car parking charges for the 2014/15 financial year. One of these changes was to bring Lancaster in line with Morecambe through the introduction of car parking charges in Lancaster on bank holidays.
- 1.2 Prior to Cabinet's consideration the proposals had been made available for consultation and had as is always the case been sent directly to the Lancaster District Chamber of Commerce and Lancaster BID as key stakeholders. No responses to the proposals were received.
- 1.3 Following Cabinet's decisions as required by the Road Traffic Regulation Act the proposals were publicly advertised. As part of the advert objections to any aspect of the draft off street parking order can be made (by the 7th March 2014).
- 1.4 Two objections (see attached Appendix) have been lodged by the Lancaster

District Chamber of Commerce and Lancaster BID in relation to the fact that the draft order shows that parking charges will now apply in Lancaster on bank holidays, as is already the case in Morecambe.

2.0 Proposal Details

2.1 Cabinet are requested to consider the objections and decide whether they wish to –

- a) **Not uphold the objections** – in which case officers will continue the necessary process to implement the decisions already made by Cabinet. As this decision has been taken using the Council's procedures for urgent business it should still be possible to implement the changes on 1st April 2014.
- b) **Uphold the objections**- in which case officers may have to advertise the change to the draft order and because of statutory timescales the order may not be implemented on 1st April 2014.

Officers will only have to advertise the change to the draft order if Cabinet considers the change to be a 'substantial change'.

If the change to the draft order has to be advertised this will result in a delay. This is because of statutory time scales. A delay will of course have a wider budgetary impact than just the estimated income of £5,000 that had been forecast for the introduction of bank holiday car parking charges in Lancaster.

2.2 In considering the objections (which are both only to the decision to introduce car parking charges in Lancaster on bank holidays) Cabinet should note-

- Bank holiday charging for parking in Morecambe has been in place for several years now.
- The Council has in place a parking strategy which sets out how best to manage car parking within this District. The strategy recognises that appropriate car parking charges can do much to support the strategy and the wider public realm. The introduction of bank holiday car parking charges for Lancaster was made to support the wider aims of the car parking strategy.
- Lancaster BID have provided information to evidence that footfall in Lancaster on bank holidays is lower than normal. This could actually be seen as an indication that free parking on bank holidays has no great influence on attracting visitors to the City.
- No substantive evidence has been provided as to what the negative impact on trade in the City Centre would be with.
- The Council is very much supports a revitalised City Centre, which will prove a draw to residents and visitors. As such it is working with the County Council to deliver Square Routes and is also working on many other regeneration initiatives as well as being an active member of BID.
- The significant contribution that properly managed car parking makes to the

Council's ability to deliver its priorities.

- The estimated budgetary impact of upholding the objection would be a shortfall in income of £5,000 per annum.

2.3 In considering whether the removal of the parking charges on bank holidays is a 'substantial change' and therefore requires to be advertised, Cabinet will note that the removal of the charge will reduce the cost of parking for the district not increase it. This may suggest that such a change is not of significant effect requiring advertisement. In addition to this, the removal of this charge may not be considered significant when viewed in the context of the overall order and the charges it imposes.

3.0 Details of Consultation

3.1 As outlined in the report Lancaster District Chamber of Commerce and Lancaster BID had been specifically consulted with prior to Cabinet considering this issue. No response was received at the time.

4.0 Officer Preferred Option (and comments)

4.1 The officer preferred option is option **a) Not uphold the objection.**

5.0 Conclusion

5.1 Cabinet are requested to consider their response to the objection.

RELATIONSHIP TO POLICY FRAMEWORK

The delivery of priorities within the Council's corporate plan is resourced by the Council's budget which was recently agreed by Council for 2014/15. Income generated from off street car parking contributes significantly to the Council's ability to deliver its priorities. Furthermore appropriate management of car parking contributes significantly to the wide management of the public realm.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

Introduction of charging in Lancaster on bank holidays would be consistent with what is already the case in Morecambe.

Blue Badge holders can park for free on all the District's off street car parks and this remains the case in the draft traffic order

LEGAL IMPLICATIONS

The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations) require the Council to consider any valid objection received within the 21 day consultation period.

Should the draft order be amended, and the amendment be deemed to be a significant change to the draft order, the Council will have to take such steps considered appropriate (pursuant to regulation 14 or the Regulations) to (1) inform persons likely to be affected by the modification, (2) give those persons an opportunity to make representations and (3)

ensure that such representations are duly considered by the Council.

In any event the objector should be informed of the Council's decision.

FINANCIAL IMPLICATIONS

The 2014/15 agreed revenue budget for off-street parking income (including permits) is £2,448,500.

As detailed in the report, the estimated budgetary impact of upholding the objection would be a shortfall in income of £5,000 per annum. Any delays in implementing the new charges will result in further shortfalls estimated at £2,000 per week.

There will also be further advertising costs if required, these are estimated to be £1,500.

As the budget has been set and agreed by Council, at its meeting of 26th February 2014, any agreed budgetary shortfall will require compensating savings to be found

OTHER RESOURCE IMPLICATIONS

Human Resources:

NA

Information Services:

NA

Property:

NA

Open Spaces:

NA

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

none

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