

CABINET

Wednesday, 17 January 2018

PREPARATION FOR CIVIL PARKING ENFORCEMENT IMPLEMENTATION IN WAVENEY (REP1691)

EXECUTIVE SUMMARY

1. In anticipation of Parking Enforcement transferring from the Police to the Suffolk local authorities (Civil Parking Enforcement (CPE)) the off-street parking places orders need to be prepared in readiness for consolidation when the legal framework is changed from the Road Traffic Regulation Act 1984 to the Traffic Management Act 2004, as outlined in the reports to Cabinet in September (REP1689) and November (REP1690).
2. The implementation of CPE is planned for April 2019 but there is some uncertainty from Central Government about the exact timing due to pressure on their legal resources due to Brexit. The off-street orders need to be amended in April 2018 for any changes that are desirable between now and April 2019 as there will be a freeze on any changes from April 2018 to April 2019 while the CPE legal work is being carried out.
3. The off-street charging structure will remain as it is currently in Waveney as a tariff increase was introduced in 2016. When CPE is implemented, there will be an opportunity to look to introduce on-street charges.
4. A first round of consultation was carried out (23rd September – 13th October 2017) seeking ideas for changes that would be of benefit to local communities. Six responses were received for Waveney within the statutory timeframe. A second round of consultation was carried out (17th November – 8th December 2017) after proposals had been formulated. A total of 148 responses were received.
5. The responses to the second round of consultation have been reviewed and now implementation of changes that require a variation to the WAVENEY DISTRICT COUNCIL (OFF-STREET PARKING PLACES) ORDER is recommended.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Councillor Graham Catchpole Cabinet Member for Operational Partnerships
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Supporting Officer:	Kerry Blair Head of Operations, Strategic Management 01502 523007 Kerry.Blair@eastsoffolk.gov.uk Alistair Turk CPE Project Manager 01394 444457 Alistair.Turk@eastsoffolk.gov.uk
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1 INTRODUCTION

- 1.1 In anticipation of Parking Enforcement transferring from the Police to the Suffolk local authorities (Civil Parking Enforcement (CPE)) the off-street parking places orders need to be prepared in readiness for consolidation when the legal framework is changed from the Road Traffic Regulation Act 1984 to the Traffic Management Act 2004, as outlined in the reports to Cabinet in September (REP1689) and November (REP1690).
- 1.2 The implementation of CPE is planned for April 2019 but there is some uncertainty from Central Government about the exact timing due to pressure on their legal resources due to Brexit. The off-street orders need to be amended in April 2018 for any changes that are desirable between now and April 2019 as there will be a freeze on any changes from April 2018 to April 2019 while the CPE legal work is being carried out.

2 CONSULTATION

- 2.1 In September 2017 Cabinet approved a first stage consultation that included District Ward Councillors, Town and Parish Councils, Business Associations and the public with the aim of gaining an understanding of local issues, possible solutions and the best way to achieve the necessary revenue increase.
- 2.2 The responses were reviewed and used to formulate proposals in November and a second round of consultation was then carried out. The aim of the second stage of the consultation was to seek feedback on the proposed changes.
- 2.3 The Notice of Proposals that appeared in the Eastern Daily Press on 17th November is shown as Appendix A. The consultation period was 21 days and closed on the 8th December 2017.
- 2.4 At the time of writing this report no response had been received from Suffolk County Council; their consent is a statutory necessity.
- 2.5 Of the 148 responses received, 81 related to Waveney. Of those, 41 were in relation to the proposed introduction of charges in Southwold. Thirty four were in relation to Beccles; 1 was for Bungay, relating to on-street parking; 2 for Oulton Broad were against

Everitt Road off-street resident parking; 3 were for Lowestoft including requests for well lit and non isolated car parking, and 1 request for cheaper or free parking. A summary of the responses is contained in Appendix B of the report.

3 THE FOLLOWING SECTION DESCRIBES THE PROPOSALS BY TOWN/AREA:

Southwold

3.1 WDC and Southwold Town Council have been meeting regularly to plan improvements to the general parking situation within the town. Southwold Town Council and Southwold Common Trust have decided not to add the Gardner Road, Godyll Road and York Road car parking areas to the Waveney District Council Order, and will separately decide on the charges and restrictions on these car parks. It should be noted that these car parks are on land owned by the Southwold Common Trust, not Waveney District Council. Any changes, therefore, will need to be appropriate to common land held in Trust. The final Southwold parking plan relies on the improvements in on-street enforcement that should result from WDC implementing CPE within Waveney. The timing of changes is therefore subject to alignment with the implementation of CPE across Suffolk. The only changes proposed at present are therefore to WDC car parks and land including:

- Add Blackshore Harbour to the Order as the Experimental Order has expired.
- Add Pier Extension to the Order after agreement with Easton Bavents, subject to successful planning application with the same tariffs as the Pier Car Park (£1.20/hr up to 4 hours and 4+ hours £6).

Lowestoft

3.2 The current proposals include:

- Remove Albany Road from Order as it has been sold.
- Remove Battery Green Multi-Storey Car Park from the Order as demolition has begun.
- Add the existing footprint of Battery Green site to the Order as a short-stay 3 hour maximum stay surface car park with the tariff of £1.20/hr up to 3 hours.
- Create a surface car park at Newcombe Road, and add to the Order as a long stay car park with the same tariffs as Tennyson Road and Adrian Road Car Parks (£1.20/hr up to 4 hours and 4+ hours £6) to support the economic plans for Lowestoft Power Park.

Oulton Broad

3.3 The current proposals include:

- Add Everitt Road for off-street Resident Parking (road owned by WDC). This is something that WDC are keen to move forward. Parking is a problem in this area and it would be classed as an off-street residents' parking area. Having spoken to Asset Management it seems the complaints from residents have died down but the road is still to be added, but not enforced, as a permit only area until it is deemed necessary.

Beccles

3.4 The current proposals include:

- Add 3 hour maximum Short Stay parking restrictions for a limited number of spaces at Blyburgate Car Park. This is to bring the Order into line with the reality as spaces were left marked as short stay only at the request of Beccles Town Council (BTC), when the car park designation was changed in 2016. The restrictions are not in the current Order.
- Introduce a 2 hour parking limit to 2 bays on Kilbrack free car park to allow patients to attend dental appointments.
- Waveney District Council are proposing adding the North Quay Car Park and Waveney Meadow to the parking order. The introduction of any charges would be a decision for Beccles Town Council and subject to consultation by Beccles Town Council during the next 18 months. It should be noted that neither of these car parks are on Waveney District Council land. Therefore this is a decision for Beccles Town Council.

Other areas

3.5 No changes were planned in the formal consultation in respect of WDC car parks in Halesworth, Bungay and Wrentham and no responses were received.

District-wide

3.6 Special Filming Permit Agreement – to give permission to park production vehicles in car parks to enable Suffolk to be used for more filming.

3.7 To amend the Order such that the Council can suspend charges at any time, with or without notice, from some or all parking places specified or tariffs therein the Order for any period or periods.

4 TIMETABLE

4.1 Assuming the necessary consent has been acquired from Suffolk County Council, Cabinet are asked to approve the process for implementing recommendations by the Making of the Traffic Order to become operational on the 1st April 2018.

5 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?

5.1 The Business Plan Action “Encourage Suffolk County Council to devolve enforcement of On-street Car Parking to the District Councils” is being progressed with implementation planned for April 2019. Following significant testing and review it is estimated that providing a CPE service on current policy terms will have a negative financial impact in the order of £240,000 per year across East Suffolk if no new revenue generating opportunities are introduced.

6 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 6.1 The implementation of Civil Parking Enforcement is estimated to have a negative financial impact in the order of £240,000 per year across East Suffolk.
- 6.2 The proposed changes to Waveney car parks are estimated to have no affect on revenue.
- 6.3 Tariffs in Waveney car parks were last increased in March 2016.
- 6.4 There will be a requirement for a change to the Norse contract to include management of Newcombe Road car park, if approved.
- 6.5 The TMA 2004 statutory guidance states: *“Previous guidance said that local authority parking enforcement should be self-financing as soon as practicable. This is still a sensible aim, but compliant applications for civil parking enforcement ... will be granted without the scheme being self-financing. However, authorities will need to bear in mind that if their scheme is not self-financing, then they need to be certain that they can afford to pay for it from within existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.”*
- 6.6 The proposed changes at Suffolk Coastal District Council are estimated to have an annual positive £250,000 affect on revenue.

7 REASON FOR RECOMMENDATION

- 7.1 Cabinet are asked to approve the recommendations in response to the consultation as set out above for implementation in April 2018.

RECOMMENDATIONS

1. For Southwold:
 - Add Blackshore Harbour to the Order.
 - Add Pier Extension to the Order (after agreement with Easton Bavents, subject to successful planning application) with a tariff of £1.20/hr up to 4 hours and 4+ hours £6.
2. For Lowestoft:
 - Remove Albany Road from the Order as it has been sold.
 - Remove Battery Green Multi-Storey car park from the Order as demolition as begun.
 - Add the existing footprint of Battery Green site to the Order as a maximum 3 hour short stay surface car park with a tariff of £1.20/hour.
 - Create a surface car park at Newcombe Road; add to the Order as a long stay car park with a tariff of £1.20/hr up to 4 hours and 4+ hours £6.
3. For Oulton Broad:
 - Add Everitt Road to the Order for Off Street Residents' Parking (road owned by WDC).
4. For Beccles:
 - Add 3 hour maximum short stay parking restrictions to the Order for a limited number of spaces at Blyburgate car park.
 - Add a 2 hour parking limit to some bays on Kilbrack free car park to allow patients to attend dental appointments.
 - Consult with BTC on introduction of charges at North Quay car park and Waveney Meadow.
5. That applications for Special Filming Permits are enabled.
6. Add to the Order a clause that states that the Council can suspend charges at any time, with or without notice, for some or all parking places or tariffs for any period or periods.
7. Authorise and instruct the Head of Legal and Democratic Services to carry out the necessary legal and administrative processes in advertising and making the Traffic Order to implement Cabinet's recommendations.

APPENDICES	
Appendix A	The Notice of Proposals that appeared in the Eastern Daily Press on 17 th November 2017
Appendix B	Formal Consultation Responses
Appendix C	Plan of Blackshore Harbour Southwold
Appendix D	Plan of Pier Extension Southwold
Appendix E	Plan of Battery Green Lowestoft
Appendix F	Plan of Newcombe Road Lowestoft
Appendix G	Plan of Everitt Road Oulton Broad

BACKGROUND PAPERS:		
Date	Type	Available From
13 September 2017	Cabinet Report 1689	http://www.eastsuffolk.gov.uk/assets/Your-Council/WDC-Council-Meetings/2017/September/Cabinet-13-09-17/Item-08-Car-Park-Management-Report.pdf
1 November 2017	Cabinet Report 1690	http://www.eastsuffolk.gov.uk/assets/Your-Council/WDC-Council-Meetings/2017/November/Cabinet-01-11-17/Item-7-Car-parking-report-wdc.pdf