

Somerset West and Taunton Council

Full Council – 19 February 2020

Off Street Car Parking Charges

This matter is the responsibility of Executive Councillor Mike Rigby

Report Author: Scott Weetch – Specialists Manager

1 Executive Summary / Purpose of the Report

- 1.1 To advise on proposals to change car parking fees across Somerset West and Taunton Council area. The report outlines the intention to raise car parking fees by 10% in all areas, the legal basis for doing so and the intentions of monies raised through this.

2 Recommendations

- 2.1 It is recommended to raise car parking charges by 10% across the Somerset West and Taunton Council area.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: The Council fails to recover sufficient income to cover the cost of running the Parking service	1	3	3
Mitigation: Any shortfall should be met through the General Fund.			

Risk Scoring Matrix

Likelihood	5	Very Likely	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Feasible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Slight	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Very Unlikely	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic

Impact		
Likelihood of risk occurring	Indicator	Chance of occurrence
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 The Council desires to change driver behaviour as part of its Corporate aim for a low-carbon, clean, green and prosperous district that attracts high quality employment opportunities and encourages healthy lifestyle.

<https://www.somersetwestandtaunton.gov.uk/your-council/corporate-strategy/>

- 4.2 Further, the Council wishes to promote and enhance the use of Taunton Park and Ride facilities provided by Somerset County Council to support its own aims in reducing town centre congestion for Taunton and pollution and supporting overall Air Quality Management across the Council area as set out in the Air Quality Action Plan. The latest Air Quality Action Reports (2018) are available on the SWTC web site at:

<https://www.somersetwestandtaunton.gov.uk/environmental-health/environmental-protection/air-quality/>

- 4.3 Charges were last increased across the former Taunton Deane Borough Council area in 2016. Notwithstanding that there was a realignment of fees in Taunton to move to a more readily understood Short and Long Stay parking as part of the Pay on Foot parking project. However, these changes were cost neutral, as outlined and approved by Taunton Deane Full Council in February 2018.

- 4.4 Charges were last increased in the former West Somerset Council area in 2017.
- 4.5 The report outlines the intention to raise car parking fees by 10% in all areas, the legal basis for doing so and the intentions of monies raised through this.
- 4.6 The powers for local authorities to provide and charge for car parking are set out in the Road Traffic Regulation Act 1984 (RTRA). Different provisions are set out in relation to on-street and off-street parking. This report relates to off street parking arrangements.
- 4.7 Section 32 RTRA <http://www.legislation.gov.uk/ukpga/1984/27/section/32> provides the authority for councils to provide off-street parking:
- "32. Power of local authorities to provide parking places. (1) Where for the purpose of relieving or preventing congestion of traffic it appears to a local authority to be necessary to provide within their area suitable parking places for vehicles, the local authority, (a) may provide off-street parking places"
- 4.8 Section 35 provides the authority for councils to charge for use of off-street car parking: "35 Provisions as to use of parking places provided under s 32 or 33. (1) As respects any parking place— (a) provided by a local authority under section 32 of this Act, or (b) provided under any letting or arrangements made by a local authority under section 33(4) of this Act, the local authority, subject to Parts I to III of Schedule 9 to this Act, may by order make provision as to— i) the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it, ii) the conditions on which it may be used, iii) the charges to be paid in connection with its use (where it is an off-street one)..."
- 4.9 Section 41 outlines that a local authority may contribute towards the expenses incurred by any other authority in the exercise of their powers including the provision of off street parking places.
- 4.10 Section 122 places a duty on every local authority to 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. In particular that means securing and maintaining reasonable access to premises; the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run; the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy); the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and any other matters appearing to the local authority to be relevant.
- 4.11 Decisions on setting fees must be reasonable and proportionate and have a view to the reasons for the parking powers in the first place (i.e. the minimising of congestion in town centres). The Council is awarded powers to create off-street

parking places – and then to charge for them – where it appears necessary to them for the purposes of relieving or preventing traffic congestion.

- 4.12 A schedule of proposed fees is included at Appendix A.

5 Links to Corporate Strategy

- 5.1 This links to the priority theme of environment and economy. Specifically, it links to the desire for a low-carbon, clean, green and prosperous district that attracts high quality employment opportunities and encourages healthy lifestyle.

6 Finance / Resource Implications

- 6.1 The measures outlined in the report indicate a 10% increase in fees across all car parks. It is likely that this will lead to increased revenue by way of income if the changes to driver behaviour do not occur in the short term. The Council has outlined that it intends to continue subsidising the County Council's Park and Ride scheme and to support other environmental measures designed to improve air quality management and reduce congestion.

- 6.2 Costs are predicted to increase at a rate of 2.5% per year. Consumer Price Index for the year to September 2017 was 3%; to September 2018 was 2.4% and September 2019 was 1.7%. The proposed increase also mitigates some of the impact of inflation since the last increases were implemented.

- 6.3 Charges were last increased across the old Taunton Deane Borough Council area in 2016. Notwithstanding that there was a realignment of fees in Taunton to move to a more readily understood Short and Long Stay parking as part of the Pay on Foot parking project. However, these changes were cost neutral, as outlined and approved by Taunton Deane Full Council in February 2018.

- 6.4 Charges were last raised in the West Somerset Council in 2017.

7 Legal Implications (if any)

- 7.1 Legal powers relating to the setting of Parking Places and fees are outlined in the Road Traffic Regulation Act (1984) (as amended) <http://www.legislation.gov.uk/ukpga/1984/27/contents>

- 7.2 References to specific elements of relevant legislation is set out in section 4 above.

- 7.3 Decisions on setting fees must be reasonable and proportionate and have a view to the reasons for the parking powers in the first place (i.e. the minimising of congestion in town centres). The Council is awarded powers to create off-street parking places – and then to charge for them – where it appears necessary to them for the purposes of relieving or preventing traffic congestion.

8 Climate and Sustainability Implications

- 8.1 This measure is designed to directly influence the impact of traffic and congestion on the environment. The aspiration is to change driver behaviour and support initiatives that affect air quality and traffic management.

9 Safeguarding and/or Community Safety Implications

- 9.1 There are no direct implications arising from this report.

10 Equality and Diversity Implications

- 10.1 There are no implications for the main characteristics outlined by the Equalities Act.
- 10.2 Locally, rurality, low income and economic and social disadvantage are all considered when developing policy. It should be recognised that adoption of this schedule of fees has the potential to adversely affect some in these groups.

11 Social Value Implications

- 11.1 There are no social value implications associated with this report.

12 Partnership Implications

- 12.1 Somerset County Council provision of Park and Ride and other Highways activity are affected by these measures but they are positively affected.

13 Health and Wellbeing Implications

- 13.1 These measures will enable people to give due regard to their own health and wellbeing, in particular in relation to unnecessary car journeys and the possibility of using alternative transport for some trips. This may include greater ability to travel on foot or bicycle.

14 Asset Management Implications

- 14.1 None.

15 Data Protection Implications

- 15.1 None.

16 Consultation Implications (if any)

- 16.1 The existing off street parking places orders will need to be amended and amalgamated into a Notice to reflect these changes. Under regulation 25 of the Local Authorities Traffic Order Regulations (1996) it is possible to vary existing off-street parking charges by notice, i.e. without the need to consult (other than the

police). <https://www.somersetwestandtaunton.gov.uk/media/1553/tdbc-off-street-parking-places-order-2019.pdf>
<https://www.somersetwestandtaunton.gov.uk/media/1556/wsc-off-street-parking-places-order-2017.pdf>

17 Scrutiny Comments / Recommendation(s) (if any)

- 17.1 Scrutiny voted to approve the recommendation as set out. However, they wished to make the following observations:
- 17.2 Scrutiny wished to raise concern at the apparent lack of consultation with key stakeholders eg Chamber(s) of Commerce.
- 17.3 Scrutiny sought assurance on timescales for revision of the Parking Strategy
- 17.4 Scrutiny raised concerns about potential disparities in rates across the Council area
- 17.5 Scrutiny raised a wider concern about the Pay on Foot system in Taunton.

Democratic Path:

- **Scrutiny Committee – 5 February 2020**
- **Executive – 10 February 2020**
- **Full Council – 19 February 2020**

Reporting Frequency: Annually

List of Appendices (delete if not applicable)

Appendix A	Schedule of fees
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