

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

16th February 2016

**Joint Report of the Director of Street Scene, Leisure & Technical Services and
Director of Central Services & Monitoring Officer**

Part 1- Public – Matters for Decision

**1 PETITION IN RESPECT OF THE PROPOSED INTRODUCTION OF CAR
PARKING CHARGES IN WEST MALLING**

Summary

This report highlights a petition brought forward by West Malling Parish Council in regard to the proposed introduction of car parking charges to the short stay car park in West Malling.

1.1 Background

1.1.1 At the meeting of the Planning & Transportation Advisory Board on 12th January 2016 Members considered a review of car parking fees and charges for the Council's car parks across the Borough.

1.1.2 The review included a recommendation to Cabinet that it approve the introduction of a scale of charges for short stay parking in West Malling to operation Monday to Saturday 8am to 6pm as detailed below.

West Malling Short Stay Car Park	
Period	Proposed charge
30 minutes	£0.30
1 hour	£0.60
2 hours	£1.20
3 hours	£1.80

1.1.3 In considering the proposal it was recognised that the current approach to not charge for parking in the West Malling short stay car park resulted in a number of operational problems. Together with the significant cost of the current provision by the Council, it was felt the time was right for a more fundamental review of how charging regimes could help manage the overall parking availability.

- 1.1.4 There have been historic problems with inappropriate long-stay parking taking place in the short stay car park, which is designed to operate on a short stay basis to support local shopping and other town centre visits. Parking used to be restricted to 4 hours, but the car park was popular with those working in the town, and it was common for cars to be parked all day.
- 1.1.5 To address this issue the Council introduced a 3 hour time limit, with a requirement for drivers to take and display a ticket, which contains their vehicle registration number. An additional ticket could then not be obtained, to prevent over-staying.
- 1.1.6 Unfortunately, despite this system there is still abuse of the short-stay parking time limits, as drivers have adopted the practice of entering a registration that is almost correct, then claiming that this was done in error. The Council took a strong enforcement line against this practice with the support of the West Malling Parking Review Steering Group, but this approach has not been supported by the Traffic Penalty Tribunal Service. This has resulted in the Council having the high costs of running a town centre car park with take & display machines, but with no income to enable recovery of the costs and no effective means of applying an appropriate management regime.
- 1.1.7 It was recognised at the November 2015 meeting of the Steering Group that given the operational issues and scale of demand for parking there was pressure to review how the car parks and associated enforcement were operating.
- 1.1.8 It was agreed by the Advisory Board that the most effective and practical way of managing the car park was by the introduction of a parking charge. Setting charges would allow more flexibility in the management of the car park, focussing on encouraging short stay and relatively quick turnover of spaces to optimise availability. Such an approach would also address the costs of running the car park. It was also recognised at the meeting that it was not the intention to introduce a charge for on-street parking in the High Street at this stage, or on Sundays and evenings, but this may need to be reviewed in the future depending on operational experience. Members of the Advisory Board also supported increased resources for enforcement.

1.2 Petition

- 1.2.1 Before the start of the meeting the Chairman of the Advisory Board was presented with a petition by Mr Richard Selkirk on behalf of West Malling Parish Council. The petition contained 2,500 signatures objecting to the introduction of car parking charges in West Malling. Members will be advised of an up to date number of signatures at the meeting.
- 1.2.2 In accordance with the Council's Petition Scheme any petition containing more than 1,500 signatures will be discussed by full Council. The petition organiser is given five minutes to present the petition at the meeting and it is then discussed by Councillors for a maximum of 15 minutes. An additional request to speak has

also been received from a Member of the Chamber of Commerce, Mr Russell Meader, who is also a member of the West Malling Parking Steering Group. In accordance with Council Procedure Rule No 5.17.4 of the constitution Mr Meader will also be allowed 5 minutes to speak on the matter.

1.2.3 As the issue giving rise to the petition is one which the Executive (Cabinet) are required to make the final decision, Council will decide whether to make recommendations to Cabinet to inform that decision. In accordance with the Petition Scheme Council may recommend the following:

- to take the action requested
- not to take the action requested, for reasons put forward in the debate
- to commission further investigation into the matter

1.2.4 The petition organiser will receive written confirmation of the decision reached and this will also be published on the Borough Council's website.

1.3 Legal Implications

1.3.1 The powers allowing the Borough Council to carry out parking management activity are contained in the Road Traffic Regulation Act 1984, supplemented by formal agreement with Kent County Council as the Local Highway Authority, in respect of its powers under the Traffic Management Act 2004. In particular, section 122 of the Road Traffic Regulation 1984 Act imposes a general duty on local authorities exercising functions under the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of safe and adequate parking facilities on and off the highway.

1.4 Financial and Value for Money Considerations

1.4.1 The report to the Planning & Transportation Advisory Board reviewed the fees and charges within a set of guiding principles, the cost of the parking service to the Council and ongoing investment in the Parking Management Service.

1.5 Risk Assessment

1.5.1 There are both operational and financial risks linked to the consideration of parking fees & charges.

1.6 Equality Impact Assessment

1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Policy Considerations

1.7.1 Asset Management

1.7.2 Community

1.7.3 Customer Contact

1.8 Recommendation

1.8.1 Subject to Member discussion at the meeting it is **RECOMMENDED** that;

Cabinet be requested to consider the proposed introduction of car parking charges in West Malling at its next meeting, taking into account both the petition received from West Malling Parish Council and the outcome of the formal public consultation exercise currently being undertaken.

Background papers:

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Robert Styles

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