

# TONBRIDGE & MALLING BOROUGH COUNCIL

## STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

08 June 2021

### Report of the Director of Street Scene, Leisure & Technical Services

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

#### **1 TONBRIDGE TOWN CENTRE - RESIDENTS PARKING SEASON TICKET TRIAL**

##### **Summary**

**This report brings forward a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents. This is to help address significant parking problems in the area and generate additional income to the Council from its car parking assets.**

#### **1.1 Current Parking Issues**

1.1.1 At the present time the lack of parking in and around the flats in Tonbridge town centre has led to significant obstructive and unlawful parking problems in the area. Enforcement is regularly undertaken by the Council's Civil Enforcement Officers, but this has not managed to resolve the problem. The area, shown in the plan at Annex 1, is not appropriate for a residents parking permit scheme and demand for parking far exceeds supply. Whilst it is true to say that the residents were fully aware of the lack of parking and the cost of season tickets when they purchased their flats, the reality is many are car owners which is creating significant problems and generating high levels of complaint. Whilst payable parking is available in one or two of the developments, the only other option available is to purchase an annual season ticket within a number of town centre car parks (Sovereign Way East/ North, Vale Road and Lower Castle Fields) from the Council at £1,020. An off-peak annual season ticket is also available at £290. The off-peak season ticket enables parking between 4pm-9pm weekdays and all-day Saturday and Sunday. At the present time it is not possible to determine whether season tickets are being purchased specifically by commuters, shop owners/workers or residents. Feedback from local Members, however, would indicate demand from residents is low due to the level of cost. With regard to off peak season tickets 24 have currently been purchased.

1.1.2 The result of this is significant parking issues in the area with underutilised long stay car parks adjacent to where the problems exist. Significant comments from

residents were received as part of a recent consultation on residents parking charges reported to the Joint Transportation Board in March 2021, and it was agreed at that meeting that the possibility of an affordable Town Centre residents season ticket be investigated.

## 1.2 Proposal

1.2.1 At the present time the long stay car parks in Tonbridge Town centre are under - utilised with the Sovereign Way North car park located adjacent to where the most significant parking problems exist. The proposal is to introduce a more affordable Residents Parking Season ticket on a trial basis, available to those residents in the area shown on the attached plan at **Annex 1**. Applicants would need to prove residence and vehicle details. The cost of the season ticket is proposed to be £350 per annum (inc. VAT) making it more affordable than the existing charge. The level of charge has been determined through consideration of the existing off-peak season ticket offer in Tonbridge and similar charging regimes. We have also consulted with local Members to ensure the affordability. The proposed charge will enable the ticket to be marketed as being less than a pound a day. The charge for the off-peak option would remain unchanged. The season ticket would enable parking in Sovereign Way North, Sovereign Way East and Vale Road car parks which have iro. 277 spaces. Initially it is suggested to offer a limited number of 100 season tickets to gauge demand and the impact on the car park capacity. This could generate up to £29,000 of additional income to the Council if all the tickets were purchased. It is also proposed to introduce the Residents Season tickets on the basis of a one-year trial. Local Members have been consulted and are supportive. It is recognised that some of the local Members reside within the area affected by the proposal and would therefore be eligible to apply.

## 1.3 Legal Implications

1.3.1 Off Street parking places may be provided by the Borough Council under section 32 of the Road Traffic Regulation Act 1984. Under section 35 of the 1984 Act, the Council is further empowered to make provision for such matters as-

(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

1.3.2 The use of parking places within these car parks is governed by an existing car parking order under the 1984 Act, namely the Tonbridge & Malling (Off Street Parking Places) Order 2021. This order provides that season tickets may currently be purchased at an annual price of £1020 (monthly cost £120), with off-peak season tickets (4pm to 9am the following day) available at an annual cost of £290. Season tickets in the Sovereign Way East & Vale Road car parks are available at the same cost, with season ticket holders in these 3 car parks (collectively known

as the Sovereign Way complex) able to park in any of the 3 car parks Monday to Saturday.

- 1.3.3 To alter or introduce new charges for parking the Council must promote a revised Traffic Regulation Order or make an Amendment to its existing Orders, in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 1.3.4 In order to make these changes, the Council will be required to undertake a prescribed procedure (as set out in the 1996 regulations), including a statutory consultation and invite objections, and any objections can then be considered by Member of this Board.
- 1.3.5 However, given that the proposal is to offer a reduced price season ticket to residents within a restricted locality, with season tickets elsewhere remaining at their existing rates i.e. the creation of a preferential parking rate, Members are recommended to consider whether a wider consultation (i.e. over and above the minimum statutory consultation) is undertaken. This would allow the Council to consider the potential impact of the proposals upon parking provision generally, and to ensure that it approaches the exercise of its parking functions fairly and consistently across the Borough.
- 1.3.6 The Council will ensure that the consultation is conducted in accordance with the usual legal principles e.g. we must give sufficient reasons for the proposal to permit of intelligent consideration and response, in order to ensure that we are able to meet the overriding duty of public authorities to act fairly in the exercise of their functions.

It is proposed that the consultation would be conducted as follows:-

- Notices in the car parks and in local newspapers, inviting objections
- Letters to residents that would be affected by the proposals
- Documents placed on-deposit at Council Offices and on the Council's web pages for comment and invitation of objections

The consultation will run for at least 21 days and we envisage starting this process mid-July.

- 1.3.7 Subject to the agreement of Cabinet to progress the proposals set out in this report, the outcome of the consultation would be reported to a future meeting of this Board.

## **1.4 Financial Implications**

- 1.4.1 If popular, the proposal could create additional income to the Council as outlined in sub-section 1.2.1 of the report.

## 1.5 Risk Assessment

- 1.5.1 The impact of the trial will be assessed after a full year to enable Members to consider whether it is appropriate to continue with the reduced charge for residents. The temporary nature of the proposal will also enable the car park to be considered as part of any future development opportunities for the town centre.

## 1.6 Equalities 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, Community, Customer Contact, Health and Safety

## 1.8 Recommendations

- 1.8.1 It is **Recommended to Cabinet** that;-

- i) a period of formal consultation is undertaken in respect of the proposals set out in this report for a trial Tonbridge Town Centre Residents Season ticket with a report on the outcome of the consultation to be reported to a future meeting of this Board;

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Andy Edwards

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services