

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

07 June 2022

Report of the Director of Street Scene, Leisure & Technical Services and the Director of Finance & Transformation

Part 1- Public

Executive Key Decisions

1 CAR PARKING FEES AND CHARGES – OUTCOME OF PUBLIC CONSULTATION

Summary

This report considers the objections and comments received during the statutory consultation period relating to proposed off-street parking charges. The report relates to existing car parks where charges are already in place in Tonbridge, West Malling, Borough Green, Blue Bell Hill and the Council's two Country Parks.

1.1 Introduction

- 1.1.1 At the November 2021 meeting of the former Street Scene and Environment Advisory Board, Members considered a number of proposals to change the Council's off-street parking charges and made a number of recommendations to Cabinet. At the meeting of Cabinet on 10th February 2022 it was agreed that the proposed charges would be approved for consultation in accordance with the requirements of Statutory Regulations. To enable the charges to be introduced a new off-street Traffic Regulation Order is required.
- 1.1.2 Where there is a statutory process a local authority should comply with the process as laid out. In the case of the proposed car parking charges this is under the Road Traffic Regulation Act 1984, following the procedure set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996. Regulation 8 of the 1996 Regulations requires a 21 day consultation period.
- 1.1.3 This report covers proposals for the changes to tariffs in the Council's existing car parks in Tonbridge, West Malling, Borough Green, Blue Bell Hill and the Council's two Country Parks. On-Street parking charges have followed a similar process but produced no objections and were reported back to the Joint Transportation Board on 6th June 2022.

1.2 Consultation

- 1.2.1 The statutory consultation was carried out between 18th February and 13th March 2022.
- 1.2.2 The proposed charges considered in this report are outlined in the Intends Notice, shown at **Annex 1**.
- 1.2.3 The statutory consultation process followed a number of steps inviting comments or objections as follows:-
- Notices were placed in each car park by each pay and display machine;
 - Adverts were placed in a local newspaper;
 - Letters were sent to each Parish/Town Council and Borough Council Member;
 - Letters were sent to all statutory consultees (Police, Fire, Bus operators etc.);
 - Consultation documents were placed “on-deposit” for inspection at the Council Offices in Kings Hill and Tonbridge Castle.
- The consultation documents were also placed on the Council’s website. In line with the Council’s new Digital Strategy respondents were able to make comments online.
- 1.2.4 During the consultation period, 67 responses were received which represents a very low level of return given the 1.4 million transactions per annum.
- 1.2.5 One of the responses did not relate to the proposals in the Notice but related to changes to on-street parking in Blue Bell Hill – a consultation that had been previously run by the Council and has already been subject to a report to the Joint Transportation Board. The total responses has been reduced accordingly.
- 1.2.6 The 66 discrete responses that related to this consultation raised a number of issues which are outlined below. The full text of each response (redacted of personal details) is shown at **Annex 2**.
- 1.2.7 West Malling Parish Council responded to the consultation and its response is also included as **Annex 3**.
- 1.2.8 Ryarsh Lane Allotment Association also responded to the consultation and though their response was outside the time of the consultation, their response is also included as **Annex 4**.

1.3 Summary Of Responses Received

1.3.1 A number of the comments raised similar points, and these have been collated together.

Comment	Times Raised	Officer Response
Charges should be applied evenly everywhere	32	The level of charges across the Borough has to consider the services and facilities on offer, and the demand for parking in those areas. The demand for and availability of parking in the smaller towns and villages is significantly different, as is the purpose and the duration of stay. At a previous meeting of Cabinet it was agreed not to introduce charges to car parks in Larkfield, Aylesford and Snodland.
Objection to price increases on economic grounds	16	The setting of the level of parking charges takes into consideration the charges in similar facilities in neighbouring Districts and Boroughs, rising inflationary costs, and nearby private parking provision.
Objections on environment reasons	7	The level of charge must be a balance between service provision and encouragement of alternative forms of transport. Station commuters have already adopted multi-modal transport (whether on economic or environmental grounds), and the Council's long-stay facilities assist this.
Higher prices put shops at risk	8	Unfortunately costs across the board are rising, not only for parking, but for goods and services, and the requests for additional services and improvements to facilities have to be factored in.
More enforcement is needed	1	Parking enforcement is provided from the Council's Parking Team, and resources are deployed as effectively as possible, whilst considering the safety of staff. The service is continually reviewed to ensure resources are suitable and sufficient.
Ryarsh Lane Sat charge objection/ Would like resident permits	13	A number of nearby residents have requested the facility to buy a season ticket for the Ryarsh Lane car park. This has historically been a car park to support those working in the town, rather than supplementary parking for those who live nearby. However, if Members are agreeable we can extend the existing Season Ticket offer to nearby residents, in addition to those working in the town, but this may place more demand on the car park.
Leybourne Lakes displacement	1	Whilst there is an element of avoidance of charges, parking on The Lakes development and access to the Leybourne Lakes Country Park from The Lakes is more a function of convenient parking at the eastern end of the Country Park than avoidance of charges.

1.4 Consideration of Objections

- 1.4.1 Of the relevant public responses, 5 were in favour of the changes and 61 objected, though some of the objections on environmental grounds wanted further charges to deter parking, and some of the objections wanted charges to be considered in other areas of the Borough as well.
- 1.4.2 The reasons and principles for the introduction of the proposed parking charges were outlined in the report to the November 2021 meeting of the Street Scene and Environment Advisory Board.
- 1.4.3 The introduction and management of parking charges have proven effective in maintaining accessible short-stay parking and in managing demand for long-stay parking. This in turn assists in generating availability of spaces for short-stay shopping visits and people working in and commuting from the Borough.
- 1.4.4 Cabinet is asked to consider the consultation responses received and the officer advice as summarised in the table above. For the reasons summarised, officers recommend that the season ticket scheme in Ryarsh Lane car park be extended to nearby residents as suggested in the consultation responses.

1.5 Legal Implications

- 1.5.1 The consultation on the proposed parking charges followed the requirements of statutory regulations as detailed in sub-sections 1.1.1 and 1.1.2 of the report.

1.6 Financial and Value for Money Considerations

- 1.6.1 The proposed charges were reviewed within the context of a set of guiding principles, the cost of the parking service to the Council and ongoing investment in the parking management service.

1.7 Risk Assessment

- 1.7.1 The estimated additional income outlined in the report to the November 2021 meeting of this Board was modelled on the basis that future parking patterns and demand match current activity. It does not reflect any potential adverse customer reaction or the possibility of increased take up of the dual ticketing arrangement in Angel and Botany car parks.

1.8 Equality Impact Assessment

- 1.8.1 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.
- 1.8.2 Blue Badge holders can park free of charge in the Council's car parks for up to 23 hours. The Blue Badge scheme has recently been extended by Central Government to include people with "hidden disabilities". This includes people with learning disabilities, autism, and mental health conditions.

1.9 Policy Considerations

1.9.1 Asset Management

1.9.2 Community

1.9.3 Customer Contact

1.10 Recommendations

1.10.1 It is **RECOMMENDED TO CABINET** that it **APPROVE** the following actions to be progressed prior to the proposed parking charges outlined in the report coming into effect in July 2022:-

- i) nearby residents to the Ryarsh Lane car park in West Malling be offered the ability to purchase an annual season ticket;
- ii) the appropriate Traffic Regulation Order be made to facilitate the variation of the off-street parking charges.

Background papers:

Annex 1 – Consultation “Intends” notice

Annex 2 – Redacted consultation responses

Annex 3 – West Malling Parish Council response

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