

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**COMMUNITY AND ENVIRONMENT SCRUTINY SELECT COMMITTEE**

**21 September 2023**

**Joint Report of the Directors of Street Scene, Leisure & Technical Services and Finance and Transformation and the Cabinet Member for Transformation and Infrastructure**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Key Decision**

**1 CAR PARKING PROPOSALS**

**Summary**

**This report brings forward a number of proposed changes to the Council's car parking service for consideration and recommendation to Cabinet. The report suggests taking the proposals forward to a formal public consultation exercise, with the outcome reported back to a future meeting of Cabinet.**

**1.1 Car Parking**

1.1.1 The Council owns and manages 46 car parks across the borough to serve the needs of residents, businesses, visitors and workers. The aim is to balance the management of the car parks to meet the needs of all users, optimise the availability of parking, maximise income subject to market conditions and provide consistency across the assets in a fair commercial and efficient manner.

1.1.2 There are significant annual costs associated with the operation of the parking service such as the maintenance of car parks costing £320,000, enforcement costing £376,000 in salaries, business rates costing £295,000, lighting, security measures, renewal of signs and lines and considerable investment in the Parking Action Plan. These costs have increased on average by 10% over the last 2 years, whilst charges have remained unchanged.

1.1.3 It has been two years since the last review of parking charges and the next review is due, and a report will be presented to the next meeting of this Select Committee on 7<sup>th</sup> November 2023.

**1.2 Charging Proposals**

1.2.1 In advance of the review of existing charges a number of proposals are brought forward for Member consideration and recommendation to Cabinet. These proposals intend to assist in meeting the stated aims of the parking service and

generate additional income to the Council to meet the aforementioned rising costs of delivering the service. They are also intended to resolve some existing parking issues which have been reported to the Council in specific areas

**a. Extension of car park charging periods**

The Council's parking charges are in place Monday – Saturday, 8am – 6pm, with free parking from 6pm, overnight, Sundays and Bank Holidays (though there are exceptions to this such as Haysden Country Park and West Malling High street car park).

The basis for this has been historic, based on traditional “office hours” and the opening times of local shops. However, retail opening times have changed significantly – many shops are open later and some (large retail supermarkets) are open 24 hours. There is also significant demand for parking on Sundays – not driven by free parking, but by the opportunity to carry out tasks, participate in leisure activities and attend events on what is for most a non-working day. This is particularly an issue in the car parks serving the castle, the swimming pool and sportsground in Tonbridge where it can be extremely difficult to find a parking space on a Sunday for leisure activities.

It is commonplace for Local Authorities to have charges on Sunday (either at the same rate, or a flat “day rate”) and to have evening charges, with Bank Holidays also chargeable. At the present time only the Council's Country Parks charge on a Sunday and Bank Holidays. Looking at local authorities in Kent, Tonbridge and Malling is only one of 4 local authorities currently not applying evening, Sunday or bank holiday charges. Other Councils including Maidstone, Canterbury and Swale also apply overnight charges in their car parks but this is not suggested to be a position this Council takes at the present time.

It is suggested extending the chargeable periods – to include Sundays, evenings up to 8pm and Bank Holidays.

Estimated additional income from the above proposals is £319,670, based on the proposed charges detailed at **ANNEX 1**.

There are associated issues that need consideration in relation to the above suggestion, which are as follows. The Council's existing civil enforcement team consists of 8 CEOs and 2 Supervisors, working to the Parking Officer. This allows for 6-day cover, Mondays to Saturdays, with enforcement between 7am and 8pm Monday – Friday and 8am – 4pm on Saturdays. The staff are not currently contractually required to work on Sundays, Bank Holidays and Saturday evenings.

Extending the chargeable times and days may entail changes to the level of enforcement needed and may require the operation of an additional shift of 2 CEOs. This would need to be considered in liaison with the staff but an additional shift would have an additional annual revenue cost of approximately £70,000,

offset to some degree by additional income of £30,000 per CEO generated by the issuing of Penalty Charge Notices. There will also be additional costs of approximately £13,000 for maintenance of the parking areas and vehicles. Extending the charging periods may also require the alteration of nearby on-street parking controls that currently echo the existing car park arrangements, otherwise parking may displace out of the car parks.

There are also some car parks that have restrictive covenants on when charges can apply, for example, West Malling High Street short-stay car park. Whilst it will be possible to include Sunday and Bank holiday charges in West Malling short stay high street car park, the covenant does not allow parking past 5.30pm.

The proposals would require public consultation in accordance with Traffic Regulation Orders using the procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996. The outcome of this consultation would be reported back to a future meeting of Cabinet.

#### **b. Removal of on-street charges in Avebury Avenue**

Avebury Avenue is a location in Tonbridge where on-street parking charges are considered to be ineffective. The machines in Avebury Avenue (west of Holford Street) take annual income of £2160, but cost £4,800 to run. It is therefore suggested that these charges should be removed and the spaces changed to permit parking only (which would improve parking availability for residents in zone D1). This would enable the decommissioning and relocation of the existing pay & display machines with a subsequent saving in running and renewal costs. The change to a parking permit regime would be subject to public consultation and may also offer the opportunity to consider the business parking permits in this area.

#### **c. Introduce new charges**

As referenced earlier in this report car parking provision does not come for free, and the maintenance of the facilities provided are all at a significant cost to the Council.

There are several car parks, particularly in the north of the Borough, that have no charges but are well used. Some of these car parks also suffer from a low turnover, reducing the availability of spaces for all users. It is suggested that these should have charges introduced to generate income, recognise the value of parking in these areas and help ensure the car park is managed in a balanced manner. The suggested car parks are as follows and all the proposals would once again be subject to formal public consultation with a report back to a future meeting of Cabinet.

##### **i) Larkfield - Martin Square**

Martin Square car park has 89 ordinary spaces, 5 disabled spaces and

an intention to provide 6 EV charging spaces in the future. There are resident vehicles that park in the car park overnight, and a significant number of cars that park all day belonging to staff of nearby businesses. Restrictions are in place for 2 hours in the nearby supermarket, there is unrestricted on street parking availability nearby on Kingfisher Road and there are restrictions at Lawson House and Larkfield Health Centre.

Daytime parking is linked to customers for nearby businesses, the medical centre and also short-stay parent pick-up and drop-off parking for the nearby primary schools.

Projected annual income from the proposed charges shown at **Annex 1** is £31,919. A plan of the area where proposed charges would apply is shown at **Annex 2**. It would be the intention to introduce CCTV to improve security in the car park.

**ii) Aylesford – Bailey Bridge Car Parks**

Bailey Bridge (West) car park (on the village side of the road) has 71 ordinary spaces and 4 disabled spaces.

Bailey Bridge (East) car park (on the allotment side) has 49 spaces and 2 EV charging spaces.

Both car parks are well used by residents as ad-hoc residential parking, by staff working in the village and by visitors to Aylesford village, which includes an element of tourism. They are often heavily used as an overflow when Aylesford Football Club has tournaments or many matches at the same time. The Council has been approached by residents living on or around the High Street requesting permits because of the challenges in finding available parking.

Projected income from the proposed charges shown at **Annex 1** is £47,118. This includes income from season tickets which would be available to residents who currently struggle to find parking.

Works to the Bailey Bridge (East) car park including tarmacking and lining to provide better parking and increase capacity will be required. It is proposed that this be brought forward within the review of the capital plan to be completed as charges are introduced. The cost of the capital project is estimated to be £160,000.

**iii) West Malling High Street (on-street) and Swan Street**

West Malling High Street and Swan Street has 93 on-street shared-use parking bays that currently provide 1 hour free parking, as well as unlimited resident permit parking.

It is suggested that charges be introduced with charges set the same as the West Malling High Street car park. This will enable longer parking in the bays with a maximum stay of 4 hours, increasing the capacity for people to spend longer in the town.

Charges for on street bays in Tonbridge have been in place for a number of years including Avebury Avenue, Morley Road and the High Street.

Since the introduction of car parking charges in West Malling high street car park in 2016, there was no medium-term impact on vacancy rates on the High street with 0% reported in 2019. The current vacancy rate of 3.49% has increased since the Covid pandemic, but is still lower than the borough wide vacancy rate of 6.5%.

Projected annual income from the proposed charges shown at **Annex 1** is £50,829.

#### **d. Tonbridge Castle Grounds – extension of charging**

It is suggested that the “Gateway Visitor” parking spaces at the Castle, as shown on the plan at Annex 3, be changed to Pay and Display parking similar to the other parking spaces in the Castle Grounds. The Gateway is leaving the Castle next year, and through the Castle Study Group the use of the Castle is changing. There is also confusion by some drivers as to why there are different restrictions in place, and the parking arrangements are regularly abused.

This proposal would add a further 9 parking spaces. The existing 13 Pay and Display spaces in the Castle Grounds took £32,103 (before VAT) last calendar year – a surprising income for such a small facility, indicating its popularity based on its position close to the upper High Street.

Projected income from the proposed charges shown at **Annex 1** is £22,363.

### **1.3 Automatic Number Plate Recognition (ANPR)**

- 1.3.1 It is recognised that ANPR is potentially a good idea for managing car parks of the right location and design. ANPR reads and checks car registration numbers which are recorded on entry and exit times of parked vehicles.
- 1.3.2 The Council could gain benefits by using ANPR in car parks where the entry and exit are barrier controlled as car registration plates can be recorded at the barrier on entry and on exit, and if payment has not been made on behalf of that registration, then the barrier stays shut. To remain under the regulations of the Road Traffic Act and Traffic Management Act, the use of barriers is required. This is an effective system and requires lower levels of enforcement input as you have

to pay to leave the car park and there are significantly fewer cases where a PCN could be issued for non-payment. This does not remove the need for CEO's as on-site staff may well be required to release cars if there are any technical issues or errors and we would still need to patrol to prevent irregular parking activities such as "out of bay".

- 1.3.3 When considering the types of car parks that make up our estate, a number could be considered suitable for ANPR and barrier control including Haysden Country Park, Western Road in Borough Green and Upper Castle Fields, Tonbridge as they have controllable entry and exit points. The Angel Car Parks are not currently felt to be appropriate due to the dual ticket system and the broader review of Tonbridge Town Centre. West Malling short stay car park has restrictions due to mixed land ownership. In Borough Green the village hall car park, owned by the Parish Council, is operated by ANPR so there is merit in having similar enforcement in both village car parks.
- 1.3.4 The cost of introducing an ANPR and barrier control system to a car park are not insignificant and require ongoing maintenance contracts and software support.
- 1.3.5 Consideration needs to be made in relation to disabled parking, as it is not possible to provide parking concessions for the disabled as this is done through the blue badge scheme and not through vehicle registrations, so disabled drivers would not be identifiable and would have to pay.
- 1.3.6 The Leisure Trust has recently installed ANPR at Leybourne Lakes Country Park . The Trust will be supplying the Council with feedback on the performance of the installation.
- 1.3.7 It is suggested that a capital plan proposal be brought forward within the forthcoming review of the capital plan to introduce ANPR systems at selected car parks on a trial basis The cost of this capital project has yet to be estimated.

#### **1.4 Upper Castle Fields Car Park**

- 1.4.1 At the present time the Upper Castle Fields Car Park is the most successful car park run by the Council in terms of income generation and occupancy. The occupancy of the car park is high with bays being sold 2-3 times a day with £7.03 generated daily for each bay provided. It is full on a number of occasions and has become increasingly popular with the growth of events at the Castle. 114 event days are now held throughout Tonbridge across the year with total visitor numbers estimated to be iro70,000. It is also well used on weekdays due to its proximity to Slade Primary school, and at weekends due to its proximity to Tonbridge Racecourse Sportsground, Tonbridge Swimming Pool and Tonbridge Juddians Rugby Club, with limited capacity at Lower Castle fields.
- 1.4.2 It is suggested that Members agree that within the forthcoming review of the Capital Plan for a scheme to extend the car park and provide additional parking be bought forward. Any new scheme would retain the provision of the swings on site

as these are extremely popular with the public. This is also important within the context of the Tonbridge Town Centre Asset review. The review is focussed on the land east of the high street, including Council owned car parks, and the need to better balance parking capacity between the east and west of the high street is important. The cost of the capital project is estimated to be £180,000.

- 1.4.3 This will help meet an identified need for additional parking and generate additional income to the Council.

## **1.5 Legal Implications**

- 1.5.1 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.
- 1.5.2 Changes to parking charges should be made via an Amendment Order to the Council's on and off-street parking Traffic Regulation Orders, using the procedures set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## **1.6 Financial and Value for Money Considerations**

- 1.6.1 The Council currently applies a charging regime to the majority of its car parks generating an annual net income of £2,532,000.
- 1.6.2 The financial implications of the suggested proposals have been included in the relevant sub-sections of the report. It is essential that given the context of the MTFs that the Council seeks to ensure that the assets are managed in the most economically advantageous way, costs are recovered and income is optimised.
- 1.6.3 The estimated additional income is modelled on predicted future parking patterns and demand in line with current usage. There is always an immediate perception that new charges will impact negatively on usage levels and impact local businesses. This has not been the experience at Haysden Country Park and West Malling when the Council previously introduced new charges.
- 1.6.4 In addition to the aforementioned capital plan schemes, a separate capital scheme will also be required to enable the proposals to be implemented. This will include items such as signage, machines and CCTV. The cost of this capital scheme will be dependent on which proposals are progressed but could be iro. £100,000. Each capital scheme will have a revenue impact based on the loss of investment income and replacement of equipment items within capital renewals.

## **1.7 Risk Assessment**

- 1.7.1 There is a risk that the Councils aim of providing a balanced approach to the management of its car parks detailed at sub section 1.1.1 will not be met if the above proposals are not implemented.

## **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.

## **1.9 Policy Considerations**

- 1.9.1 Asset Management, Communications, Customer Contact

## **1.10 Recommendations**

- 1.10.1 Members of the Select Committee are requested to consider the suggested parking proposals outlined below, the implementation of a formal public consultation exercise, and make recommendations to Cabinet:
- the extension of parking charges to include Sundays, evenings up to 8pm and Bank holidays
  - remove the on street parking machines in Avebury Avenue Tonbridge (west of Holford Street) and the area be changed to permit parking only to add capacity to the D1 permit parking area.
  - introduce parking charges to Martin Square ,Larkfield
  - introduce parking charges to Bailey Bridge car parks in Aylesford
  - bring forward in the forthcoming capital plan review a project to improve the Bailey Bridge East car park
  - introduce charges to on street parking bays in West Malling High Street and Swan street.
  - introduce parking charges to the existing Gateway Visitor parking bays in Tonbridge Castle grounds.
  - bring forward in the forthcoming capital plan review a scheme to introduce ANPR systems at selected car parks on a trial basis
  - bring forward in the forthcoming capital plan review a scheme to extend the existing Upper Castle Field car park to provide additional parking.



- bring forward in the forthcoming capital plan review a scheme to enable the proposals to be implemented including CCTV, parking machines and signage.

Background papers:

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Nil

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