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|                                | <h2>Environment Committee</h2> <h3>10 March 2014</h3>  |
| <b>Title</b>                   | <b>Bunns Lane Car Park, Mill Hill, Parking Charges</b>   |
| <b>Report of</b>               | <b>Lead Commissioner for Environment</b>   |
| <b>Wards</b>                   | <b>All</b>   |
| <b>Status</b>                  | <b>Public</b>  |
| <b>Enclosures</b>              | Appendix 1 – Current Car Park Usage (transactions and income)  |
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| <h2>Summary</h2>  |
| <p>The Policy and Resources Committee ('the P&amp;R Committee') considered a request from the Hendon Area Committee to introduce Free all day parking on a Saturday in Bunns Lane Car Park and P&amp;R Committee agreed that this matter should be referred to this Committee for more detailed consideration.</p> <p>Policy &amp; Resources Committee requested that the Environment Committee bases it's decision on evidence in terms of the usage of this car park; ensures that any proposal is consistent with the Council's wider Parking Policy; and is funded on a sustainable basis in the future. P&amp;R Committee also noted that the Environment Committee may wish to consider whether a pilot scheme may be appropriate.</p> <p>This report provides information on the current usage of the car park, identifies the implication of introducing free parking and identifies a number of options, which are believed to provide positive changes for the benefit of local trade whilst also mitigating the sustainability issues.</p> |

## **Recommendations**

**1. That the Environment Committee consider approving a pilot scheme to support the local traders of Mill Hill as intended by the Hendon Area Committee by amending the existing tariff structure and introducing a free period of up to 3 hours on a Saturday.**

**2. That the Environment Committee agree that the pilot scheme shall be reviewed within 6 months of implementation to ensure it is achieving its intended aims and remains a financially sustainable option.**

**3. That the Environment Committee agree how the implementation of the scheme will be funded for the period of the pilot.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 On 10 June 2014 the P&R Committee agreed that £100,000 per year over the next four years should be allocated to each of the Councils three Area Committees, subject to agreement of detailed arrangements for the governance, accountability and prioritisation of these budgets by the Community Leadership Committee.
- 1.2 On 11 September 2014 the Community Leadership Committee approved proposals for the allocation and governance of the Area Committee Budgets scheme, to be returned to the P&R Committee for final agreement.
- 1.3 At the Hendon Area Committee, a proposal was brought to offer free parking on Saturdays at the Bunns Lane Car Park, NW7 and a grant request of £6,000 was applied for. Although the committee were advised that the proposal had not passed due diligence and contravened the criteria of the Area Committees budgets in relation to funding. Despite this the Hendon Area Committee at its meeting on 15 January referred the application to the Community Leadership Committee for determination. The Committees reasons for so doing being that the proposal will help the local community, support local business and provide a parking solution.
- 1.4 Following consideration of the implications of this decision, officers have determined that the application should be decided by the P&R Committee rather than the Community Leadership Committee as if approved it would require amendments to parking fees and charges and as the constitution is currently drafted such decisions are determined by the P&R Committee.
- 1.5 At the February 17<sup>th</sup> P&R Committee meeting, members of that Committee agreed that the request for free all day parking on a Saturday in the Bunns Lane Car Park in Mill Hill be referred to this Committee for further consideration and decision.
- 1.6 Members of the P&R Committee recognised that there could be implications in respect of the new Parking Policy and that the funding of such a proposal would need to be sustainable and as such they proposed that this Committee

reviews the request to ensure these matters are given proper and careful consideration before a decision is taken to agree or reject the proposal.

- 1.7 It is important to understand the way in which the car park is currently being used both during the week and at the weekends and therefore the table provided in Appendix 1 provides the level of parking transactions occurring and the associated income being generated.
- 1.8 The car park is located in Bunns Lane at the junction with Mill Hill Broadway and is close to the Mill Hill Broadway Station Car Park. It will therefore be no surprise that the majority of the users of the car park are commuters who leave their vehicle in the car park all day and use the train to commute to work. This can be demonstrated by the number of all day parking transactions as opposed to short duration transactions. The all day transactions account for 94% of the total transactions and 96% of the income generated.
- 1.9 One of the important factors in terms of car park usage is the alternative parking options in the local area. The roads surrounding the car park are restricted for one hour Monday to Friday but there are no restrictions on a Saturday. It can be seen from the usage figures during the Monday to Friday period that the local restrictions lead to increased occupancy of the car park, whereas on a Saturday motorists choose to park in the surrounding streets to avoid the car park charges. The Saturday transactions only account for 4.2% of the total transactions Monday to Saturday. Of the Saturday transactions between 50% and 75% are all day transactions, depending on the time of year.
- 1.10 This Saturday parking behaviour is having a detrimental effect on the surrounding roads and is causing congestion due to cars being parked on both sides of the road. Although there have not been a lot of complaints from residents in the surrounding roads this parking behaviour does restrict residents being able to park outside their own properties on a Saturday.
- 1.11 Based on this knowledge and the desire to increase occupancy of the car park it has been planned to review the surrounding roads restrictions and propose an extension to the restrictions to include a Saturday. It is anticipated that this could double the occupancy of the car park on a Saturday, increase the income by double, whilst dealing with the traffic management concerns relating to the surrounding roads.
- 1.12 From the current usage figures it can be recognised that the proposal to make the car park free all day on a Saturday is unlikely to have the desired effect of increasing the footfall for local traders. There is a strong possibility that this will encourage more commuters to park in the car park and those who work in the area on a Saturday to park their vehicle all day without any benefit to local traders. Additionally this will have a detrimental impact on the sustainability of the parking budget as the current income and proposed additional income following restriction changes will not be achieved.

- 1.13 There are also other cost implications as in order to make the change to allow free parking the Traffic Management Order (TMO) would require amending and the PaybyPhone system would require reconfiguration. There would also be an impact on enforcement activity with a likely loss of income from Penalty Charge Notices which are currently issued for contraventions such as failure to make a payment and for overstaying a paid for period.
- 1.14 The Resources section 5.2 of this report identifies the totality of the financial implications and although the aims of the Parking Policy to increase occupancy may be achieved it would be difficult to justify on the basis of sustainability.
- 1.15 However, it is recognised that this request is made in order to encourage increased use of the local facilities and help to increase the footfall within the Mill Hill Town Centre and thereby supporting local traders. Officers have therefore investigated possible options which could be introduced as an alternative solution which will meet the aims of the request whilst ensuring that the changes are sustainable. Using the current statistics and observations of parking behaviour locally both during the week and on a Saturday the following options have been identified. These could be combined with the existing proposed local changes and are more likely to encourage local short and medium stay parking and hence increased footfall in the Town Centre in addition to the existing commuter parking:
- Consider changing the existing charging structure to include further medium term parking options, such as changing the up to 90 minutes of parking to 2 hours and adding a further tariff up to 3 hours of parking
  - introducing a Free period only for vehicles parked up to the 3 hour period and normal charges apply beyond
  - Keep the existing tariff structure but reduce the tariffs for the periods up to 90 minute that will apply on a Saturday only
  - A combination of the above two bullet points
- 1.16 In order to introduce any of the above changes the TMO would need to be amended and the PbP system reconfigured.
- 1.17 In accordance with the P&R Committees recommendation it would be proposed to introduce changes on an experimental basis. During the experimental period it would be identified via increased monitoring how the changes have changed the parking behaviour in the area and to potentially make further minor amendments in order to achieve the desired positive outcomes of increasing parking occupancy for the benefit of local traders. Once it has been confirmed that the changes have increased occupancy and footfall and are sustainable they could then be made permanent.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 In accordance with the Policy and Resources Committee recommendation it is important to ensure that due consideration is given to any proposals being complimentary to the new parking policy and that in making a decision the sustainability aspect is understood and protected.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The recommendations and the alternative options are identified within this report and there is more than one option to be considered by the Committee.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 This will depend on the decision and which options are to be taken forward assuming that the committee's decision is not to reject the introduction of free parking in accordance with recommendation 1.
- 4.2 The report has identified a number of implications and hence actions that would be taken depending on the chosen options.
- 4.3 Should changes be approved officers would commence the process to amend and consult on the TMO changes.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Barnet Council will work with local partners to create the right environment to improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

- 5.1.2 The three priority outcomes set out in the 2013/16 Corporate Plan are:

- Promote responsible growth, development and success across the borough
- Support families and individuals that need it- promoting independence, learning and well-being
- Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study

- 5.1.3 Addressing local issues will help to achieve the above priority outcomes, particularly in respect of supporting the vulnerable and improving the satisfaction of residents through improved confidence in the Council's capacity to effectively manage and monitor the parking arrangements throughout the borough.

5.1.4 It will also serve to enhance the public perception that the Council are making sound and justified decisions and in so doing can demonstrate that clearly defined processes are in place which are transparent and ensures that robust criteria is being used to support decisions in relation to parking provision.

## **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The Area Committee made the request to P&R Committee that they allocate £6,000 of their budget to fund the application for free parking. The Parking Service have reviewed the financial impact and advised in the P&R Committee report that the full annual cost implications would be £24,950 in year one and £21,700 in future years.

5.2.2 The cost implications identified above are derived from the following:

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| Loss of paid for parking (car park):                             | (£6,500)         |
| Reduction in penalty charge notice income to the SPA             | (£4,350)         |
| Alterations to signage, payment method and TMO                   | (£3,250)         |
| Total Estimated costs of implementing change and loss of income: | <b>(£14,100)</b> |

5.2.3 In 2015/16 the Parking Service have plans to make changes locally which are designed to increase usage of the car park on a Saturday. The proposed free parking on a Saturday would negatively affect the following estimated additional income for the general fund and ring fenced SPA as follows:

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| Loss of paid for parking income (car park):                  | (£6,500)         |
| Reduction in penalty charge notice income to the SPA:        | (£4,350)         |
| Total estimated loss of <b>additional</b> income in 2015/16: | <b>(£10,850)</b> |

5.2.4 As the sum proposed by the Area Committee is not sufficient to cover the initial costs and as the grant is for a 12 month period only the parking budget could not sustain this sum on an on-going basis

5.2.5 Options have been explored to assist with the sustainability issue and these are identified in paragraph 1.15. The cost of implementing up to three hours of free parking including the TMO, signage and the PBP changes could be accommodated from the £6,000 funding available from the Area Committees as a one-off.

## **5.3 Legal and Constitutional References**

5.3.1 The Council's Constitution (Responsibly For Functions, Annex A) gives the Environment Committee certain responsibility related to the street scene including pavements and all classes of roads, parking provision and enforcement, and transport and traffic management including agreement of

the London Transport Strategy Local Implementation Plan.

- 5.3.2 Under the Road Traffic Act 1991 the Council took over the enforcement of all parking places on the highway in 1994. In 1994 following a pilot where decriminalised enforcement covered three areas, the Council applied for an order to be made designating the whole borough a Special Parking Area which was duly done - with the exception of the current Transport for London Road Network and the M1 motorway. Consequently the Council is empowered to enforce the full range of “decriminalised” parking controls that it implements in any borough road.
- 5.3.3 Section 45 of the Road Traffic Regulation Act 1984 allows an authority to designate parking places on highways in their area for vehicles of any class and to charge (such amount as may be prescribed under section 46) for vehicles left in a designated parking place
- 5.3.4 In using the powers under the Road Traffic Regulation Act 1984, the authority has a duty, amongst other considerations, to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities both on and off the highway. This is pursuant to section 122 of the Road Traffic Regulation Act 1984.
- 5.3.5 The Traffic Management Act 2004 places obligation on authorities to ensure the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.
- 5.3.6 The Council as the Highway Authority has the necessary legal powers to introduce or amend Traffic Management Orders through the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## **5.4 Risk Management**

- 5.4.1 Taking actions that are complimentary to the aims of the Parking Policy shows that the Council are committed to achieve the desired outputs and are taking appropriate actions to make such improvements. Having such a document reduces the risks and is expected to improve the Council’s reputation and increase residents’ perception of the Council.
- 5.4.2 As identified in the report there is a high risk that there will be an adverse impact on costs and parking income should all day free parking be implemented and this will lead to a gap in the parking budgets. However, there is a desire to increase car park occupancy and support local traders and the alternatives options explored are considered to provide these positive outcomes whilst also ensuring the sustainability that the P&R Committee requested.

## **5.5 Equalities and Diversity**

5.5.1 Section 149 of the Equality Act 2010 outlines the provisions of the Public Sector Equality duty which requires a decision maker to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

5.5.2 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent. A full Equalities Impact Assessment was carried out as part of the development of the Parking Policy. The overall feedback from this assessment did not indicate any adverse impacts to the protected groups or lead to any reassessment of the Policy. Their involvement and participation gave confidence that our proposals were appropriate to the needs of the diverse groups that this policy may impact.

## **5.6 Consultation and Engagement**

5.6.1 The council's new Parking Policy (and hence its proposals) was developed through a robust and extensive public consultation exercise, which was reported to the November 2014 meeting of this committee.

## **6 BACKGROUND PAPERS**

NONE