

Individual Decision

The attached reports will be taken as
Individual Portfolio Member Decisions on:

Thursday, 28th November, 2013

Ref:	Title	Portfolio Member	Page No.
ID2715	Parking Review Amendment 15: On-Street Charging (Newbury)	Councillor Pamela Bale	1 - 26
ID2707	Bank Holiday Car Park Charges	Councillor Pamela Bale	27 - 38



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Individual Executive Member Decision

Title of Report:	Parking Review Amendment 15: On-Street Charging (Newbury)
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	28 November 2013
Forward Plan Ref:	ID 2715

Purpose of Report: To inform the Executive Member for Highways, Transport (Operations), Emergency Planning, Newbury Vision of the responses received during the statutory consultation on the proposal to introduce on-street charging on various roads within Newbury and to seek approval of officer recommendations.

Recommended Action: That the Executive Member for Highways, Transport (Operations), Emergency Planning, Newbury Vision resolves to approve the recommendations as set out in Section 7 of this report.

Reason for decision to be taken: To enable Parking Review Amendment 15 to be progressed to implementation.

Other options considered: N/A

Key background documentation:

- On-Street Charging Proposals in Newbury Report - July 2013 - Informal Consultation.
- Plan Nos: AK71(SC1), AK72(SC1), AL72(SC1), AL75(SC1), AL76(SC1), AL77(SC1), AM72(SC1), AM73(SC1), AM74(SC1), AM75(SC1), AM76(SC1), AM77(SC1), AM78(SC1), AN72(SC1), AN73(SC1)
- Responses received during statutory consultation.
- High Court Judgement - Case No: 3325/2011 Attfield vs London Borough of Barnet .

Portfolio Member Details	
Name & Telephone No.:	Councillor Pamela Bale - Tel (0118) 9842980
E-mail Address:	pbale@westberks.gov.uk
Contact Officer Details	
Name:	Mark Cole
Job Title:	Traffic Services Manager
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Implications

- Policy:** The consultation was in accordance with the Council's Consultation procedures.
- Financial:** The purchase and installation costs of the pay machines is estimated at £50,000 and would be funded from the approved Capital Programme. The estimated income from this proposal is £25,000 to £30,000 per annum. This is the income that has already been identified in the 2013/14 Council savings plan. There are no further implications arising from this report.
- Personnel:** None arising from this report.
- Legal/Procurement:** The Sealing of the Traffic Regulation Order would be undertaken by Legal Services. Having undertaken detailed assessment of our costs in providing transport services as regards our income from parking charges, there are no implications arising from the recent Barnet case judicial ruling.
- Property:** None arising from this report.
- Risk Management:** None arising from this report.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not relevant to equality		<input checked="" type="checkbox"/>	

Consultation Responses

Members:

- Leader of Council:** Councillor Gordon Lundie was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.
- Overview & Scrutiny Management Commission Chairman:** Councillor Brian Bedwell was consulted by e-mail on 12 November 2013. He responded on 13 November as follows:
"I am satisfied the Council has taken note of the comments in the consultation and made adjustments accordingly, therefore I still do not object to this proposal."

Ward Members:

Councillor David Allen was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Howard Bairstow was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Jeff Beck was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Paul Bryant was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Billy Drummond was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Adrian Edwards was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Marcus Franks was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor David Goff was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Roger Hunneman was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Mike Johnston was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Gwen Mason was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Julian Swift-Hook was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the

Individual Decision meeting.

Councillor Ieuan Tuck was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Tony Vickers was consulted by e-mail on 12 November 2013. To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

**Opposition
Spokesperson:**

Councillor Keith Woodhams was consulted by e-mail on 12 November 2013. He responded on 13 November as follows:

"The Conservative Administration at West Berkshire Council has made it very clear that they are not supporting local businesses or the economy in the centre of Newbury, by introducing on street parking charges. This is in the face of strong opposition from local retailers and businesses who signed a 1,719 petition opposing the scheme.

There is now a high risk that small traders who rely on passing trade will see business go out of town to retail parks where parking is free.

The impact will also be felt by many businesses in Faraday Road. Businesses I spoke to said that the parking bays which are currently free to park in, are used by customers who come in to buy a car or book a service. They may be put off coming if they have to mess about paying for parking by mobile phone and may instead choose to visit garages out of town where the parking is free. The staff were also concerned about where they would park to avoid the charge.

The idea that charging for parking in the centre of Newbury would "encourage a turn-over of the available parking spaces, which would benefit local traders" is farcical. The parking bays already have time limited parking to do this!

The cost of investing in ticket machines and enforcement is high for little financial return, but it could also cost the local economy dearly too!

The Conservative Administration has once again ignored local opinion but this was predictable."

Local Stakeholders:

N/A

Officers Consulted:

Mark Edwards, John Ashworth, David Holling, Wendy Howells, Alex Drysdale.

Trade Union:

N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Supporting Information

1. Background

- 1.1 The Council undertook an initial informal public consultation on proposals to introduce on-street charging in Newbury between 21 January and 1 March 2013. This process was designed to establish the level of support locally for such a proposal and was also an important exercise to better understand the likely impact of the proposals on various user groups, including local businesses, so that alternative proposals could be considered, or changes could be made to mitigate the effect of the on-street charging if it was decided to proceed to the next stage of statutory consultation of the proposals.
- 1.2 At the end of the informal consultation period there had been 171 responses, including three separate petitions, one of which contained 1,719 signatures objecting to the proposal. A report was prepared in July which considered the responses and recommended several changes to the initial proposals as a result of the comments received. This report was published in the results tab on the Council's consultation finder and is reproduced at Appendix A. The report concluded that the scheme with the proposed amendments would be taken forward to the formal statutory consultation stage.
- 1.3 Having considered the comments received during the informal consultation the Council still considers that charging for on-street parking and limiting the periods of parking in the central area of Newbury would encourage a turn-over of the available parking spaces, which would benefit local traders. Discouraging all day commuter parking prevents road space being sterilised and would give visitors to the town more choice. Making best use of available road space where charging is proposed would have additional road safety and traffic management benefits, with the income generated providing much needed revenue to secure expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway throughout the district.
- 1.4 On-street charging is already in place within West Berkshire, with long established schemes with parking meters in High Street Hungerford and in Station Road Newbury.
- 1.5 The streets considered for on-street charging in Newbury under this amended proposal were as follows:
 - (1) Bartholomew Street (outside of the Pedestrian Zone)
 - (2) Broadway
 - (3) Catherine Road
 - (4) Cheap Street
 - (5) Faraday Road industrial area (including Ampere Road, Fleming Road, Kelvin Road and Marconi Road)
 - (6) Kings Road West
 - (7) Link Road

- (8) Newtown Road
- (9) Northbrook Street (outside of the Pedestrian Zone)
- (10) Old Bath Road
- (11) Pelican Lane
- (12) West Mills

- 1.6 The proposed charging scheme would be operational daily between 8am and 6pm, including bank holidays. To help mitigate the impact on local traders the proposals included a 30 minute free parking period in the streets in the central area of Newbury and within the Faraday Road industrial estate, where there is a reliance on passing trade.
- 1.7 The charging scheme, as detailed in the Table of Charges for Newbury document at Appendix B, would vary dependant on location, however on Sundays a single daily charge of £1.00 would apply to all of the locations where on-street charging was introduced. Additionally, on Sundays the 30 minute free period and the 50p charge for up to 2 hours parking would be retained in all locations where it applied from Monday to Saturday.
- 1.8 The proposal includes 'Pay by Phone Only' at some more isolated locations where the potential for vandalism or damage to ticket machines was considered to be a significant risk. Information would be provided at these sites directing drivers to the nearest alternative location for parking using pay machines.
- 1.9 There would be no impact on Blue Badge Holders provided that their parked vehicle was displaying a valid Blue Badge as they would still be able to park free of charge. Resident permit holders would also not be affected as the proposal to introduce on-street charging is only in areas where there is no, or limited, residential parking available.
- 1.10 The changes to the informal consultation were included in Parking Review Amendment 15, which was advertised as the formal statutory public consultation on the amended proposals to introduce on-street charging in Newbury.
- 1.11 The statutory consultation and advertisement of the agreed proposals was undertaken between 25 July and 15 August 2013.

2. Issues arising during and immediately in advance of the statutory consultation period

- 2.1 On 22 July 2013 the High Court ruled against the London Borough of Barnet ('the Barnet case') in a case regarding its proposal to raise surplus revenue from increasing charges for residents parking permits and visitor vouchers. The legality of their method of revenue collection, together with their stated use of any funds raised were considered to be outside the scope of the Road Traffic Regulation Act 1984 (RTRA 1984) and therefore unlawful.
- 2.2 This case raised the profile of parking charges beyond just residents parking schemes nationally and therefore our proposed on-street charging scheme locally. At that time the Public Notice for Parking Review Amendment 15 had already been

placed with the local press for publication on 25 July 2013 so the advertisement and public consultation proceeded as normal.

- 2.3 In view of the judgement in the Barnet case and the wider implications for parking revenue, it was considered appropriate for further assessment to be undertaken on the financial aspects of the proposed on-street charging scheme for Newbury. This detailed work looked at the expenditure incurred in securing expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway over the previous four financial years and compared this with the revenue from parking during the same timeframe.
- 2.4 This work was done because the Judgement indicated that, provided that any surplus parking income generated is spent on what was described as 'a remarkably broad range of functions in the RTRA 1984', including 'traffic schemes, pedestrian crossings, school crossings, street playgrounds, speed limits, bollards, traffic wardens, removal and immobilisation of vehicles, as well as different types of parking facilities' a Local Authority introducing such a scheme would be acting lawfully. The detailed work undertaken indicates that in fact the Council spends much more on such functions than it receives from parking revenue.
- 2.5 Having considered the Judgement and the declared purpose of the Council's proposed on-street parking scheme, it is considered that the proposals are lawful.

3. Responses to statutory consultation

- 3.1 At the end of the statutory consultation period 25 responses had been received, including comments from Newbury Town Council, Greenham Parish Council and the Liberal Democrat Group. A number of the objections presented detailed comments regarding the legality of the introduction of a charging scheme in light of various news articles regarding the Barnet case which appeared in the national press at the time of the consultation.
- 3.2 A detailed summary of all the comments received during the statutory consultation, together with officer comments, is provided in Appendix C to this report.

4. Equalities Impact Assessment Outcomes

- 4.1 An EIA Stage 1 has not been submitted for this report as it is considered that the implementation of on-street parking charges for Newbury will not deter any of the equality groups from their continued use of the parking spaces available as:
 - (a) The spaces will be available for unimpeded use by all;
 - (b) Blue Badge holders will still be able to park without charge;
 - (c) The pay by mobile phone service will enable customers to purchase parking time if they prefer this method of payment. This will benefit those with mobility problems who are not Blue Badge holders.

5. Other Factors for Consideration

- 5.1 The capital cost of purchasing and installing the pay machines is estimated at £50,000. Financial analysis of the estimated use of the proposed on-street charging bays, taking into account cash collection costs and ongoing maintenance of ticket

machines, provides a net annual figure of approximately £25,000 to £30,000. The proposed on-street charging scheme is therefore conservatively estimated to recoup the initial capital outlay within the first two years if fully adopted.

- 5.2 The provision of the pay machines that would be required for this scheme would be jointly funded from the Integrated Transport element of the Local Transport Grant from the Department for Transport and from Section 106 contributions for transport projects from local developments. Neither of these sources of funding should be spent on maintaining the highway.
- 5.3 Requests for additional restrictions cannot be made without going through the full statutory consultation process again, but requests resulting in a relaxation to a proposed restriction can be accommodated by amendments to the Traffic Regulation Order (TRO) prior to its Sealing.

6. Conclusion

- 6.1 Having carefully considered the responses to the consultation it is considered that the benefits of the proposed on-street charging restrictions outweigh the issues in the responses to the consultation and that the proposal should be introduced as advertised.
- 6.2 Due to the nature of parking schemes it can sometimes be difficult to accurately anticipate the consequences of change, such as where any displaced parking may occur. Therefore the parking restrictions will need to be monitored to determine their effectiveness and should any amendments be required these can be introduced as part of the review process, subject to the standard consultation procedure.

7. Recommendations

- 7.1 That the proposed on-street charging in Newbury be approved and introduced as advertised with effect from the start of the 2014/15 financial year.
- 7.2 That the parking scheme be monitored so that any parking displacement can be addressed as part of a future review.
- 7.3 That the respondents to the statutory consultation be informed accordingly.

Appendices

- Appendix A – On-Street Charging Proposals in Newbury – July 2013
- Appendix B – Table of Charges for Newbury
- Appendix C – Summary of Comments to Statutory Consultation.

On-Street Charging Proposals in Newbury

1. Background

- 1.1 The Council undertook an informal public consultation on its proposal to introduce charging for parking in certain streets in Newbury between 21 January and 1 March 2013. If introduced the charges would apply every day between 8.00 am and 6.00 pm including bank holidays. Parking would be free at all other times and to help mitigate the impact on local traders it is proposed to allow free parking for the first 30 minutes in the streets in the central area of Newbury where there is reliance on passing trade. On Sundays there would be a single daily charge of £1.00 at all of the locations where on-street charging was introduced. The 30 minutes free would be retained in all locations where it applies from Monday to Saturday as would the 50p charge for up to 2 hours parking in the two locations where this applies. The proposal includes 'Pay by Phone' only at some locations. Information on the nearest alternative location for parking using pay machines would be provided at these 'Pay by Phone' only sites. The purpose of the consultation was to seek to understand the likely impact that this would have on stakeholders and how the impact of this could be mitigated.
- 1.2 The Council considers that charging for on-street parking and limiting the periods of parking in the central area of Newbury would encourage a turn-over of the available parking spaces. Making best use of available road space in all areas where charging is proposed would not only have some road safety and traffic management benefits in the streets concerned but the income generated would provide much needed revenue income to help maintain important front line road safety services over wider areas and to offer some support for specific promotions to support business in the town. In addition, discouraging all day commuter parking prevents road space being sterilised and gives visitors more choice.
- 1.3 The streets considered for pay for parking under this proposal are listed below:
- a. Bartholomew Street (outside of the Pedestrian Zone)
 - b. Broadway
 - c. Catherine Road
 - d. Cheap Street
 - e. Faraday Road industrial area
 - f. Kings Road West
 - g. Link Road
 - h. Newtown Road
 - i. Northbrook Street (outside of the Pedestrian Zone)
 - j. Old Bath Road
 - k. Pelican Lane
 - l. West Mills.

- 1.4 On-street charging is not new to West Berkshire as there are already long established schemes with parking meters in High Street Hungerford and in Station Road Newbury. Many towns throughout the country now have similar schemes.

2. Responses to consultation

- 2.1 At the end of the informal consultation period there had been 171 responses, including a petition presented at the Council meeting on 5 March containing 1,719 signatures, a petition from 68 Royal Mail employees, a joint letter signed by 16 residents of the Goldwell Drive area, and comments from Newbury Town Council, the Federation of Small Businesses and Newbury BID all of which represent the views of a large number of interested parties.
- 2.2 The petition of 1,719 signatures stated:

'We the undersigned object to the introduction of On Street Parking Charges on the following grounds:

- 1. They are an unnecessary imposition of cost to shoppers, residents and shop workers.*
- 2. They will act as a deterrent to local trade.*
- 3. Charging is unnecessary for the regulation of parking – that can and is being done by parking regulations.*
- 4. It will displace parking into other already congested areas.*
- 5. The charges are purely to generate money for the Council.'*

- 2.3 The petition from Post Office workers of 68 signatures stated:

'We the undersigned wish to draw to the Newbury Council's attention that their proposals in respect of the above will lead to considerable financial hardship for residents in the area who work in Newbury Town Centre, such as my members who work for Royal Mail. If these proposals are to be implemented, we request that concessions on the parking fees should be introduced for those who work in Newbury and provide a service to the local community.'

- 2.4 A detailed summary of all the comments received during the statutory consultation, together with officer comments, is provided in Appendix A to this report.

3. Amendments

- 3.1 Officers have taken due note of the responses, and are proposing some amendments to the original proposals to take account of the points raised. The aim is to continue to provide short term parking, and hence turnover of customers, in parts of Newbury; as well as achieving revenue from commuters and those parking all day on the streets. This enables the Council to provide appropriate traffic management and road safety measures and offer some support for specific promotions to support business in the town.

- 3.2 The following adjustments are proposed that would address the comments received:
- a. That the only areas to now be subject to the proposed new on-street charging in Catherine Road and Link Road be those lengths which are currently unrestricted and generally used throughout the day by rail commuters for long term parking. This would provide 10 pay for parking spaces in Catherine Road and 13 in Link Road. The remaining areas currently subject to formal parking restrictions in both of these roads should be retained in their current format. This would continue to provide up to two hours of Limited Waiting with exemption for permit holders, for visitors to the medical or dental surgeries, and for dropping off and picking up at St Nicholas Junior School.
 - b. That the only areas to now be subject to proposed new on-street charging in Kings Road West be those bays which are currently unrestricted and generally used throughout the day by local workers for long term parking. These unrestricted parking spaces in a central part of Newbury are an anomaly in traffic management terms but have historically provided long term free parking for Post Office workers in the main who arrive early for shift work. This revised proposal would provide 18 pay for parking spaces. The remaining 8 spaces, currently subject to formal parking restrictions, should be retained in their current format. This would continue to provide up to four hours of Limited Waiting with exemption for Zone C1 permit holders and therefore assist some local workers, particularly the early shift postal workers. The revised proposal therefore provides a positive response to the concerns raised in the petition from the Post Office workers.
 - c. That the area in Carnegie Road that currently provides one hour Limited Waiting and was originally proposed to be converted to allow an exemption for resident permit holders be revised to provide up to four hours of Limited Waiting with exemption for Zone C1 permit holders. This would provide a further 6 spaces to assist local workers, including postal workers, and take some pressure off the Zone C1 residents parking scheme.
 - d. That the number of pay for parking spaces in Newtown Road (south of St John's Road) be maximised to approximately 40 spaces.
 - e. That the number of pay for parking spaces in Old Bath Road (south side) be maximised to approximately 53 spaces.
 - f. That the number of pay for parking bays in the Faraday Road area be maximised to approximately 60 spaces.
 - g. That the remaining elements of the on-street parking scheme that formed the basis of the informal consultation should remain unchanged.

3.3 The charges proposed to be levied for the various periods of parking duration vary from street to street. These charges have not been revised following the informal consultation. However the adjustments proposed in this section have been incorporated into the revised table that is provided in Appendix B to this report.

4. Conclusion

4.1 Having carried out a thorough review of all of the responses received to the informal consultation into the proposal to introduce on-street charging in certain streets in Newbury the Council has taken note of the comments received and proposed a number of amendments to the scheme originally proposed. These amendments are set out in section 3 above.

4.2 The revised scheme with the proposed amendments will now be taken forward to the next stage of the process, which will be to undertake the formal statutory consultation by advertising the necessary Traffic Regulation Orders. At this stage any representations received will be taken into account in the decision making process.

Appendices

Appendix A – Summary of Comments to Consultation

Appendix B – On-Street Charging Proposals for Newbury – Table of Details.

ON-STREET CHARGING PROPOSALS FOR NEWBURY

Proposed areas for new parking charges in Newbury (with no, or limited residential parking) are:

LOCATION	NO. OF PAY MACHINES	PERIOD / CHARGE (would apply Monday to Saturday inclusive from 8.00 am to 6.00 pm)*
Northbrook Street (west side) - either side of Albert Road (5 bays)	1	30 minutes / 1 hour Free £1.00
Broadway (east side) - near Clock Tower (3 bays)	1	
Cheap St (west side) - (21 bays)	2	
Kings Road West - only the currently unrestricted bays (18 bays)	1	
Bartholomew Street - (20 bays)	6	
Newtown Road (north of St John's Road) - (10 bays)	1	30 minutes / 1 hour / 2 hours Free £1.00 £2.00
West Mills - (8 bays)	1	
Pelican Lane (west side) - adjacent to car park (6 bays)	1	30 minutes / 1 hour / 2 hours Free £1.00 £2.20
Newtown Road (south of St John's Road) - west side (approx 40 bays)	Pay by phone	2 hours / 4 hours / over 4 hours £1.00 £2.00 £3.00
Catherine Road - only the currently unrestricted bays (approx 10 bays)	1	2 hours / 4 hours / over 4 hours £1.00 £2.00 £3.80
Link Road - only the currently unrestricted bays (approx 13 bays)	2	
Station Road (existing) - (60 bays. No change to number of bays)	7	2 hours / 4 hours / over 4 hours £1.00 £2.00 £3.80
Old Bath Road (south side) - west of Leys Gardens (approx 53 bays)	Pay by phone	2 hours / 4 hours / over 4 hours 50p £1.00 £1.50
Faraday Road area (including Ampere Road, Fleming Road, Marconi Road and Kelvin Road as well as Faraday Road itself) - (approx 60 bays)	Pay by phone	30 minutes / 2 hours / 4 hours / over 4 hours Free 50p £1.00 £1.50
Carnegie Road – (6 bays)	N/A	Parking restrictions revised from 1 hour Limited Waiting to 4 hours Limited Waiting – No Return 4 hours Mon-Sat / Exemption for Resident Permit Holders (Zone C1) / No Charges

***Note:**

On Sunday there would be a standard daily charge of £1.00 at all of the locations where on-street charging was introduced. The 30 minutes free would be retained in all locations where it applies from Monday to Saturday as would the 50p charge for up to 2 hours parking in the two locations where this applies.

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Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
GENERAL NEGATIVE COMMENTS		
7	The proposals will increase the number of shoppers that use the out of town retail park or other local towns where parking is free, will make the town less welcoming and local traders will suffer as a result.	<p>Shoppers currently visit off-street car parks in significant numbers and expect to have to pay. On-street charging is a common feature of town centre parking across the country and there is no reason to consider that a new parking regime will significantly change visitor habits for shoppers.</p> <p>It is accepted that traders are in serious competition from many sources, including online retail, but the proposed parking charges should not deter most shoppers from visiting the town and should not be seen as the only reason for businesses to experience trading difficulties. The proposed charging levels, which include free parking for short periods in the main shopping areas, are set at a very modest rate and should not seriously impact on a shoppers overall spend.</p> <p>We do not therefore consider that the proposals will significantly change the current parking behaviour of shoppers or visitors to the town. There may be initial resistance from some, but town centre retailers can provide items not found in out of town retail parks and will still attract a significant number of visitors to the town on a daily basis.</p>
5	The High Court judgement raises doubts over the legality of the current proposals with regard use of parking revenue for purposes other than traffic management.	This is covered in detail in Section 2 to the main report.
5	Motorists will be displaced into residential roads to avoid the charges and this will create significant problems for residents who may be unable to park close to their homes. This scheme creates problems that do not currently exist, for little benefit.	If displacement is considered likely, or was to occur as a result of the proposals being implemented, the area can be investigated and measures recommended to address problems as they occur. Proposing measures in residential roads in anticipation of potential displacement is not always supported by residents as

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
		<p>they may not have experienced any parking problems at that time and may consider any proposal to be an unnecessary imposition by the Council. .</p> <p>It should however be noted that it is our remit to make 'best use' of the public highway and in some locations it may be appropriate for non-residents to park in a residential road during the day if the majority of residents have commuted away from the area.</p>
5	The restrictions have been proposed with the intention of raising income and this is illegal.	The informal consultation undertaken between January and March incorrectly indicated that any surplus revenue may be directed at supporting general frontline services. The current statutory consultation made no such statement, however any surplus funds may legally be used to help maintain Road Safety related measures. Section 2 of the main report refers.
4	There is no evidence that the proposed on-street charging will have any road safety benefits over the current method of parking on-street, as increasing turnover will increase the number of traffic movements and therefore increase risk. The scheme should be abandoned.	The road safety benefits may be very marginal and it is agreed that there could be an increase in traffic movements from parking places, but it does not necessarily increase risk. Additional measures are being proposed for the town centre area including an extension to the 20 mph speed limit due for public consultation later this financial year and in conjunction with existing traffic calming measures these will ensure that road safety risks are low. Also the income generated by these proposals will mean that road safety schemes can continue to be funded across a wider area.
3	<p>The charges are contrary to evolving Government policy and respected institutional research. The Secretary of State for Communities and Local Government (Eric Pickles MP) is advocating free parking on double yellow lines in order to encourage in-town shopping.</p> <p>This information provided by Ministers suggests that a delay may be appropriate while clarity of central government proposals are established.</p>	The comment from Eric Pickles has received widespread negative comment, including from the Parliamentary Under-Secretary of State for Transport at the time of the comment, Norman Baker MP, who described the idea as 'unworkable'. Other measures may yet be proposed by central government but we do not consider the proposed on-street charging to be contrary to Government policy.

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
3	<p>The 'Pay by Phone Only' option should not be deployed at any location. Customers parking in these areas would be inconvenienced if they do not have a personal mobile phone or are unable to make credit payments with their phone. This will discriminate against those road users who may be elderly or disadvantaged, with perhaps low rental tariff with high call charges.</p> <p>Customers of parking facilities should be provided with a choice and this includes the methods of payment such a credit/debit card as well as by cash..</p>	<p>'Pay by Phone' or 'Pay by Text' is becoming an increasingly common method of on-street charging in Local Authority areas across the country and addresses the potential for vandalism of payment machines in isolated locations. It is considered highly likely that the overwhelming majority of drivers parking in the areas chosen for 'Pay by Phone' would be commuters who would be mobile phone owners able to use this type of facility. Drivers who are unable to use this system would be able to park in alternative areas where a more convenient method of payment for them would be available. Information on the nearest alternative location for parking using pay machines would be provided at these 'Pay by Phone' only sites.</p>
2	<p>Introducing waiting charges could mean that visitors stay for longer and reduce the turnover and availability of parking.</p>	<p>It is anticipated that the majority of users of town centre streets would continue to be short-term visitors taking advantage of the free parking period and therefore there should be no significant reduction in turnover or parking availability. The maximum stay is however proposed at 1 hour and so turnover will still take place.</p>
2	<p>There has been no clear justification, other than anecdotal evidence, to suggest that there is any problem or that additional parking charges are needed.</p>	<p>Observations by officers have highlighted the areas where long term parking by commuters may be taking place. Whilst this may not always result in specific parking problems, there are occasions when the long term parking is preventing use of the area by residents or their visitors, or use by shoppers.</p>
2	<p>The installation of 24 parking machines and additional signs in the town's street is environmentally unacceptable</p>	<p>7 of the machines are already in place on Station Road. The ticket machines will not significantly add to general street furniture but they are considered a requirement for the areas chosen as part of this scheme.</p>
1	<p>Parking space is easy to find in Cheap Street, Bartholomew Street, Catherine Road and Pound Lane due to the regular turn-over of parking and this helps local traders. Introducing waiting charges could mean that visitors stay for longer and reduce the turnover and availability of parking.</p>	<p>It is anticipated that the majority of users of the Cheap Street and Bartholomew Street would continue to be short-term visitors taking advantage of the free parking period and therefore there should be no significant reduction in turnover or parking availability. The maximum stay is proposed at 1 hour and so turnover</p>

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
		<p>will still take place.</p> <p>The Catherine Road proposal includes a charge which would allow all-day parking. This restriction is only proposed on the length currently used by rail commuters and there is generally no daytime turn-over on this area. The current Limited Waiting restriction will be retained and this will ensure there is turnover.</p> <p>It is assumed that the objector was referring to Pound Street rather than Pound Lane. This is not included within the on-street charging proposals and any current turnover reported by the objector should therefore be retained.</p>
1	It is insidious that the consultation took place during a period when the majority of road users would be on holiday.	The public consultation was in effect for a 21 day period and even if some road users were on holiday this length of time is sufficient to note and comment on a proposed scheme.
1	On-street charging should not be considered until all forms of parking provision are thoroughly investigated across the town.	Parking restrictions are routinely reviewed as part of ongoing works to ensure restrictions are effective and appropriate to the location. Changes to parking restriction can be made as part of future reviews, but delaying implementation of the on-street charging scheme now that it has completed the legal consultation process would potentially raise financial pressures which this scheme could help to resolve.
1	The deficit in Revenue should be made up by more efficient staffing and cutting back on expenditure such as tourist information	Significant proposals have already been submitted for consultation as part of the Council's measures to meet a £11 million saving. Areas across the Council will be affected. The proposed on-street charging will potentially raise funding and help offset the proposed loss to road safety budgets.
1	Motorists on low wages are being directly targeted as an alternative to raising Council Tax to generate revenue and this is unfair and counter-productive.	The proposed daily charge is considered to be set at a very modest level and should not overly impact on local workers. Local businesses could encourage car-sharing or adopt other green travel initiatives under their travel plans for their employees, which may assist workers in these circumstances. There will

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
		<p>however still be areas of road space within walking distance of many of the roads proposed under this scheme which may be available for unrestricted parking, but it is accepted that these may not necessarily be in the immediate vicinity of the worker's place of employment.</p> <p>Additional parking restrictions could be considered as part of a future parking review in the area if necessary.</p>
1	<p>The proposals will be difficult to remove once implemented if they fail to meet their revenue target and are going to increase hardship for road users. The proposed charges are modest to begin with but the pricing structure is bound to increase annually. This is the thin edge of the wedge and will see on-street charging introduced in other areas of the town.</p>	<p>On-street charging already takes place in Hungerford and on Station Road in Newbury. If the proposals are taken forward and implemented on-street it is possible that charges could increase in the future, as they do with our off-street charging. There are no proposals to extend the on-street charging areas to other towns in the district but the reality is that if the Council continues to seek cost savings or generate revenue then on-street charging will remain a potential area for investigation across the district as long as they are legally justified.</p>
1	<p>There should be no parking charges that apply on Sundays or Bank Holidays, especially in the roads that are only used by commuters.</p>	<p>In our area we consider that charging for Sundays and Bank Holidays is appropriate and would provide some additional revenue to ensure the viability of the on-street charging scheme, as some of the roads included are also used by commuters at weekends.</p>
1	<p>There should be no requirement for anyone to physically obtain a ticket for any free parking period as this will just create chaos and confusion.</p>	<p>By displaying a parking ticket on their vehicle it allows motorists to show precisely when their parking period commenced from and would accurately show when a free period had expired. This limits the potential for contested PCNs being issued and ensures that Enforcement Officers can quickly patrol the restrictions. If motorists did not have to display a ticket the parking restrictions could quickly be subject to abuse.</p>
1	<p>The Equality Impact Assessment (EIA) was insufficient and did not take detailed account of the different user groups. The EIA did not mention the actual impact of the proposals but essentially just told the elderly to walk further.</p>	<p>We do not agree that the EIA is simplistic. The lengthy consultation period indicates that this is part of a carefully considered process. Exemptions are included within the proposal for Blue Badge Holders and the restrictions will not</p>

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

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		be forcing the elderly too walk further. That would be a choice they make by not parking in an available and potentially more convenient parking space.
1	There is no justification for the hours of charging on Sundays to be the same as for Monday to Saturday as shops are only open for an maximum of 8 hours under Sunday Trading Act regulations.	The proposed charge for Sunday would be a standard daily charge of £1. The 30 free period would be retained in all locations where it applies Mon-Sat as would the 50p charge for up to 2 hours parking where this applies. There would be no material benefit for introducing different operational times.
1	The statement used to justify Bank Holiday charging is that many towns throughout the country have similar schemes. This is incorrect, as many Councils do not charge for on-street parking on public holidays, or publicly state that they will not enforce on these dates.	It is the case that many local authorities are now charging for parking on bank holidays and this can be easily established by reference to their web sites on the internet. We have only investigated local authorities in our part of the country but have established that Reading Borough Council, Oxford City Council, South Oxfordshire District Council, Cherwell District Council, Vale of White Horse District Council, Southampton City Council, Portsmouth City Council, Eastleigh Borough Council, Swindon Borough Council, Bracknell Forest Borough Council, Slough Borough Council and Windsor & Maidenhead Borough Council all charge on bank holidays.
1	Annual Reports on parking for 2010/11 and 2011/12 have not been published as available documents on the Council website.	This is incorrect. The bi-annual report was published in December 2012 and this is available on our Parking Enforcement webpage.
1	There are inconsistencies with the Council's Parking Policy document produced in July 2008 and the document published on the website dated March 2011. The discrepancies are small but significant and it is unclear which version of the parking policies document would be regarded as definitive by a Court.	The current Parking Policy document would be the version that the Council would stand by. However the differences between this version and the version produced in July 2008 are only cosmetic with the removal of such items as "draft". The substantive content has not been changed.
GENERAL SUGGESTIONS		
2	The free parking period should be for two hours rather than the 30 minutes	We consider 30 minutes is adequate for most types of shopping involving

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

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	proposed as this will allow time for visits to independent retailers in the north and south of the town centre. 30 minutes is inadequate for most types of shopping or office visits on a busy day.	passing trade, but if visitors are wishing to extend their stay they would be able to purchase a ticket for a modest £1 charge to allow longer stay in the central locations or could choose to park in areas that will allow a longer stay which is able to meet their needs.
1	In the locations with ticket machines there should also be a facility for Pay by Phone.	This facility is already in place on Station Road and will be replicated on the new restrictions.
1	If implemented the increased number of machines must be better maintained than at present.	The new machines will initially be covered by guarantee but will be covered by on-going maintenance contract once this expires. To date the record of repair has been relatively good.
BARTHOLOMEW STREET COMMENTS		
1	30 minutes is an ideal length of time for parking and meets the needs of local traders. Increasing this to one hour will be detrimental to business.	It is anticipated that the majority of users of Bartholomew Street would continue to be short-term visitors taking advantage of the free parking period and therefore there should be no significant change to turnover or parking availability. The maximum stay is however proposed at 1 hour and so turnover will still take place.
CATHERINE ROAD COMMENTS		
1	The proposal will cause difficulties for patients of Eastfield House Surgery. The problems caused by long stay parking would be resolved by introducing Limited Waiting for the whole road.	It is unfortunate that the surgery do not make their car park more available to their patients already. The informal consultation raised concerns regarding parking provision for surgery visitors and this resulted in amendments to the scheme. The existing 2 hour Limited Waiting will provide on-street parking

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
		spaces for patients and there should not be significant change to current parking behaviour as a result.
CHEAP STREET COMMENTS		
2	The current restrictions are ideal and meet the needs of local traders. The proposed changes will result in less turnover which will be detrimental to business.	It is anticipated that the majority of users of Cheap Street would continue to be short-term visitors taking advantage of the free parking period and as the current maximum stay is 1 hour and the maximum stay under the proposed scheme is also 1 hour there should be no significant change to turnover or parking availability.
FARADAY ROAD INDUSTRIAL AREA COMMENTS		
1	The proposal will prevent the mobile catering business from operating. The business has had a Street Trading license for 11 years and would like to be exempt from the charges.	Requests from individual businesses can be considered on a case by case basis if the proposals are implemented and officer discretion can recommend exemption if appropriate.
1	These roads in a busy industrial estate are already congested by vehicles belonging to local workers and many of the businesses have been established without off-street parking so employees are obliged to park on-street. Charges are inappropriate for local workers.	It is not the council's responsibility to provide on-street parking for businesses. If they are unable to provide parking for their staff they could encourage car sharing or provide a contribution to their employees as part of a travel scheme to assist them to pay for the proposed on-street charging fees.
1	From looking at the proposed charging rates on the consultation, the daily charge for parking Faraday Road will be £10.70 for 8 hours and that is unaffordable for all.	This is incorrect. The maximum daily charge for Faraday Road (over 4 hour parking) would be £1.50 which is considered a relatively manageable figure for most local workers.
1	Potential car buyers will be attracted to use the out of town garage showrooms	It is considered that potential car buyers would not be deterred from a purchase

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

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	where parking is free.	or visiting a showroom just because of the potential small parking charge. Buyers are more likely to be wanting to visit specific manufacturers, however the showrooms could extend their parking areas for visitors within their site if there was a serious concern that this could impact on trade.
KINGS ROAD WEST COMMENTS		
1	Object to the parking proposal as we have difficulty trying to get in and out of our business at 11A Kings Road West due to vehicles parking in front of the entrance where the turning is very tight.	The new proposals do not effect this length of Kings Road West. The area opposite the entrance to 11A Kings Road West is subject to a No Waiting Mon-Sat 6am-6pm and during the evenings it may be more difficult, but it is not impossible, to exit this property. Any changes would reduce the available on-street parking for local residents and businesses operating during the evening and will not be considered as part of this scheme.
LINK ROAD COMMENTS		
1	The proposals impose unfair additional costs on rail commuters who are already financially penalised through rail fare increases. The stated aim of the proposal is to encourage a turn-over of parking spaces to assist local traders, however there are no traders in Link Road that could benefit. Link Road should be excluded from the scheme.	<p>The stated aims provide a general comment on the intention of the scheme and are not absolute or definitive. There are private dental practices, medical surgeries and also the Junior school located on Link Road, Catherine Road and St Johns Road, all of which would benefit from turn-over or more availability of parking space.</p> <p>Link Road has been considered as within the central part of Newbury and is a desirable parking location for commuters (rail or local businesses). It is however sufficiently removed from businesses attracting passing trade and the pricing structure for charges reflects this, by allowing all day parking if necessary and a lower scale of hourly charge.</p>

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

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1	There is no evidence that the proposed on-street charging will have any road safety benefits over the current method of parking on-street, as increasing turnover will increase the number of traffic movements and therefore increase risk.	The road safety benefits may be very marginal and it is agreed that there could be an increase in traffic movements from parking places, but it does not necessarily increase risk. Additional measures are being proposed for the town centre area including an extension to the 20 mph speed limit due for public consultation later this year and in conjunction with existing traffic calming measures these will ensure that road safety risks are low. Also the income generated by these proposals will mean that road safety schemes can continue to be funded across a wider area.
NEWTOWN ROAD COMMENTS		
2	<p>There is no road safety reason to introduce charging on this road and local residents will not benefit from its introduction. Introducing restrictions with no concessions for local residents will cause inconvenience and expense for residents and their visitors. Space is already limited due to shared footpath and cycleway, bus stops and traffic calming. A resident permit parking option should be available for this residential road.</p> <p>The resident of one property, No 61, objected on the grounds that they have no off-street parking and cannot afford a new dropped kerb facility. The resident is also elderly and infirm.</p>	<p>This length of Newtown Road is currently primarily used by commuters and is a suitable and appropriate location for on-street charging to be considered. The proposals do not include an evening charge for parking after 6pm and so would be available for evening and overnight parking by residents or their visitors.</p> <p>For consistency of approach the on-street charging regime is proposed to apply Mon-Sat 8am-6pm in all areas, as if certain roads operate under different timings or days of operation it could lead to confusion for the motorist.</p> <p>The overwhelming majority of local properties on this length of Newtown Road all appear to have off-street parking available and so do not park on-street and would not qualify for a permit under the current permit parking policy.</p> <p>A disabled parking bay could be considered on Newtown Road in the vicinity of No 61 to substitute one of the proposed charging bay bays, however parking restrictions are not always able to meet individual needs of specific properties and at this stage it is recommended that no changes are made to the proposals.</p>
OLD BATH ROAD COMMENTS		

Summary of comments to statutory consultation (25 July – 15 August 2013) – Proposed on-street charging Newbury

No. of comments	Consultation response	Officer Comments
3	<p>The proposals will have a negative effect on house prices in the residential roads adjacent to Old Bath Road due to the problems non-resident parking causes. Introducing 'Resident Permit Holder' restrictions for all properties in Goldwell Drive, Jesmond Dene and Leys Gardens would address and prevent displacement into these roads as a result of restrictions in Old Bath Road.</p>	<p>If remedial measures are introduced to address the long term concerns by residents associated with obstruction and access for refuse and delivery vehicles it could be argued to have a positive effect on house prices. Many residential roads located in close proximity to town centres experience parking problems and it has always been considered by some to have an unavoidable impact on general house prices. The roads in question will be investigated as part of the next parking review in the area and additional measures considered to address potential displacement, however a review of the current policy on Resident Permit Parking may result in significant changes to the current parking restrictions in this area due to the off-street parking facilities which the majority, if not all, properties benefit from.</p>

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Individual Executive Member Decision

Title of Report:	Bank Holiday Car Park Charges
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	28 November 2013
Forward Plan Ref:	ID2707

Purpose of Report: To respond to an objection from Newbury Town Council opposing the implementation of Bank Holiday parking charges in the Newbury car parks that was approved, subject to consultation, by Full Council on 5 March 2013.

Recommended Action: That the Executive Member for Highways, Transport (Operations), Emergency Planning and Newbury Vision resolves to approve the recommendations set out below:

(a) To introduce the Bank Holiday charges as advertised having given due consideration to the objection from Newbury Town Council to the advertised amendment to the Parking Order and having detailed the reasons for the Council's position in this report;

(b) To confirm the Parking Order and implement the Bank Holiday parking charges in the Newbury car parks, being the daily parking charge on which the Bank Holiday falls as shown in Appendix A;

(c) To inform Newbury Town Council of the actions approved following consideration of this report.

Reason for decision to be taken: To assist the Council in securing expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway and to ensure that the Bank Holiday users of the Newbury car parks contribute to the running costs of the car park.

Other options considered: (a) Not to implement a Bank Holiday parking charge;
(b) To implement a flat rate Bank Holiday parking charge.

Key background documentation: (a) Report to Full Council on 5 March 2013;
(b) Objection to the advertised Parking Order lodged by

Portfolio Member Details	
Name & Telephone No.:	Councillor Pamela Bale - Tel (0118) 9842980
E-mail Address:	pbale@westberks.gov.uk
Contact Officer Details	
Name:	Martyn Baker
Job Title:	Parking Manager
Tel. No.:	01635 519211
E-mail Address:	mebaker@westberks.gov.uk

Implications

- Policy:** None arising from this report.
- Financial:** The proposed implementation of Bank Holiday parking charges in the Newbury car parks were a part of the Council's Revenue Budget for 2013/14. It was estimated that the Bank Holiday parking charges would raise some £10,000 in 2013/14.
- Personnel:** None arising from this report.
- Legal/Procurement:** Having undertaken detailed assessment of our costs in providing transport services as regards our income from parking charges, there are no implications arising from the recent Barnet case judicial ruling.
- Property:** None arising from this report.
- Risk Management:** None arising from this report.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Consultation Responses

Members:

Leader of Council: Councillor Gordon Lundie was consulted by e-mail on 20 June 2013 on the original version of this report. No reply was received at that stage but it was subsequently agreed with the Portfolio Member that the ID decision would be delayed to allow time for further consideration of the issues. This revised version of the report was re-issued for consultation by e-mail on 8 November 2013 and any subsequent reply will be reported directly to the Portfolio Member when the report is considered.

Overview & Scrutiny Management Commission Chairman: Councillor Brian Bedwell replied to the consultation on the original version on 21 June 2013 and advised:

"I have read the report and agree with the conclusions, in my opinion the charges proposed are reasonable particularly when compared with charges in adjoining authorities."

Any comments received on this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Bedwell subsequently responded to the revised report on 9 November and advised: "my comments remain, thank you."

Ward Members:

Councillor Jeff Beck replied to the consultation on the original version on 9 July 2013 and advised;

"I agree with the Recommended Action: (a), (b) and (c) for the following reason:

Whilst Parkway and Camp Hopson continue to offer no free parking nor a concessionary parking charge for Bank Holidays, I consider West Berkshire Council's proposals to be in line with the practice used by the private car park operators."

Any comments received on this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Dave Goff was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Howard Bairstow was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version

that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Adrian Edwards was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Gwen Mason was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Tony Vickers was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Mike Johnston was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Ieuan Tuck was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor David Allen was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Roger Hunneman was consulted by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Billy Drummond was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November

2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Julian Swift-Hook was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Councillor Swift-Hook subsequently responded to the revised report on the same day and advised:

"I did not respond to the original consultation because I assumed it was not necessary given that I am Leader of the Council that raised the objection with WBC to which the Report is responding.

The proposal is explicitly designed to raise £10,000 per annum for WBC and all other considerations are disregarded. It is justified entirely on what benefits WBC and completely ignores the interests of the resident and business communities that WBC exists to serve.

It seems that no account has been taken of the cost of implementing changes (advertising, new signage, reprogramming ticket machines, etc).

I continue to object.

Could you please ensure that all of my above comments are recorded?"

**Opposition
Spokesperson:**

Councillor Keith Woodhams was consulted on the original version by e-mail on 20 June 2013. No reply was received at that stage, but any subsequent reply to this revised version that was re-issued for consultation by e-mail on 8 November 2013 will be reported directly to the Portfolio Member when the report is considered.

Local Stakeholders:

Newbury Town Council lodged an objection when the Parking Order to implement the Bank Holiday parking charges was advertised.

Officers Consulted:

Mark Cole; Mark Edwards; John Ashworth; Wendy Howells; David Holling.

Trade Union:

N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Supporting Information

1. Background

- 1.1 The Council undertook an informal web based consultation exercise between 21 January and 1 March 2013. This consultation sought to understand the likely impact of charging for parking on bank holidays in all of the Council's pay to park car parks in the district. At the conclusion of this informal consultation no objections and two comments had been received. It was therefore decided to proceed to the statutory advertisement and consultation stage. It was decided that these charges would be introduced in Newbury car parks only initially. The rollout to the remainder of the district will be reviewed later in the financial year.
- 1.2 On 5 March 2013 the Council approved the 2013/14 revenue budget and this included the implementation, subject to consultation, of parking charges on Bank Holidays in the Newbury car parks, with the appropriate daily parking charge being applied according to the day of the week on which the Bank Holiday falls. The current parking charges in the Newbury car parks are shown in Appendix A to this report.
- 1.3 The statutory process to advertise the change to the Parking Order prior to implementing the Bank Holiday parking charges in the Newbury car parks generated an objection from Newbury Town Council. The objection was sent by the Chief Executive of Newbury Town Council and it read:

“Thank you for the opportunity to respond to the Consultation on Bank Holiday Parking Charges. Newbury Town Council met and formulated this response at the Planning & Highways Committee meeting on 22 April 2013.

Newbury Town Council objects to the rise in parking charges for Bank Holidays. It was felt that this would discourage people from visiting the town for leisure purposes. If there is to be any increase, then it should be limited to that charged on Sundays.”

- 1.4 In the light of the objection the implementation of the Bank Holiday parking charges in the Newbury car parks has been deferred until the objection has been considered and a decision made as to whether or not the Bank Holiday parking charges should still be implemented in the Newbury car parks.

2. Factors for Consideration

- 2.1 As a part of the 2013/14 financial strategy the Council agreed to seek to implement Bank Holiday parking charges in the Newbury car parks and it was estimated that this would generate some £10,000 in a full financial year. This income will assist the Council in securing expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway. Much of this income would be generated from the Christmas and New Year period when parking demand is highest and where there are three Bank Holidays within a week.
- 2.2 When the Council implements new car parking charges it does so by advertising an amendment to the Parking Order through a statutory process contained within Section 35 (c) of the Road Traffic Regulation Act 1984. This requires the Council to

place an advertisement in the local press for the area concerned and to simultaneously erect notices on site advertising the new parking charges and the implementation date. While there is technically no objection process the Council takes due consideration of comments made by customers and this is manifest in the deferral of the proposed Bank Holiday parking charges in the Newbury car parks. The advertising process detailed above also serves as a form of consultation as it may well be envisaged that a formal consultation process about whether or not parking charges should be implemented on those days when parking had hitherto been free is unlikely to receive customer endorsement.

- 2.3 The Parking Order was advertised under the statutory process to make the amendment to implement the Bank Holiday parking charges in the Newbury car parks from 11 April to 2 May 2013. It was at that stage that Newbury Town Council made their objection.
- 2.4 As indicated in 2.1 above Bank Holiday charging will assist the Council in securing expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway. The Council's car parks operating costs are not ameliorated on Bank Holidays and the Council must still pay Business Rates, power charges and other costs irrespective of the day of the week. The Council needs to offset these running costs and these parking charges will assist in this respect. The Council has adopted a view that users of discretionary services, such as car parks, should pay for the service used. Sunday parking charges and Bank Holiday parking charges are not new and they have been implemented in Council operated car parks and privately operated car parks in towns and cities throughout the country. The decision to make the Bank Holiday parking charge appropriate to the day of the week on which the Bank Holiday falls is fair and reasonable as those Bank Holidays that do not fall on a fixed day of the week each year will inevitably fall on a Sunday in their turn.
- 2.5 Although not a specific factor that has informed the Council's proposal, it is worth noting that the privately operated car parks in Newbury (Parkway; Camp Hopson; Euro Car Parks) operate Bank Holiday parking charges and use the parking charge that prevails on the day on which the Bank Holiday falls. None of them offer either free parking or a concessionary parking charge for Bank Holidays. Therefore, the Council's proposal is in line with the practice used by the private car park operators.
- 2.6 Consideration was given to the option of introducing a flat rate Bank Holiday charge (that could be aligned to Sunday charges) when the proposal was first considered but it was decided that this would be confusing for customers, potentially resulting in them incurring penalty charges and would not be in line with what the private operators are doing. Consequently this option was not taken forward at the informal consultation stage. In view of the fact that there were no objections to the proposal it was not taken forward at the statutory advertisement and consultation stage either. If this were to be considered again at this late stage it would further delay the introduction of the charges because it would be necessary to undertake another statutory advertisement and consultation on the revised proposal.

3. Equalities Impact Assessment Outcomes

- 3.1 An EIA Stage 1 has not been submitted for this report as it is considered that the implementation of Bank Holiday parking charges will not deter any of the equality groups from their continued use of the Newbury car parks as:

- (a) The Newbury car parks will be available for unimpeded use by all;
- (b) Blue Badge holders may park without charge (except in the Library and Central car parks as currently);
- (c) To assist disabled persons the Council has provided 79 disabled parking bays in the Newbury car parks that are available for use by Blue Badge holders; and
- (d) The pay by mobile phone service is available in all of the Newbury car parks so that customers may purchase parking time or pay remotely for their parking time, negating the need to walk to the machine. This will benefit those with mobility problems who are not Blue Badge holders.

4. Conclusion

- 4.1 Upon review of the objection made by Newbury Town Council it is considered that with the Council operating in a climate of severe financial restraint it is reasonable to identify and implement legitimate income sources, particularly where services have been provided free of charge and the service costs have been absorbed by others. The Council has a range of unavoidable costs in the provision of the Newbury car parks and those costs are not reduced when it is a Bank Holiday. It is reasonable that service users should make a contribution to those running costs by paying a Bank Holiday parking charge with that charge being the appropriate parking charge for the day of the week on which the Bank Holiday falls. Consequently it is considered that the Bank Holiday parking charges should be implemented without further delay and that those parking charges should be the appropriate parking charge for the day of the week on which the Bank Holiday falls.

5. Financial Implications

- 5.1 In the budget report to Council on 5 March 2013 it was calculated that the Bank Holiday parking charges would generate some £10,000 of additional annual income. However, that income target is no longer achievable in 2013/14. If the report is agreed the Bank Holiday parking charges will be implemented in time for the new financial year 2014/15.

6. Recommendations

- 6.1 Having considered the objection raised by Newbury Town Council against the advertised amendment to the Parking Order and having detailed the reasons for the Council's position in this report, it is recommended that the proposal should be introduced as advertised.
- 6.2 It is recommended that the Parking Order be confirmed and the Bank Holiday parking charges, being the daily parking charge on which the Bank Holiday falls as shown in Appendix A to this report, be implemented.
- 6.3 It is recommended that Newbury Town Council be informed of this decision.

Appendices

Appendix A: Current Parking Charges in the Newbury Car Parks

Parking Charges from 21 May 2012

Newbury Car Parks

Kennet Centre and Northbrook Multi-Storey

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 1 hour	£1.00
Up to 2 hours	£2.20
Up to 3 hours	£3.40
Up to 4 hours	£4.50
Up to 6 hours	£6.50
Up to 8 hours	£8.50
Over 8 hours	£12.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Central and Library

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 1 hour	£1.00
Up to 2 hours	£2.20
Up to 3 hours	£3.40
Up to 4 hours	£4.50
Up to 6 hours	£6.50
Up to 8 hours	£8.50
Over 8 hours	£12.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Corn Exchange (Bear Lane)

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 1 hour	£1.00
Up to 2 hours	£2.20
Up to 3 hours	£3.40
Up to 4 hours	£4.50
Over 4 hours	£14.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Pelican Lane; West Street; Eight Bells; and Market Street

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 1 hour	£1.00
Up to 2 hours	£2.20
Up to 3 hours	£3.40
Up to 4 hours	£4.50
Up to 6 hours	£6.50
Up to 8 hours	£8.50
Over 8 hours	£12.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Northcroft Lane; and Wharf

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 1 hour	£1.00
Up to 2 hours	£2.20
Up to 3 hours	£3.40
Up to 4 hours	£4.50
Over 4 hours	£14.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Northcroft Lane West

Monday to Saturday 8.00 am to 10.00 pm	Tariff
Up to 2 hours	£1.50
Up to 4 hours	£3.00
Over 4 hours	£5.00
Sunday : 8.00 am to 10.00 pm	£1.00

Newbury Football Club

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 2 hours	£1.50
Up to 4 hours	£3.00
Over 4 hours	£5.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Market Street (Staff) Car Park – (Operates on Saturdays only)

Saturday 8.00 am to 6.00 pm	Tariff
Up to 2 hours	£1.50
Up to 4 hours	£3.00
Over 4 hours	£5.00
Evening Charge 6.00 pm to 8.00 am	£1.00

Coach Park

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 2 hours	£4.00
Over 2 hours	£8.00
Monday to Saturday: Evening Charge 6.00 pm to 8.00 am	£1.00
Sunday : 8.00 am to 6.00 pm	£1.00
Sunday: Evening Charge 6.00 pm to 8.00 am	£1.00

Goldwell Park Car Park

Monday to Saturday 8.00 am to 10.00 pm	Tariff
Up to 4 hours	£1.00
Over 4 hours	£2.00

Station Road (On-Street Parking)

Monday to Saturday 8.00 am to 6.00 pm	Tariff
Up to 2 hours	£1.00
Up to 4 hours	£2.00
Over 4 hours	£3.50