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Individual Executive Member Decision

Title of Report:	Petition for removal of proposed parking charges at Burdwood Centre car park, Thatcham
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	08 November 2012
Forward Plan Ref:	ID2518

Purpose of Report:

To respond to a petition that has been submitted to the Council and a resolution made by Thatcham Town Council opposing the implementation of parking charges in the Burdwood Centre car park that were approved by Full Council on 1 March 2012.

Recommended Action:

That the Executive Member for Planning, Transport Policy, Property, Highways and Transport (Operational) resolves to approve the recommendations set out below:

(a) To amend and advertise the Parking Order to implement the parking charges shown in 2.4 Table 2 at the Burdwood Centre car park, Thatcham;

(b) To inform the organiser of the petition of the actions approved following consideration of this report; and

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

Reason for decision to be taken:

To maximise parking income and to ensure that the users of the Burdwood Centre car park contribute to the running costs of the car park.

Other options considered:

To retain free parking.

Key background documentation:

(a) Decision of Full Council on 1 March 2012;

(b) The petition submitted opposing the implementation of parking charges at the Burdwood Centre car park; and

(c) Letter dated 18 July 2012 from Thatcham Town Council.

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Portfolio Member Details	
Name & Telephone No.:	Councillor Keith Chopping - (0118) 983 2057
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Contact Officer Details	
Name:	Martyn Baker
Job Title:	Parking Manager
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Implications

Policy:	None arising from this report.
Financial:	<p>The proposed implementation of parking charges in the Burdwood Centre car park were a part of the Council's Revenue Budget for 2012/13. It was estimated that the parking charges would raise some £1,250 in 2012/13. The Council's Finance Manager for Resources and Environment has indicated that she has no comments to include in this report.</p> <p>If there are any financial implications contained within this report this section must be signed off by a West Berkshire Finance Manager. Please note that the report cannot be accepted by Strategic Support unless this action has been undertaken.</p>
Personnel:	None arising from this report.
Legal/Procurement:	None arising from this report.
Environmental:	None arising from this report.
Property:	None arising from this report.
Risk Management:	None arising from this report.
Equalities Impact Assessment:	<p>EIA Stage 1 attached as Appendix A.</p> <p>Where a decision is required, Strategic Support are not able to accept your report without an EIA Stage 1 being completed (Appendix A to this report). Further information and an EIA Stage 2 form can be found at: www.westberks.gov.uk/eia. For advice please contact Principal Policy Officer (Equality & Diversity) on Ext. 2441.</p>

Consultation Responses

Members:	
Leader of Council:	Councillor Gordon Lundie was consulted on 22 October: 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 on 20 August: He responded saying I am unfamiliar with this car park but would suggest that staff purchase a season ticket for one year at a nominal rate and another area be set aside for patients only, the other area to be charged with one hour free.
Ward Members:	<p>Councillor Dominic Boeck was consulted on 20 August: He supports the proposal provided that the surgery is not disadvantaged.</p> <p>Councillor Roger Croft was consulted on 20 August: He supports the proposal provided the surgery is not disadvantaged.</p>
Opposition Spokesperson:	Councillor Keith Woodhams was consulted on 20 August: To date no response has been received, however any

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comments will be verbally reported at the Individual Decision meeting.

Local Stakeholders:

Councillor Richard Crumly was consulted on 20 August: To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor David Rendel was consulted on 20 August: To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor Sheila Ellison was consulted on 20 August: To date no response has been received, however any comments will be verbally reported at the Individual Decision meeting.

Councillor John Horton was consulted on 20 August: He responded saying my only response is that there should be no parking charges in Thatcham Burdwood as this would be detrimental to the town and may inhibit access to services and businesses that are struggling during the recession.

Councillor Jeff Brooks was consulted on 20 August: He initially responded saying I write to object to charges being implemented at this location. Volunteers and patients rely on this car park to access the Burdwood Centre and will often stay in excess of the one hour free period proposed. You will also have received objections from Thatcham Town Council and I am able to speak as both a District and Thatcham Town Councillor in this matter. It would also seem to me that the sum of money that you expect to be collected is very small and its net effect negligible. It was pointed out to him that the period of free parking had been increased to 2 hours to overcome concerns about patients needing sufficient time and that although income is small it helps to offset the costs of maintaining the car park. He responded again stating that he still didn't think that this is necessary.

Thatcham Town Council was consulted on 20 August: The Clerk responded saying that The Finance & General Purposes Committee had met and considered the draft report and appendices, prepared in response to a petition and the Town Council's representations, that is due to be considered by Individual Decision on 26th September by Councillor Keith Chopping. The main focus of the discussion was on the problems that would be caused by cars being parked on the surrounding roads rather than in the car park and also the lack of a financial cost benefit analysis.

Following discussion the following resolution was passed - "In the light of the potential for cars to park in the surrounding streets rather than paid for parking and the void of a compelling financial case, such that the income would appear to be as little as £100 per month, this Council cannot support this and urges West Berkshire Council to

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reconsider.”

Burdwood Surgery was consulted on 20 August: The Practice Manager responded setting out the surgery's concerns about the proposals. Following this further consideration was given to the impact on the surgery and the proposals were modified to address these concerns. The surgery has subsequently confirmed that the Partners are happy to co-operate fully with the proposal as now presented in this report and have offered thanks for our assistance in this matter.

Officers Consulted: Mark Cole; Mark Edwards; John Ashworth; Wendy Howells

Trade Union: N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Supporting Information

1. Background

- 1.1 On 1 March 2012 Full Council approved the 2012/13 revenue budget and this included the implementation of revised parking charges. One of the agreed proposals was the implementation of parking charges at the Burdwood Centre car park in Station Road, Thatcham. The parking charges for the Burdwood Centre agreed by Full Council were:

Table 1: Parking Charges approved by Full Council for the Burdwood Centre

Monday to Saturday 8.00 am to 6.00 pm	
Up to 1 hour	Free
Up to 2 hours	£0.50
Up to 3 hours	£0.80
Over 3 hours	£2.00

- 1.2 The statutory advertising process prior to implementing the parking charges in the Burdwood Centre car park generated a petition organised by the Burdwood Surgery

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situated within the car park that ultimately contained 648 signatures. The petition states:

“We, the undersigned, petition West Berkshire Council to remove the proposed car parking charges as detailed in the Newbury Weekly News.”

The petition was sent to the Council with an accompanying letter dated 25 May 2012 from the Practice Manager, a copy of which is at Appendix B to this report.

- 1.3 In the light of the petition it was resolved to postpone the implementation of the parking charges until the petition had been considered and a decision made as to whether or not parking charges should still be implemented at the Burdwood Centre car park.
- 1.4 A letter dated 18 July 2012 was sent by Thatcham Town Council in which they advised that the Finance and General Purposes Committee of the Town Council had unanimously approved a resolution calling for the suspension of the proposed parking charges at the Burdwood Centre in this municipal year to allow proper consultation of the requirements of patients, hall hirers and users of the Baptist Church as well as an assessment of the retail impact in the area. The Town Council was informed that their resolution would be included within this report. A copy of the Town Council's letter is at Appendix C to this report.

2. Factors for Consideration

- 2.1 The Burdwood Centre car park lies in Station Road, Thatcham and it has provided free parking since it opened in the 1980s. The car parking area is adjoined by a community centre; a doctor's practice; a Baptist Church; and retail outlets, which include a large Co-operative store and three smaller retailers (a Fish & Chip shop; a chemist; and one vacant unit). West Berkshire Council does not own the whole car park and the plan attached at Appendix D shows how the car park is divided. The parking area immediately adjacent to the Co-operative store, which holds 11 parking spaces (accessed via Wheelers Green Way) is not in the Council's ownership and there are 6 parking spaces immediately outside the front of the doctor's practice that are dedicated to the practice. Of the total of 81 parking spaces in the car park, 64 are within the Council's ownership. It has also come to light that under an Agreement concluded in January 1988 with the former Newbury District Council the Baptist Church has the right to 15 parking permits to enable those attending services and other functions in the Church to use the car park without charge.
- 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 no objection process the Council takes due consideration of comments made by customers and this is manifest in the deferral of the proposed parking charges at the Burdwood Centre. 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 increased is unlikely to receive customer endorsement.

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- 2.3 The intention behind the proposed parking charges at the Burdwood Centre is to optimise the Council's parking income in times of severe financial stringency and to offset the running costs of the car park by modest parking charges that would not adversely affect those attending routine appointments at the doctor's surgery or patronising the adjoining retail outlets. It was considered that by making the first hour free both patients and shoppers could conclude their business within the free parking time. The Council has adopted a view that users of discretionary services, such as car parks, should pay for the service used and it has previously implemented modest parking charges in other car parks (eg Goldwell Park in Newbury; and at Gilbert Court, Thatcham) where parking had hitherto been free. The Council pays some £1,500 per annum for the cleaning of the Burdwood Centre car park and it also meets occasional repair and maintenance costs. It was considered that the implementation of the parking charges shown in table 1 above would recoup some, even if not all, of this annual expenditure.
- 2.4 It is reasonable for the Council in the management of its' parking portfolio to implement modest parking charges, especially when the proposed parking charges will not adversely affect specific potentially vulnerable user groups and deter them from using the car park. It is recognised that some patients attending the doctor's practice may need more than one hour and consequently it is proposed that the modified parking charges shown in table 2 should be implemented at the Burdwood Centre car park. Furthermore, in recognition of the community impact of Burdwood Surgery, it is proposed that the surgery will be provided, free of charge, with 10 season tickets which are to be used at the discretion of the Practice Manager in order to assist the surgery in the delivery of Primary Care Medical Services.

Table 2: Proposed Modified Parking Charges for the Burdwood Centre

Monday to Saturday 8.00 am to 6.00 pm	
Up to 2 hours	Free
Up to 3 hours	£0.80
Over 3 hours	£2.00
(1) A Ticket must be displayed for the two hour free parking period	
(2) No return to the car park is permitted for a period of two hours after the free parking period has elapsed	

- 2.5 The requirement for a ticket to be displayed in the free parking period is essential to ensuring that the free parking is not abused. The "two hour no return" condition will also ensure that the free parking is not abused to avoid paying a parking charge.
- 2.6 Not all of the users of the car park will be exempt from parking charges. Anyone who needs to park for over two hours including those commuters who use the car park and walk to Thatcham station and those who work within Thatcham and walk to their place of work would have to pay to park if the parking charges are

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implemented. However, workers and rail commuters using the Council's car parks in other Town Centres and within Thatcham have to pay to park. Customers using any of the Council's car parks expect to find them both clean and well-maintained and this involves costs which parking income, however modest, helps to defray while any parking income surplus provides the opportunity to limit the demands on Council Tax. This in turn means that non-motorists do not provide through their Council Tax a subsidy that enables free parking for some motorists.

3. Equalities Impact Assessment Outcomes

3.1 The EIA Stage 1 is at Appendix A to this report. It is considered that the implementation of parking charges will not deter any of the groups listed in point 2 of the EIA Stage 1 from their continued use of the Burdwood Centre car park as:

(a) This car park, together with all of the Council's other car parks, will be available for unimpeded use by all;

(b) The proposal to provide the first two hours parking free of charge, together with the season tickets to be used at the discretion of the Practice Manager, will enable those attending appointments at the doctor's practice to park without charge and will particularly benefit older persons; pregnant women; and parents and carers with young children;

(c) To assist disabled persons the Council has identified that two disabled parking bays may be installed by using the three remaining parking spaces outside the practice. These will be available for use by Blue Badge holders; and

(d) This car park will be added to the pay by mobile phone service so that customers may obtain the free 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 and disabled persons who cannot find parking in the proposed disabled parking spaces.

4. Financial Implications

4.1 In the budget report to Full Council on 1 March 2012 it was calculated that the annual income that would accrue from the revised parking charges at Thatcham Station and the implementation of parking charges at the Gilbert Court and Burdwood Centre car parks would total some £6,000 in a full financial year. This comprised some £3,500 from Thatcham Station and a combined total of £2,500 from the parking charges at Gilbert Court and the Burdwood Centre.

4.2 It is considered that, if implemented, the parking charges shown in 2.4 Table 2 will generate some £1,200 in a full financial year.

5. Officers' Response to Consultation Comments Received

5.1 Councillor Brian Bedwell's suggestion that staff purchase a season ticket for one year at a nominal rate and another area be set aside for patients only, the other area to be charged with 1 hour free would be at variance with what has been adopted elsewhere in the district and more specifically in Thatcham and would be virtually impossible to enforce. If a specific area was set aside for patients there could be times when this had unused spaces that other customers may wish to use and other times when it could be full and patients couldn't park. The current

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proposal, by permitting free parking for 2 hours, should be ample time for patients and they would have the whole of the car park controlled by the Council available for use. The doctor's practice already has 6 dedicated spaces for use by staff and would also have 10 free season tickets to be used at the discretion of the Practice Manager.

- 5.2 Councillor John Horton's response that there should be no parking charges in Thatcham Burdwood as this would be detrimental to the town and may inhibit access to services and businesses that are struggling during the recession is a point of view that is not shared by officers'. All the other towns in West Berkshire have parking charges and the proposals for Thatcham would bring it in line with the rest of the district. The proposed costs are modest and with 2 hours of free parking in the Burdwood Centre car park and free parking in the private car park adjacent to the Co-operative store there is ample provision for customers. Only long stay parkers such as rail commuters using Thatcham station would be affected by the proposals and this is not a bad thing as this car park is not provided to give free parking to commuters travelling away from Thatcham.
- 5.3 Councillor Jeff Brooks initially objected to the charges on the grounds that volunteers and patients rely on the Burdwood Centre and will often stay for more than one hour and because the estimated income is small. He was advised that the free parking period originally proposed had been increased to two hours to overcome concerns about patients needing sufficient time and that although the estimated income is low it still helps to offset the costs of maintaining the car park. He acknowledged this additional information but said that he still thought the proposed charges are unnecessary.
- 5.4 The main focus of the concerns of Thatcham Town Council are problems that would be caused by cars being parked on the surrounding roads rather than in the car park and the lack of a financial cost benefit analysis. The Town Council's Finance & General Purposes Committee has resolved as follows: "In the light of the potential for cars to park in the surrounding streets rather than paid for parking and the void of a compelling financial case, such that the income would appear to be as little as £100 per month, this Council cannot support this and urges West Berkshire Council to reconsider."
- 5.5 It is considered that this car park is for the benefit of the visitors and shoppers at the Burdwood Centre and not for long stay parkers such as rail commuters as mentioned in 5.2 above. The revised proposals would now cater for the needs of the majority of users and it is appropriate that those that wish to stay for extended periods beyond 2 hours should be expected to pay and that Council Tax payers should not be expected to effectively subsidise the users of the car park. It is considered that the financial information provided in the report is appropriate for the scale of this proposal. The costs and benefits are discussed in sections 2 and 4 of this report and the Council's annual cleaning costs alone, at some £1,500, are sufficient justification for seeking to obtain income to offset these costs without undertaking a more detailed and time consuming cost benefit analysis. The reason that the estimated income is low is because the proposed charges are low and the estimates are deliberately conservative because it is very difficult to predict the numbers of paying customers when charging is first introduced. However although the estimated income is low at £1,200 per annum this would contribute to the Council's costs and it is still considered sound financial management to seek to recoup these costs.

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5.6 There may be some additional parking on surrounding roads initially but this is only likely to be long stay parkers because the 2 hours of free parking will cater for the needs of most visitors to the Burdwood Centre. There is nothing wrong with parking on roads in principle so long as this parking accords with the regulations in force. If parking occurs in contravention of the parking regulations this would be dealt with using the Council's Civil Enforcement powers. As with all new charging regimes, the situation would be monitored if the charges were introduced and any necessary action taken if required.

6. Conclusion

6.1 The original proposal was to implement the parking charges shown in 1.1 Table 1 at the Burdwood Centre and this would have provided customers with the first hour of parking free. Following opposition from the petitioners and from Thatcham Town Council, the implementation of the parking charges has been deferred to enable the concept of implementing parking charges at the Burdwood Centre car park to be reviewed. This review has included contact being made with local stakeholders and Members and the responses received are in the Consultation Responses section of this report. An officers' response to comments received during the consultation is contained in section 5 of this report.

6.2 Upon review it is considered that with free parking having been removed in other Council car parks that had offered free parking and replaced with modest parking charges that it is inequitable to allow one car park to remain free of charge at all times. The implementation of new parking charges is never welcome, but the Council is operating in a climate of severe financial restraint and 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. Moreover, the proposed parking charges set out in 2.4 Table 2 now offer the first two hours of parking free which will absolve a large number of customers from having to pay to park. The Council incurs annual costs in the provision of this car park and it is reasonable that service users should make a contribution to those running costs. Consequently it is considered that the parking charges set out in 2.4 Table 2 should be implemented without further delay.

7. Recommendations

7.1 That the Parking Order be amended and advertised to facilitate the implementation of the parking charges shown in 2.4 Table 2 at the Burdwood Centre car park, Thatcham;

7.2 That the organisers of the petition submitted against the implementation of parking charges at the Burdwood Centre car park be informed of this decision; and

7.3 That Thatcham Town Council is informed of this decision.

Appendices

Appendix A – Equality Impact Assessment – Stage 1

Appendix B – Letter from Burdwood Surgery accompanying petition

Appendix C – Letter from Thatcham Town Council

Appendix D – Plan of the Burdwood Centre Car Park

Equality Impact Assessment – Stage One

Name of item being assessed:	Petition for removal of proposed parking charges at Burdwood Centre car park, Thatcham
Version and release date of item (if applicable):	16 August 2012
Owner of item being assessed:	Martyn Baker
Name of assessor:	Martyn Baker
Date of assessment:	16 August 2012

1. What are the main aims of the item?
To determine whether or not parking charges will be implemented at the Burdwood Centre car park after consideration of a petition submitted opposing the proposed parking charges.

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)

Group Affected	What might be the effect?	Information to support this.
All Groups	None	These groups of users currently use the Burdwood Centre car park while it provides free parking. The implementation of parking charges will not affect their continued use of the car park and a two hour period of free parking will enable visitors such as patients attending the Burdwood Surgery to still do this at no cost.

Further comments relating to the item:
Free parking without time limits will be provided to Blue Badge holders.

3. Result (please tick by double-clicking on relevant box and click on 'checked')
<input type="checkbox"/> High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment

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<input checked="" type="checkbox"/>	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment
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For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Not required

Name: Martyn Baker

Date: 16 August 2012