

Report to Leader

Subject: Off Street Parking Places Order

Date: March 2024

Author: Head of Regeneration and Welfare

Wards Affected:

Netherfield, Carlton, Carlton Hill, Porchester, Gedling, Daybrook, Ernehale and Woodthorpe

Purpose

To seek approval to commence the procedure to amend the Council's current Civil Enforcement Off Street Parking Places Order 2020.

Key Decision

This is not a Key Decision

Recommendation(s)

THAT:

1. Approval is given to the proposed increase in car park fees as outlined in section 2.
2. Approval is given to commence the statutory procedure to amend the Gedling Borough Council (Civil Enforcement Off Street Parking Places) Order 2020 in the manner set out in this report

1 Background

- 1.1 Pursuant to the Road Traffic Regulation Act 1984 ("1984 Act"), the Gedling Borough Council (Civil Enforcement Off-Street Parking Places) Order 2020

("the Order"), contains regulations relating to the use of and conditions on which the Council's car parks subject to the Order may be used and allows the enforcement of those conditions of use and parking restrictions

- 1.2 The Council is looking to introduce changes to the fees charged in all of its car parks. Section 35C of the Road Traffic Regulation Act 1984 allows the Council to vary the charges to be paid in connection to the use of off-street parking by way of giving a notice instead of requiring a variation of the car parking order. The process for varying the fees by way of notice under Section 35C is set out in Regulation 25 of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996/2489. A notice of variation must be published in at least once in a newspaper circulated within the area which the parking places are located and must be published at least 21 days before the fee increase comes into force. At the same time a copy of the notice must also be displayed in each car park affected by the notice. The Council must ensure that all reasonable steps are taken to ensure that the notice continues to be displayed and in a legible condition until the date that the increase comes into force.
- 1.3 The Pay and Display free parking provisions of the current Order have not been revised since 2020.
- 1.4 The review of car park charges has considered the impact upon retail centres and residents but also the charging policies of similar local authorities.

2 Proposal

- 2.1 The Council is proposing changes to the charging tariff as detailed below:

Car Parking Charges

Charging Band	Current Tariff	Proposed Tariff
A	Up to 2 hours free Up to 4 hours £1 Up to 10 hours £10	Up to 2 hours free Up to 4 hours £2 Up to 10 hours £12
B	Up to 2 hours free Up to 4 hours £1 Up to 10 hours £3	Up to 2 hours free Up to 4 hours £2 Up to 10 hours £4
C	Monday to Friday: Up to 2 hours free Up to 4 hours £1 Up to 6 hours £3 Saturday and Sunday: Up to 2 hours free Up to 6 hours £1	Monday to Friday: Up to 2 hours free Up to 4 hours £2 Up to 6 hours £4 Saturday and Sunday: Up to 2 hours free Up to 6 hours £2

D	Free Maximum stay 24 hours	Free Maximum stay 24 hours
E	Parking Permit Holders Only	Parking Permit Holders Only
F	Free Maximum stay 2 hours, no return within 2 hours.	Free Maximum stay 2 hours, no return within 2 hours.
G	Free Maximum stay 1 hour	Free Maximum stay 1 hour

- 2.2 It is proposed that the provision of 2-hour free parking across the Pay and Display Car Parks is to remain unchanged. The proposal is intended to minimise the impact and safeguard local centres by maintaining the 2-hour free parking provision.
- 2.3 The Council has considered the charging schedules of similar District Council's in Nottinghamshire in developing its revised charging schedule. The increase in charges is considered to be fair and comparable for parking over 2 hours and unlike other local authorities surveyed Gedling is proposing continuation of 2 hour free parking at its Pay and Display car parks (refer to Appendix 2).
- 2.4 It is proposed that the Council advertised the proposed charging amendments and advertises its notice of variation in a local newspaper and displays the notices in all the Pay and Display car parks affected new order 21 days before the increase comes into force to comply with Regulation 25 (refer to 1.2). A list of all car parks including Pay and Display car parks are listed in Appendix 1.

3 Alternative Options

3.1 Do Nothing Option

The Council has considered and rejected the Do-Nothing Option. This option would result in the Council reducing in real terms car parking income and place further pressure on the Council's finances.

3.2 Remove 2-hour Free Parking

Although this option could significantly increase car parking income, the option has been rejected to support the borough's town and high streets. There is a risk that the removal of the 2-hour free parking would encourage residents and visitors to shop outside of the borough and/or to park in

residential areas.

4 Financial Implications

- 4.1 The income generated from the Council's Pay and Display car parks is detailed in the table below

Car Park - Pay and Display Income	
Year	Income
2021/22	£57,900
2022/23	£72,100
2023/24 (Year to date February)	£57,000

- 4.2 It is anticipated that the proposed increase in fees will generate additional income of between £60,000 to £70,000 based on current car parking use.
- 4.3 The proposed increase may impact footfall to the town centre's however the impact will be monitored.

5 Legal Implications

- 5.1 The Schedule to the Gedling Borough Council (Civil Enforcement Off-Street Parking Places) Order 2020 specifies the fees to be charged at each car park owned by the Council and covered by the Order. In order to vary the fees charged the process set out in Regulation 25 must be followed.
- 5.2 In addition to the process for variation Regulation 25 also states the required content to be included in a notice of variation which shall specify the date when it is due to come into force; identify every parking place to which the notice relates; specify in respect of each such parking place- (i) the charges payable for the use of the parking place at the date the notice is given; (ii) the charges that will be payable when the notice comes into force.

Any notice of variation advertised must comply with these requirements.

6 Equalities Implications

- 6.1 The Council's car parks include provision for disabled parking which will remain unchanged by the Order.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 The proposed increase in charging provides an incentive to encourage active travel and public transport use supporting the Council's Net Zero 2030 ambitions.

8 Appendices

- 8.1 Appendix 1 Car Park Schedule (Civil Enforcement Off Street Parking Places Order 2020)
- 8.2 Appendix 2 Car Park Charges: District Council bench marking comparison
- 8.3 Appendix 3 Equality Impact Assessment
- 8.4 Appendix 4 Carbon Impact Assessment

9 Background Papers

- 9.1 None

10 Reasons for Recommendations

- 10.1 The recommendations will enable a version to the Off-Street Parking Order to be made and implement changes to the charging tariff whilst safeguarding free parking for 2 hours across the Boroughs retail centres.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer