

Cabinet Report



Listening Learning Leading

Report of Head of Development and Corporate Landlord

Author: John Backley

Telephone: 01235 422667

Textphone: 18001 01235 422667

E-mail: john.backley@southandvale.gov.uk

Wards affected: all

Cabinet member responsible: Sam James-Lawrie

Tel: 07824 155901

E-mail: sam.james-lawrie@southoxon.gov.uk

To: CABINET

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Car park order 2024 – consultation results

Recommendations

That cabinet:

- (a) Considers the responses received following the consultation exercise on the South Oxfordshire District Council proposed car parking order for 2024.
- (b) Subject to cabinet members views, delegates authority to the Head of Development and Corporate Landlord to make any amendments to the order and to implement Option One for the Goldsmiths Lane Car Park.
- (c) Authorise the Head of Legal and Democratic Services to proceed with the new order and to determine the date it comes into effect.

Implications	Financial	Legal	Climate and Ecological	Equality and diversity
	Yes	Yes	Yes	Yes
Signing off officer	Damon Cotterill	Megan Kuka	Jessie Fieth	Trina Mayling

Purpose of report

1. This report provides information for Cabinet members to consider the responses received from the consultation exercise on the draft 2024 car parking order, and to make a decision on what changes to make to the new 2024 car parking order.

Corporate objectives

2. The provision and pricing of car parking supports South's corporate plan 2020-2024 objective: investment and innovation that rebuilds our financial viability by being able to measure income from the car park service fees and charges.

Background

3. Cabinet considered a report on car park fees and charges for 2024/25 at the meeting on 30 November 2023. Cabinet resolved to:
 - (a) to agree the car parking fees for the financial year 2024-25, including:
 - (i) providing permits for residents local to Church Road car park, Wheatley at a cost of £70 per year (one permit per property).
 - (ii) providing permits for other car parks where there is currently no charge, at a cost of £70 per year.
 - (iii) a new simplified parking fee structure, as set out at table 4 in the Head of Development and Corporate Landlord's report to Cabinet on 30 November 2023.
 - (b) in relation to (a) (i) and (ii) above, to authorise the Head of Legal and Democratic to prepare and publish a draft order under the Road Traffic Regulation Act 1984:
 - (c) in relation (a) (iii) above, to authorise the Head of Legal and Democratic to prepare a Notice of Variation under the Road Traffic Regulation Act 1984 for publishing in the local newspapers and all affected car parks.
 - (d) to request the head of development and corporate landlord to write to Wallingford Town Council and the private landowner to seek their endorsement to align the parking fees structure at Goldsmiths Lane car park, Wallingford to bring the fees into line with the Cattlemarket car park in Wallingford; and
 - (e) to authorise the Head of Development and Corporate Landlord to oversee necessary communications and consultations and report back to Cabinet.

4. The introduction of permits in car parks with no charge, and the changes to Goldsmiths Lane car park fees and charging periods has required formal consultation with statutory consultees like Thames Valley Police and Oxfordshire County Council. At the same time officers published a draft car park order, with formal Notices that were advertised in all the car parks, in local newspapers and on the council website. The consultation ran from 21 March to 19 April 2024.
5. The reason for the implementation for permits in Wheatley is following a request from Oxfordshire County Council (OCC), who are changing the on-street parking restrictions to enable a re-siting of a bus stop and improving traffic flow on the highway next to the council car park. This is also supported by the Wheatley Parish Council to allow those residents affected to use the nearby council car park.
6. Oxfordshire County Council also carried out a formal consultation on the changes they are making to the on-street parking restrictions on Church Road, Wheatley. Oxfordshire County Council cabinet approved all the changes at the meeting on the 23 May 2024.

Results of the consultation

Statutory consultation on the draft car park 2024

7. Officers sent a draft order to the County Council highways (who must consent to the order) and other appropriate organisations including the Police. Cabinet is required to consider all representations received before making the order.
8. There were no objections raised by the statutory consultees.

Public and stakeholder consultation on changes to the car parks

9. As required, officers published a draft order (Notice of Proposal) in the Oxford Times on 21 March 2024. The council published the proposals for the new parking order on its website and in council owned car parks. It was open for the duration of the formal consultation (21 March to 19 April 2024). The changes were also promoted via Facebook and Twitter. A hard copy was also made for viewing at the council offices at Abbey House by prior appointment.
10. There was one enquiry received during the public consultation and it was not directly related to the proposed changes in the new order. The enquiry was a suggestion for a new permit for residents to park in the evening from 4pm to 9.30am in car parks in Wallingford. As there is very little driveway parking in the town centre the idea put forward is to try and reduce congestion on the road by encouraging residents with more than one vehicle to park in the off-street car parks, thus easing the pressure of on-street parking. As this was not part of the draft order, officers suggest exploring this idea more with local residents and Members and bring back any recommendations to Cabinet when the car park fees are reviewed later in the year.
11. Wallingford Town Council (WTC) considered the proposed changes to the Goldsmiths Lane car park at their full council on 18 March 2024 as they own part of the car park.

12. WTC agreed to support increasing the daily fees as shown in Table 1 but considered there was 'insufficient supporting information' to be able to agree the other changes. For clarity this means they did not support:

- (a) Changes to the charging hours Monday to Saturday (changing from 9am - 5pm to 8am - 6pm)
- (b) Changes to reduce the free two hours to one hour free
- (c) Charging on a Sunday 10am to 5pm.

Table 1. Current and proposed fees for Goldsmiths Lane car park, Wallingford

	Charging period	Up to one hour	Up to two hours	Up to three hours	Up to five hours	Up to 10 hours	Sundays
Current fees	Mon. to Sat. 9am to 5pm	Free	Free	1.80	n/a	3.60	no charge
Proposed fees	Mon. to Sat. 8am to 6pm.	Free	2.00	n/a	3.00	4.00	10am to 5pm
Agreed by WTC	Mon. to Sat. 9am to 5pm	Free	Free	n/a	3.00	4.00	no charge

13. The third landowner of Goldsmiths Lane car park (Beechcroft Developments Ltd) had no objections to all the proposed changes.

14. Wheatley Parish Council (WPC) support the introduction of the residents permits in Wheatley. Permits will originally be limited to those residents impacted by the new on-street parking restrictions. That is 42, 44 and 46 (even numbers) and 23, 25, 27, 29, 31, 33 and 35 (odd numbers) and limited to one permit per household. However, the number of permits and the extent will be reviewed each year and may be changed, if space allows as part of the annual review of car park fees to Cabinet.

Options

15. WTC have agreed to change the fees for up to five and ten hours in the Goldsmiths Lane car park. They are not in agreement to bring the charging periods in line with the other car parks in Wallingford. Officers have considered the following three options:

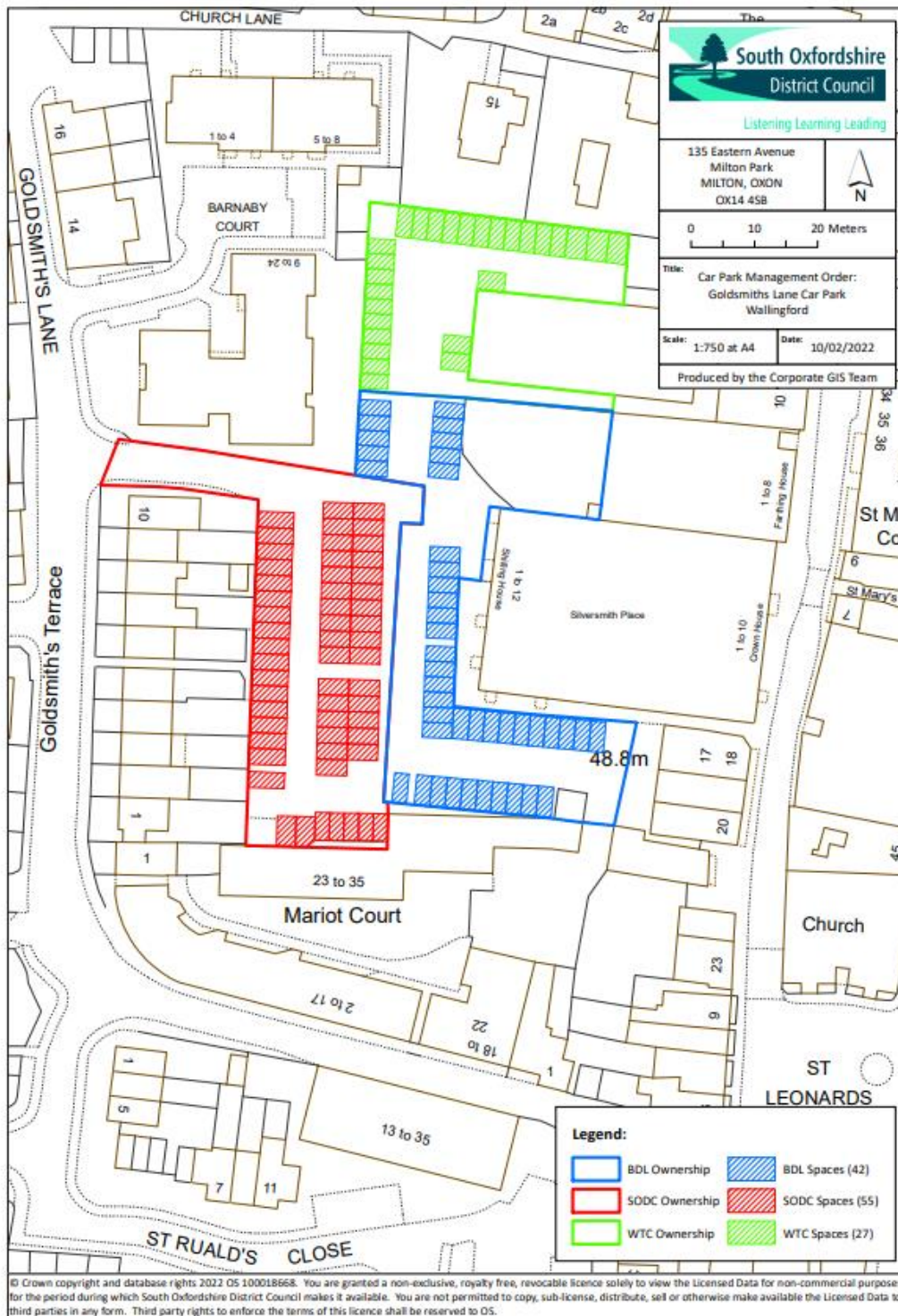
16. **Option One** – The Council accepts the proposal from WTC to amend the fees and have further discussions on changes to the charging periods within the next 12 months.

17. Officers consider this is the most appropriate course of action at this time and will explore further later in the year with all parties concerned. WTC has indicated they are keen to discuss the Goldsmiths Lane car park and what can be done 'in a spirit of cooperation'. Although any agreement will require their full council support and

endorsement and their next full Council meeting is in September 2024. Officers therefore recommend further talks with WTC to try and find an agreeable solution, implemented at a later date and so any changes to the charging period and Sunday charging in Goldsmiths Lane car park, be excluded from the proposed new 2024 order.

18. WTC has agreed the changes to the fees for Goldsmiths Lane car park, (up to five hours at £3.00 and up to 10 hours at £4.00) so these can be implemented, Monday to Saturday, along with maintaining up to two hours free.
19. **Option Two** – The Council does not include the WTC land as part of the new order and enforcement and management responsibility passes to WTC. The remaining parts of the car park for the Council and Beechcroft change to be in line with Cattlemarket car park, Wallingford.
20. Officers consider this will require additional signage on both council land and Beechcroft land to make it clear to users the extent of the car park. This would not be considered in the spirit of working in partnership with WTC. There would also be a small decrease in revenue from the management fee taken for providing the service (£747 per year) and a small increase in enforcement that would be focused on the two remaining areas and not on WTC land.
21. **Option Three** – The council continues to manage all of the Goldsmiths Lane car park with a hybrid of parking charges where WTC land has different charging periods to the remaining council and Beechcroft land.
22. Officers considered this option to be in conflict with the statutory guidance from the Department of Transport that states authorities should aim to have parking restrictions that are clear and well designed. Having different charging times and free periods on adjacent land could lead to confusion by users and lead to challenges to penalty charge notices.
23. The current land extents are shown in the Figure 1 below and signs would be required on land on the border of the blue and green land.

Figure 1. Extent of ownership at Goldsmiths Lane car park, Wallingford (council red, WTC green and Beechcroft blue)



24. Cabinet may consider a fourth option following WTC feedback not to make any amendments to Goldsmiths car park at the current time.

Financial implications

25. The 2023/24 annual income for the whole of Goldsmiths Lane car park, Wallingford is £38,112. (£7,467 WTC, £11,618 Beechcroft and £19,027 South).

26. **Option One** (changes to fees only and further discussions with WTC on charging periods). The estimated increase in annual income from the whole car park on the new fees agreed by WTC is de minimis, however by not changing the charging periods there is a potential loss of income.
27. **Option Two** (exclude WTC part of the car park and bring fees in line with Cattlemarket car park, Wallingford). The total estimated annual income for the two car park areas under the new order (South and Beechcroft only with WTC part excluded) is £23,873 (South) and £15,241 (Beechcroft).
28. **Option Three** (hybrid of WTC fees and charges different from rest of the car park) The total estimated income for South is similar to option two plus a de minimis increase from management fee of 10 percent from WTC.

Table 2. Projected income under new options based on last year's receipts

Projected Income	Wallingford Town Council	Beechcroft Developments	South Oxfordshire DC	Total	Additional costs to consider
Option 1	£7,467	£11,618	£19,027	£38,112 + £747 (WTC 10% management fees)	
Option 2	n/a	£15,241	£23,873	£39,114	£500 signage costs
Option 3	n/a	£15,241	£23,873	£39,114 + £747 (WTC 10% management fees)	£500 signage costs

29. Changes to parking fees and charging periods in Goldsmiths Lane car park would increase the income although the budget for 2024/25 has been set with an estimated income based on the current arrangement.
30. If agreement can be reached for WTC to accept all changes within the next 12 months, the current consultation still applies, and no further expense is required.
31. If a further consultation for Goldsmiths Lane car park and another new order is required later in the year for Option One, this will cost approximately £3,500.
32. The estimated annual income from the new permits for residents local to Church Road car park, Wheatley, at a cost of £70 per year is estimated to be up to £700 per year.

Consultation and communications

33. The Council published the proposals for the new parking order on its website and in the car parks. It was open for the duration of the formal consultation (21 March to 19 April 2024). The changes were also promoted via Facebook and Twitter.

34. A draft of the new order (Notice of Proposal) was advertised in the Oxford Times on Thursday 29 October.

Legal implications

35. The Road Traffic Regulation Act 1984 grants the power to the Council to make an order. The 1984 Act, together with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (LATO), sets out the procedure we must follow.

36. The proposed changes require the making of a new parking order. The Council published a proposed order in the car park and in the local press on 21 March 2024. A hard copy was also made for viewing at the Council offices at Abbey House by prior appointment. The Council also consulted with the County Council (who have consented to the order) and other appropriate organisations including the Police. No issues were raised.

37. Once signed and sealed, the new approved order is advertised via a 'Notice of Making' in the local press and on the Council website. A copy of the 'Notice of Making' is placed in each car park.

38. Subject to Cabinet members' views, officers intend that the new order will come into force on 1 August 2024, and publish the Notice of Making in the Oxford Times by 15 August 2024.

39. If WTC agree to changes to the charging periods of Goldsmiths Lane car park within 12 months of the making of the new order, they can be introduced by simple Notice as there have been no objections from statutory consultees or public/stakeholders.

40. The enforcement of the Goldsmiths Lane car park is carried out under a management agreement between the Council, Wallingford Town Council and Beechcroft. A revised car park management agreement that brings it in line with current civil parking regulations is in the process of being agreed by all parties.

Climate and ecological impact implications

41. There are very limited implications on the introduction of this new order. Potentially more car park users may consider using alternative modes of transport to the motor vehicle if the free parking period in Goldsmiths Lane car park, Wallingford reduces from two hours to one hour.

42. The climate impact assessment is shown below as no action required.



ENVIRONMENTAL	Scores	Action	Justification
GHGs	0	No action required.	This is to update an existing car park Order with some
Air quality	0	No action required.	This is to update an existing car park Order with some
Sustainable Transport	8	No action required.	The proposal is to reduce the two free hours parking in
Land use change	0	No action required.	No change so no impact
Biodiversity	0	No action required.	No impact so no change
Soil and waterway health	0	No action required.	No impact
Climate Change	0	No action required.	No impact
Energy Use	0	No action required.	Vehicles use fuel but there is no impact This proposal relies on fossil fuels.
Sustainable Materials	0	No action required.	None
Waste	0	No action required.	No impact

Key

	Significant and/or long-term positive impact identified. No changes needed.
	Slight or short-term positive impact identified. No changes needed but could be reviewed to improve.
	No net change.
	Slight or short-term negative impact identified. Review to identify possible improvements.
	Significant and/or long-term negative impact identified. Changes needed before proceeding.
	Not applicable.

Equalities implications

43. The new parking order makes no changes to the current free parking for users displaying a 'blue badge'. The maximum stay is still enforceable in Kings Road and Greys Road car parks in Henley and Southern Road car parks in Thame for all users, where the maximum stay is three hours during the charging period.
44. Oxfordshire County Council (OCC) are changing the on-street parking restrictions to enable a re-siting of a bus stop and improve traffic flow next to the council car park in Wheatley. This is also supported by the Wheatley Parish Council and so introducing off-street car park permits for residents who are affected by the new on-street restrictions may foster improved working between OCC and Wheatley PC. This was the only impact raised in an Equalities screening and as there are no other implications an Equality Impact Assessment has not been completed.

Risks

45. There is a risk of challenge to the validity of the new order. In the past challenges have been received but as part of a representation to a Penalty Charge Notice. Officers have followed the statutory guidance on the making of the new car park orders for off street car parks. This requires us to draft a new order and consult formally with statutory consultees like the Police and the Highways Authority. Officers capture comments from the public, businesses and organisations including town and parish councils, and feed back to Cabinet. This reduces the risk that there is a legal challenge later on which could make the new order invalid. It also allows the Cabinet to make an informed decision.
46. In addition, enforcement of the Goldsmiths Lane car park is limited whilst the management agreement is being updated.

Conclusion

47. This report sets out the outcome of the recent consultation on changes to the car parking order and Cabinet members are asked to note the responses.
48. Cabinet is asked to consider the comments from WTC and Beechcroft and to support officers' recommendation of Option One, to have further discussions with WTC on the charging periods for Goldsmiths Lane car park, Wallingford.
49. Cabinet is asked to consider all other comments and to delegate responsibility to the Head of Development and Corporate Landlord to make any amendments so that a new parking order can be made as soon as possible.

Background papers

Cabinet report 30 November 2023, Car park fees for 2024/25

Appendix A. Car park charges from 1 April 2024

Location/ Postcode	1 Hours	2 Hours	3 Hours	5 Hours	**10 Hours	Operational	
						Days	Times
<u>Didcot</u>							
Edinburgh Drive - OX11 7LT	Free	2.00		4.00	6.00	Mon - Sat	8 - 6
						Sun	10 - 5
<u>Goring on Thames</u>							
Goring - RG8 9HB	Free	2.00		4.00	5.00	Mon - Sat	8 - 6
						Sun	10 - 5
<u>Henley On Thames</u>							
Kings Road - RG9 2DQ	Free	2.00	3.00			Mon - Sat	8 - 6
						Sun	10 - 5
Greys Road - RG9 2AA	Free	2.00	3.00			Mon - Sat	8 - 6
						Sun	10 - 5
Southfields - RG9 1BJ				4.00	5.00	Mon - Sat	8 - 6
						Sun	10 - 5
<u>Wallingford</u>							
Cattlemarket - OX10 0AU	Free	2.00		3.00	4.00	Mon - Sat	8 - 6
						Sun	10 - 5
*Goldsmiths Lane - OX10 0DN	Free	£2.00 (free)	(£1.80)	3.00	4.00 (£3.60)	Mon - Fri	9 - 5
						Sat	9 - 2
Thames Street - OX10 0HD	Free	2.00		3.00	4.00	Mon - Sat	8 - 6
						Sun	10 - 5
Castle Street - OX10 8DL					3.00	Mon - Sat	8 - 6
						Sun	10 - 5
St Georges - OX10 8HJ					3.00	Mon - Sat	8 - 6
						Sun	10 - 5
Riverside - OX10 0BU	Free	2.00			4.00	Mon - Sat	8 - 6
						Sun	10 - 5
Riverside High Season	Free	2.00		3.00	4.00	As Above	As Above
Riverside Out Of Season	Free	Free		Free	Free	Mon - Sun	
<u>Thame</u>							
Cattlemarket - OX9 3FD	Free	2.00		3.00	4.00	Mon - Sat	8 - 6
						Sun	10 - 5
Southern Road - OX9 2EE	Free	2.00				Mon - Sat	8 - 6
						Sun	10 - 5

*Goldsmiths Lane car park, Wallingford (current fees in brackets)