

**GUILDFORD BOROUGH COUNCIL AND  
SURREY COUNTY COUNCIL**

**GUILDFORD JOINT COMMITTEE**

**DATE:** 19 SEPTEMBER 2018



**LEAD OFFICER:** DIRECTOR OF FINANCE, GUILDFORD BOROUGH COUNCIL

**SUBJECT:** REVIEW OF ON-STREET PARKING BY GUILDFORD OVERVIEW AND SCRUTINY COMMITTEE

**AREA(S) AFFECTED:** ALL

**SUMMARY OF ISSUE:**

The Overview and Scrutiny Committee (OSC) report (attached as Annex 1) reviews on-street parking controls and enforcement, considers a number of parking management issues in the Borough, and proposes actions to address them.

The OSC's report puts forward eleven recommendations for consideration and approval by the Joint Committee. Rather than recommend detailed, small-scale changes, the OSC has aimed for strategic proposals to improve on-street parking for the Borough's residents.

(Guildford Borough Council's Parking Officers provide a further response to the OSC proposals within the agenda item 'Guildford On-Street Parking Review and Scoping Report'.)

**RECOMMENDATIONS:**

**The Guildford Joint Committee is asked to agree that:**

- (i) Implementation of the recommendations of the review of On-Street Parking by Guildford Overview and Scrutiny Committee, as detailed in Annex 1, be approved.
- (ii) A monitoring report be submitted within 12 months to Guildford Joint Committee, providing an update on progression of the recommendations agreed in (i) above.

**REASONS FOR RECOMMENDATIONS:**

To reduce the pressure on residents' parking, provide a more equitable outcome for residents, and further improve the Borough's parking management.

## **1. INTRODUCTION AND BACKGROUND:**

- 1.1 Through a task and finish group investigation, Guildford OSC has reviewed on-street parking in the Borough. The conclusions and recommendations are set out within the OSC report attached as Annex 1. The OSC's eleven recommendations are shown below at 3.1.
- 1.2 This officer report is intended to provide a brief outline of the most salient points of the OSC review; a full understanding and appreciation of the Overview and Scrutiny Councillors' investigation and proposals is best obtained from reading their report.
- 1.3 The OSC task group membership comprised Councillors David Goodwin (Chair), Alex Chesterfield, Angela Gunning, Tony Philips, and Mike Piper.

### **Aims of the OSC review**

- 1.4 Guildford OSC wanted to tackle two key issues: how to improve on-street parking to provide a better overall facility for residents and how to improve enforcement to provide a greater deterrent. To help address these questions, the OSC laid out four broad areas for its task group to investigate:
  - Current pressures on residents' parking in Guildford town centre and elsewhere.
  - Permit eligibility, costs, hours of restriction, dual purpose bays, zone structure within the existing Controlled Parking Zone (CPZ), and parking service staffing levels. Also, residents' need for parking for visitors, carers, and trades people (including alternative options to the current scratch card permit scheme).
  - Enforcement action and how it can help improve the situation.
  - Potential improvements, including the benefits and disadvantages of each.
- 1.5 Guildford Borough Council conducts regular reviews of parking restrictions but these are acknowledged as mainly reactive and in response to requests. The approach of the OSC was for a holistic review of the way the current system works to see whether it can be improved.

### **Evidence gathered by the review**

- 1.6 The process and approach of the OSC's task and finish group to gathering information and evaluating evidence is described in section 3 of Annex 1. Many of the sources of information that underpin the OSC's recommendations are included in the appendices to the OSC report.
- 1.7 In summary, the OSC task and finish group collected much of its evidence at five formal meetings held between November 2017 and February 2018. This involved gathering written material on the current policy context and considering relevant legislation and guidance. In addition, the group utilised consultation results from on-street parking surveys and undertook a benchmarking exercise with other authorities to compare different parking management and enforcement approaches.
- 1.8 Other notable information gathering by the OSC task and finish group includes interviewing a Civil Enforcement Officer to obtain first-hand insights into current enforcement and possible improvements.

- 1.9 The OSC review received support from the former Parking Services Manager at Guildford Borough Council who attended all meetings of the task and finish group to help evaluate information and advise on options for action.

## **2. ANALYSIS:**

### **Overview and Scrutiny's findings and proposals**

- 2.1 Overview and Scrutiny's review identifies a number of issues with potential to impact on on-street parking management and enforcement in the Borough. Section 4 of the OSC report discusses the issues and proposals, organised under eight sections:
  - Sunday and evening parking controls
  - On-Street pay and display
  - Pressure on residents' permit parking
  - Saturday parking controls
  - Visitor permit parking
  - Enforcement
  - Permit fees
  - Outside the CPZ
- 2.2 The OSC report concludes that not all the issues merit a recommendation at this time. For example, a benchmarking exercise showed that permit charges were used elsewhere to incentivise Ultra Low Emission Vehicles and discourage high-emission vehicles; however, the OSC task and finish group was advised that resident permit charges were under review by Surrey County Council and likely to be increased.
- 2.3 The reasoning for each of the OSC's 11 proposals is explained in Section 4 of the report at Annex 1.
- 2.4 The OSC task and finish group adopted a high-level approach to formulate its proposals and eschewed operational detail. In developing its proposals, the group noted that if its recommendations are taken forward then statutory consultation would invariably be required (as part of the process of making or amending a Traffic Regulation Order (TRO)).
- 2.5 Should Guildford Joint Committee approve the recommendations put forward then a steer on prioritisation may be useful.
- 2.6 The OSC was mindful that there might be financial implications arising from the development of its proposals, but noted that a surplus exceeding £600,000 was forecast for the 2017-18 on-street parking account and an actual surplus of £594,889 had been delivered for 2016-17.

## **3. OPTIONS:**

- 3.1 The Joint Committee needs to decide whether to approve and progress the following action recommended by Guildford Overview and Scrutiny Committee.

**That in order to reduce the pressure on residents' parking, help ensure a more equitable outcome for residents, and further improve the Borough's parking management:**

- (1) parking controls in Areas A, B, D, and the northern section of Area C, be extended to operate 8.30am to 9pm, 7 days a week;
  - (2) free limited waiting shared use bays within Areas A, B, and the northern section of Area C, be changed to charged dual use bays;
  - (3) pay and display, including RingGo, be extended into the residential areas of the CPZ;
  - (4) the possible contribution of RingGo to the costs of extending the pay by phone signage through the CPZ be progressed;
  - (5) the limit on permits in Area D of the CPZ be increased, in the first instance by 5 per cent;
  - (6) on a case-by-case basis, the less well-used pay and display only bays be converted into dual use, that is to say, made available to permit holders;
  - (7) the limit on issuing adjacent permits for Area A be lowered and that Area A adjacent permits no longer be issued in relation to a second car;
  - (8) Area A permit holders be allowed to access Area E;
  - (9) Saturday parking controls in the northern section of Area J be removed;
  - (10) in addition to visitor permit scratch cards, RingGo or a similar pay by phone system be offered as an option for visitor parking; and
  - (11) to accompany the extended controls into evenings and Sundays, the annual household limit on visitor scratch cards be doubled.
- 3.2 The OSC considered options, including benefits and disadvantages, for dealing with a number of issues and further possibilities are discussed within the OSC report.
- 3.3 The Joint Committee could amend or reject the recommendations from Guildford OSC. However, many issues would remain unresolved or addressed in the current mainly reactive responses for parking requests.

#### **4. CONSULTATIONS:**

- 4.1 In developing its proposals, the OSC acknowledged that if the recommendations were taken forward then the statutory consultation process undertaken as part of any proposal for making or amending a Traffic regulation Order (TRO) would invariably apply.

- 4.2 The OSC task and finish group indicated that it expected review points to be established to assess and report the impact of the changes, including any unintended consequences.
- 4.3 In addition, the OSC report acknowledges that it is regrettable time constraints prevented sharing the OSC task and finish group's work with all relevant local Ward Councillors and Divisional Members for comment as planned.
- 4.4 The consultation response from Legal Services is below:
- 4.5 The Road Traffic Regulation Act 1984 and the statutory guidance both support a wide interpretation of Section 55 Road Traffic Act 1984. The statutory guidance for the Traffic Management Act 2004 applies.
- 4.6 Local Authorities who carry out parking enforcement should design their parking policies with particular regard to:
- managing the traffic network to ensure expeditious movement of traffic;
  - improving the local environment;
  - improving the quality and accessibility of public transport.

- 4.7 Income from on-street charging and any penalty charge payments received (whether for on street or off-street enforcement) must only be used in accordance with Section 55 (as amended) of the Road Traffic Regulation Act 1984.

4.8 **Road Traffic Regulation Act 1984**

**S55 (1)** *A local authority shall keep an account of their income and expenditure in respect of parking places designated for which they are the local authority and which are.....designated parking places.*

**S55 (2)** *At the end of each financial year any deficit in the account shall be made good out of the general fund and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.*

**S55 (3)** *If the local authority so determine, any amount not applied in any financial year, instead of being or remaining so appropriated, may be carried forward in the account kept under subsection (1) above to the next financial year.*

**S55(4)** *The purposes referred to in subsection (2) above are the following, that is to say—*

*(b) meeting all or any part of the cost of the provision and maintenance by the local authority of off-street parking accommodation, whether in the open or under cover;*

**S55 (d)** *if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—*

- (i) meeting costs incurred.....in the provision or operation of, or of facilities for, public passenger transport services; or
- (iv) ..... environmental improvement in the local authority's area; or
- (v) .....any other purposes for which the authority may lawfully incur expenditure

- 4.9 It is lawful for Guildford Borough Council to use the surplus funds in the account to fund the Borough's Park and Ride Schemes as well as costs associated with the other purposes set out in the legislation referred to above, as long as:
- raising revenue is not the sole objective of civil enforcement;
  - the Council does not set targets for revenue; and
  - the Council does not set targets for the number of Penalty Charge Notices they issue.
- 4.10 Guildford Borough Council's Parking Officers provide a response to the OSC proposals within the agenda item, 'Guildford On-Street Parking Review and Scoping Report'.

## **5. FINANCIAL IMPLICATIONS:**

- 5.1 There are no direct, immediate financial implications arising from this report at this stage. However, should the Guildford Joint Committee choose to accept the recommendations of the OSC then the proposals will be costed. Guildford Borough Council's Director of Finance and Section 151 Officer advises that a growth bid may be required for the Council's 2019-20 business planning process.

## **6. WIDER IMPLICATIONS:**

6.1

<b>Area assessed:</b>	<b>Direct Implications:</b>
Crime and Disorder	No significant implications
Equality and Diversity	Please see below
Localism (including community involvement and impact)	Please see below
Sustainability (including Climate Change and Carbon Emissions)	No significant implications
Corporate Parenting/Looked After Children	No significant implications
Safeguarding responsibilities for vulnerable children and adults	No significant implications
Public Health	No significant implications
Human Resource/Training and Development	Please see below

### **Equality and Diversity**

- 6.2 Local authorities have a statutory duty under section 149 of the Equality Act 2010 which provides that a public authority must, in exercise of its functions,

have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

- 6.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

**Localism**

- 6.4 The OSC recommendations will potentially affect all residents and road users in the areas where amendments are proposed. The TRO proposals will be publicised, local residents and businesses written to directly and any comments received given careful consideration.

**Human Resource**

- 6.5 There are no direct, immediate human resources implications arising from this report at this stage, although extending the hours of enforcement and achieving compliance is likely to increase the number of CEOs required.

**7. CONCLUSION AND RECOMMENDATIONS:**

- 7.1 The proposals from the OSC seek to improve on-street parking in the Borough to provide an improved facility for residents; to help ensure a more equitable outcome for residents. The findings and conclusions submitted for consideration by the Joint Committee are the result of an evidence-based, high-level approach to formulate and frame recommendations. Operational aspects or individual bays have not been the focus of a review that aimed intentionally to develop strategic proposals.
- 7.2 The OSC task and finish group was mindful that restrictions that benefit some residents could disadvantage others, including visitors and shoppers. Consequently, the OSC report suggests that the impact of the changes should be evaluated and reported in the annual parking report submitted to the Guildford Joint Committee.
- 7.3 Guildford Joint Committee is asked to agree that in order to reduce the pressure on residents' parking, help ensure a more equitable outcome for residents, and further improve the Borough's parking management:
- (i) Implementation of the recommendations of the review of On-Street Parking by Guildford Overview and Scrutiny Committee, as detailed in Annex 1, be approved.
  - (ii) A monitoring report be submitted within 12 months to Guildford Joint Committee, providing an update on progression of the recommendations agreed in (i) above.

## **8. WHAT HAPPENS NEXT:**

- 8.1 If the Committee agrees to progress the OSC recommendations, it is suggested that an update report be provided within 12 months to a subsequent meeting

**Contact Officer:**

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**Consulted:**

Guildford's Borough Council's Overview and Scrutiny Committee; Guildford Borough Council's Corporate Management Team and other relevant officers.

**Annexes:**

Annexe 1 – Review of On-Street Parking, Guildford Borough Council Overview and Scrutiny Committee, June 2018

**Background papers:**

None

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