

Overview and Scrutiny Committee

Update on Parking Provision

14 June 2011

Report of Head of Safer Communities, Urban and Rural Services

PURPOSE OF REPORT

To report progress against actions agreed at the Executive meeting on 10 January 2011 relating to parking with specific reference to ;

- (i) The balance and location of long stay/short stay parking in Banbury, Bicester and Kidlington
- (ii) The cost benefit analysis of alternative management arrangements for car parks, including 'Pay on Exit'.
- (iii) An initial review of the impact of the new Parking Order and plans for further evaluation.

To bring to the attention of the Committee the findings of the Bicester Chamber of Commerce and Bicester Vision traffic survey.

This report is public

Recommendations

The meeting is recommended to:

- (1) Note the contents of this report
- (2) Give thanks to Bicester Vision and Bicester Chamber of Commerce for providing the information obtained through the traffic survey and advise them on the outcome of the Committee's discussions
- (3) Advise the Executive:
 - (i) That the current arrangements for pay and display parking across the District should remain in place, at least in the medium term.
 - (ii) The findings set out in this report on provision of parking places are taken into account in the review of parking programmed for later in the year.
 - (iii) Of any actions it would like the Executive to consider in the review of parking planned for later this year arising from its discussions on the traffic survey.

Details

Executive Summary

- 1.1 Changes were made to parking arrangements across the District in April 2011 following a period of consultation between January and March 2011. This followed a detailed Scrutiny review of fees and charges and of Parking Policy that had taken place as part of the 2011/12 budget process. The Executive's decision on these matters was 'Called-In' but subsequently approved at the Executive meeting on 10 January 2011.
- 1.2 The changes that were implemented in April 2011 affected all car parks managed by the Council. However, not all car parks were affected in the same way and a summary of the changes is set out at Appendix 1.
- 1.3 In approving these changes, the Executive requested that further work be undertaken into:
 - (i) The balance and location of long stay/short stay parking in Banbury, Bicester and Kidlington
 - (ii) The wider economic impact of Parking Policy on the Districts urban centres
 - (iii) The cost benefit of alternative management arrangements for car parks, including 'Pay on Exit'.
- 1.4 At the 8 March 2011 Scrutiny meeting, the Committee agreed that the review should be conducted in two stages and confirmed that officers should bring a detailed report to the June meeting which would address points (i) and (iii) above, but that a decision on whether or not to proceed with a wider economic impact of parking on the District's urban centres be deferred until after the discussions at the June meeting.
- 1.5 Scrutiny Committee asked that the report be supported by statistical and financial information on parking and, the background information provided to the call-in on car parking and should also include consideration of motorbikes and disabled parking requirements.
- 1.6 In addition, Bicester members of the Committee suggested that the findings of the Bicester Chamber of Commerce traffic survey should be brought to the meeting for the Committee's consideration. A copy of the survey report has been circulated to the Committee.
- 1.7 For completeness, this report also brings members up to date with the decision not to progress the introduction of paid for parking at Kidlington, Watts Way car park which was a matter that Scrutiny Committee spent a significant amount of time debating as part of the Parking Policy work.

Background

Current Parking Provision

- 2.1 The existing Council car parking facilities are summarised in Appendix 2. Pay and display parking is provided in Banbury and Bicester. Kidlington parking remains free.
- 2.2 In Banbury there are a range of privately provided parking facilities that include Chiltern Rail for station parking, NCP, Castle Quay and Vinci (previously Meteor). The Council has parking management agreements with some of these providers, but this report does not go into detail on these.
- 2.3 There are no privately operated public parking facilities in Bicester town centre at the moment although the town centre redevelopment will see closure of Crown and Crown Walk and a new Sainsbury's multi storey car park as part of the development. The station has paid for parking facilities and Bicester Village and Tesco's have large areas of free parking.
- 2.4 A number of small car parks are currently provided in Kidlington including Co-Op and Exeter Close. These provide free parking.
- 2.5 A summary of car park charges and comparators where available is set out at Appendix 3.

Kidlington- Watts Way (Curtis Place) Car Park

- 2.6 Members will recall this car park is covered by a restrictive covenant. Following discussions with the beneficiaries of the covenant, a decision not to proceed with introducing pay and display parking at this time was taken in April 2011 and is set out in the Portfolio Holder report at Appendix 4.
- 2.7 As part of the High Street Pedestrianisation works it is considered that additional designated disabled parking spaces should be included in the car park and this can be implemented if and when that scheme is approved. It is proposed to increase the existing seven spaces by a further two.

Bicester Parking

- 2.8 In anticipation of the changes to Bicester town centre as a consequence of the Sainsbury's development and Market Square improvements, a detailed review of the balance of long stay and short stay parking was undertaken last year. This was presented in a report to the Executive on 24 May 2010 and finalised and approved through a Portfolio holder report in August 2010. A copy of this report has been circulated.
- 2.9 In summary, the changes were aimed at adjusting parking provision consequent of the closure of Crown and Crown Walk and then

Franklins Yard, moving long stay parking to an extended Cattle Market and re designating those remaining car parks closest to main shopping areas as short stay. The maximum period of stay was also increased from 2 hour to 3 hours in short stay car parks (bringing them in line with Banbury) and all the measures set out below on blue badge parking also implemented.

- 2.10 Timing of the changes was programmed to take place in line with the intended town centre project programme, and legal Orders were advertised ready for this. Unfortunately the Compulsory Purchase Order (CPO) process on the town centre works has delayed that project but it was felt appropriate to continue with the parking changes on original programme, especially in view of the legal process completed and because it gave an opportunity for car park users to get used to new arrangements before the main works disruption started.
- 2.11 The new Sainsbury's multi storey car park will provide some 600 spaces and these will be short stay as set out in the Section 106 Agreement. Charges also have to be in line with the Council's. The new car park will also increase the designated blue badge parking- which will be chargeable. Management arrangements will be 'pay on exit'.
- 2.12 In the short term, the closure of Crown and Crown Walk will displace cars particularly to Claremont and Franklins and will result in a loss of 20 designated disabled parking bays. Arrangements are being considered to replace some, but not all, of these spaces in Franklins Yard, Claremont and Market Square car parks but, with the loss of general parking spaces and the migration of some blue badge parking to on- street (as a consequence of the introduction of blue badge holder charges), it is not felt appropriate to re-provide on a like for like basis. Final provision also needs to take into account the temporary relocation of the Shopmobility service.
- 2.13 It is not felt appropriate to undertake any further changes to long stay/short stay parking in Bicester at this time, but this should be kept under review and reconsidered once the Sainsbury's development has opened and parking and visitor patterns can be reassessed.

Banbury Parking

- 2.14 As discussed at paragraph 2.2 above, Banbury has a mixed economy of parking provision. The situation prior to April this year was that evening car parking was limited as most of the privately managed car parks closed after 7pm. The majority of evening parking being though the Council's free parking after 6pm (4pm on Sundays and Bank holidays).
- 2.15 Significant changes have also taken place in Banbury in the last 12-18 months as a consequence of the opening of the new Spiceball Leisure Centre car park (operated by Parkwood) and the changes in Market Place and North Bar East as part of the Parson Street pedestrianisation

scheme.

- 2.16 Additional designated blue badge parking has been provided in Market Place and North Bar.
- 2.17 In the medium term there are also further plans that will have an impact on car parking as part of the Bolton Road redevelopment. This is some way off but parking in this area is being considered as part of that Project.
- 2.18 In addition, the temporary arrangements that were introduced on Spiceball Park Road and provide some 80 spaces have had an impact on parking patterns. This car park has been well used, particularly by sports centre users in the evening.
- 2.19 Because of these issues, and because parking supply appears to be sufficient to cope with current demand, it is not recommended that any changes to the balance of long stay short stay be undertaken at this time. This situation might well be different on final determination on use of the Spiceball area, and on progress with the Bolton Road development. Future Parking Policy may also be influenced by any decisions to reconsider the deferral of a Banbury Residents Parking Scheme and Civil Parking Enforcement.

Blue Badge and Motorcycle Parking

- 2.20 The table at Appendix 2 shows the current provision for blue badge and motorcycle parking.
- 2.21 Motorcycle parking is free in designated bays. Motorcycles can park in general parking bays but then need to pay and display.
- 2.22 Blue badge holders can use both designated bays (on display of their blue badge) and general parking bays. In April this year charges for blue badge holders were introduced for the first time. A number of concessions were also included in this change to the Council's Parking Policy including: one hour free after the initial paid for period; maximum stay extended by 1 hour in ultra and short stay car parks; discounts on season tickets; free access to the pay by phone service.
- 2.23 Blue badge holders can also park free of charge in designated on-street parking bays and on yellow lines provided they are not causing an obstruction. In liaison with the police (who are responsible for enforcement of on-street traffic offences) the changes that were implemented in April do not appear to have led to any significant highway issues, but there have been one or two public calls for residents parking to be reconsidered in Banbury due to increase in displacement in an evening.

Pay on Exit Management Arrangements

- 2.24 A number of privately operated car parks in Banbury operate the 'Pay on Exit' system (although it should be noted that the NCP car park on

Marlborough Road has in the last year or so changed from 'Pay on Exit' to pay and display and the new operators of the Bolton Road Multi storey are in process of changing from Pay on Exit to pay and display).

- 2.25 'Pay on Exit' management arrangements require barrier controlled entrance and exit. Car parks also need to be enclosed so motorists have to use the controlled entrance/exit. Barrier control would not work on car parks that are along the highway, for example Victoria Road in Bicester and South/North Bar in Banbury. It needs also to be noted that with barrier parking, a member of staff would have to be on call 24 hours a day to deal with barrier malfunction. This would incur additional cost as it is not an issue with pay and display.
- 2.26 All the existing pay on exit car parks in Banbury have on site staff and so the thinking that a change from pay and display would enable staff numbers to be cut is not correct. Indeed it is possible that the existing team of 9 wardens that cover the 3 urban centres 7 days a week would have to be increased if the Council chose to introduce a mixed economy for its parking services.
- 2.27 Pay stations for pay on exit tend to be much larger than ticket machines and therefore could use space currently used as parking bays leading to a loss of revenue. As council car parks are all open air and operate 24 hours there is a higher risk of damage/vandalism to control equipment. Pay on exit systems are more suited to multi storey car parks which are designed for this purpose and locked at night.
- 2.28 The pay and display located on the highway would continue to require mobile enforcement and it would then need (usually a staffing complement of 2) staff on site at each pay on exit car park to be on hand to deal with any barrier faults and pay station issues. Whilst the barrier is out of action a member of staff would need to be constantly on site to collect monies.
- 2.29 Logistics: Pay on exit can cause queues within the car park for cars waiting to pay on exit. There could also be queuing on entry as drivers wait for a vacant parking space. This could result in traffic backing up on the highway and causing congestion and health and safety issues. This problem can be seen on Spiceball Park Road with the Castle Quay deck level barrier operated car park.
- 2.30 An initial assessment has been undertaken as to suitability for 'Pay on Exit' and this has identified the following car parks are enclosed and could be suitable:

Banbury: Calthorpe Street (East and West), The Mill, Chamberlaine Court, Riverside, Spiceball North, Windsor Street, Compton Road.

Bicester: Claremont, Cattle Market.

In addition, with boundary enclosure work the following may also be suitable (indicative costs for boundary treatment identified):

Market Place- £10,000-£20,000

Franklins Yard - £5,000-£7,000 - but car park is scheduled to close

2.31 An initial assessment of capital costs (in addition to any enclosure works) has also been undertaken with the need for barrier controls and pay stations/ticket machines as well as communication link to the Parking Office being required:

- Barriers - Estimate at £5,000 per car park for the equipment with unknown costs of civil engineering works
- Pay Stations/Ticket machines - Estimate at £12,000-£15,000 per pay station
- Communications link - Estimate of £1,000-£2,000 per car park with unknown costs of civil engineering works
- Total estimated cost range per car park £18,000-£24,000.

2.32 An estimated budget costing for Pay on Exit for all the car parks identified in paragraph 2.31 above would be in the range of £249,000 to £339,000.

2.33 The 2011/12 income budget for parking is £3,026,000 split between pay and display income of £2,475,000 and £451,000 from Excess Charge Notices (ECN's). A change to pay on exit might help to generate additional paid for parking income but this would need to be balanced against the loss of revenue generated from ECN's.

2.34 A full business case would need to be prepared should members wish for this option to be explored further. It should be noted that 'Pay on Exit' parking would need to have an enforcement resource available to manage the car park and there would continue to be a staffing and enforcement requirement in those car parks that remained as Pay and Display. Consequently, the savings from reduction in enforcement staff that were perhaps envisaged are unlikely.

2.35 Anecdotally, the general public seem to prefer pay on exit as it removes the risk of fines for overstay, but it should also be noted that the hourly parking costs in Pay on Exit car parks can often incur a premium of up to 20% compared to Pay and Display parking rates.

Green Transport

2.36 One additional area that members may wish to consider in any future investment in its car parks is the provision of electrical recharge points for electric cars and new pay and display machines that can offer different payment arrangements.

Residents Parking and Civil Parking Enforcement (CPE)

2.37 It is also important to have regard for CPE and residents parking (particularly in Banbury) as pressure on residential streets increases as traffic on our roads continues to grow and parking policy displaces

drivers further out from town centre to find free on street parking.

Conclusion

- 3.1 The current level of parking provision is considered to be appropriate, but needs to be kept under review in light of the significant infrastructure developments in Bicester and with development proposals planned in Banbury.
- 3.2 There are no plans to further review the current free parking in Kidlington at this time.
- 3.3 Blue badge parking in Banbury is also felt to be adequate. A number of changes were made in Banbury as part of the Parson Street improvements and this increased the levels of provision in Market Place and North Bar. A number of concessions have been included in the new paid for parking arrangements and these are considered to be a sensitive response to this difficult change. Some changes will be required in Bicester as a consequence of the closure of Crown and Crown Walk later in the year and additional designated bays can be considered for Watts Way, Kidlington as part of the pedestrianisation project.
- 3.4 No additional provision for motorcycles is considered necessary.
- 3.5 On the initial assessment "Pay on Exit" is not considered appropriate at this time due to the capital cost of change, the potential drop in revenue and the unlikelihood of reducing staffing costs. A full business case would need to be prepared to understand the viability of the option.
- 3.6 Green transport measure should be considered at the appropriate time when investment is being made in car parks.
- 3.7 Civil Parking Enforcement should be looked at again once the new management structures are in place with South Northants Council, who are already operating this regime.

Implications

Financial: The financial implications are as set out in the report. Any proposed changes to the parking order would need to be fully appraised and considered against 2011/12 budget.

Comments checked by Karen Curtin, Head of Finance, 01295 221551.

Legal: There are no direct legal implications associated with this report. Any changes to parking arrangements would need to be contained in a new parking order

and follow the consultation procedures and timescales set out in the legislation.

Comments checked by Nigel Bell, Team Leader –
Planning and Litigation/Interim Monitoring Officer
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Wards Affected

All

Corporate Plan Themes

District of Opportunity

Executive Portfolio

Councillor George Reynolds
Deputy Leader

Document Information

Appendix No	Title
Appendix 1	Summary of Parking measures implemented on 4 April 2011
Appendix 2	Existing Council Parking facilities
Appendix 3	Comparison of car parking charges
Appendix 4	Portfolioholder report- Curtis Place Car Park Covenant
Background Papers	
Resources and Performance Scrutiny Board Agendas 12 October 2010, 23 November 2010, 30 November 2010 Agenda 6 December 2010 Executive Agenda Overview and Scrutiny Committee 5 January 2011 Agenda Executive 10 January 2011 The Cherwell District Council (Off-street Parking Places) (Banbury, Bicester, Kidlington) Order 2011 Portfolioholder report on Bicester Parking - August 2010	
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Appendix 1

Summary of parking measures implemented on 4 April 2011

1. to increase parking charges at all car parks in Banbury and Bicester by 10p per hour (Banbury from 70p to 80p per hour, Bicester from 60p to 70p per hour and all other hourly charges by a 10p multiple per hour);
2. to introduce parking charges for disabled drivers holding a blue badge in line with standard hourly rates, but with one additional hour free of charge, at all car parks in Banbury and Bicester (excluding the drop off/pick up bay at Bridge Street, Banbury);
3. to introduce evening charges from 6.00 pm to 12 midnight at all car parks in Banbury and Bicester, at a flat rate of 80p (Banbury) and 70p (Bicester);
4. to increase Excess Charge Notice levels at all car parks in Banbury, Bicester and Kidlington by £10 for each contravention, with a premium charge of £100 being introduced for failure to pay within 28 days;
5. to increase the parking charges and charging hours applicable to Sunday and all bank and public holidays (other than Christmas Day, Boxing Day, New Year's Day, Good Friday and Easter Sunday when no charges apply) to those applicable to Monday – Saturday at all car parks in Banbury and Bicester;
6. to revise the maximum period of stay permitted at each car park in Bicester
7. to consolidate existing regulations relating to all car parks in Banbury, Bicester and Kidlington, presently contained in numerous Orders, into a new single Order.

Appendix 2 Existing Council Car Parking Facilities

Location	Car Bays	Disabled	M/Cycle	Doctors	Total
Banbury					
Ultra Short Stay 1hr					
Market Place	40	7	0	0	47
Bridge Street (15mins)	4	3	0	0	7
Short Stay 3 hrs					
Horsefair West	36	2	0	0	38
Calthorpe Street Extension	31	3	0	0	34
Calthorpe Street East	17	3	0	0	20
South Bar Short Stay	27	2	0	0	29
North Bar East	33	7	1	0	41
Chamberlaine Court	52	0	0	3	55
The Mill	33	6	0	0	39
Long Stay 24 hrs					
Calthorpe Street west	78	0	1	0	79
Windsor Street	116	0	0	0	116
South Bar Long Stay	91	0	0	0	91
North Bar West	31	0	0	0	31
Compton Road	80	0	0	0	80
Riverside	44	2	0	0	46
Spiceball North	70	0	2	0	72
Spiceball Park Road (Temp)	80	0	0	0	80
Compton Road Coach Park	10 Coach Bays	0	0	0	10
Bicester					
Ultra Short Stay 1 hr					
Market Square***	33	2			35
Short Stay 3hrs					
Victoria Road	28				28
Franklins Yard**	83		2		85
Crown *	189	10			199
Crown walk*	60	10			70
Claremont	163	9			172
Chapel Brook	20				20
Long Stay 24 hrs					
Chapel Street****	14				14
Cattle Market	270	8			278
Kidlington					
Short Stay 3 hrs	85	7	2		94
Long Stay 24 hrs	60				

*due to close late 2011 for town centre redevelopment

** due to close for Civic building. Date not known but post 2013

*** changes proposed should Market Square development go ahead

****due to close 2011.

Note: Blue badge holders allowed to stay one hour above max stay limit.

Appendix 3

Car Parking Fees and Charges-Comparison

Location	0-30mins	1hr	2hr	3hr	4hr	Daily	Evening (6pm-midnight)	Excess Charge A	Discount <14 days	Excess Charge B	Discount <14 days	Payment >28 days	Notes
Banbury													
Council Car Parks													
Ultra Short Stay 1hr													
Market Place	£0.80	£1.20	n/a	n/a	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	Closed on market days
Bridge Street (15mins)	£0.30	n/a	n/a	n/a	n/a	n/a	n/a	£60.00	£50.00	£80.00	n/a	£100.00	
Short Stay 3 hrs													
Horsefair West	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Calthorpe Street Extension	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Calthorpe Street East	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
South Bar Short Stay	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
North Bar East	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Chamberlaine Court	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
The Mill	n/a	£0.80	£1.60	£2.20	n/a	n/a	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Long Stay 24 hrs													
Calthorpe Street West	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Windsor Street	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
South Bar Long Stay	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
North Bar West	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Compton Road	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Riverside	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	

Location	0-30mins	1hr	2hr	3hr	4hr	Daily	Evening (6pm-midnight)	Excess Charge A	Discount <14 days	Excess Charge B	Discount <14 days	Payment >28 days	Notes
Spiceball North	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	
Spiceball Park Road	n/a	£0.80	£1.60	£2.20	£2.80	£3.50	£0.80	£60.00	£50.00	£80.00	n/a	£100.00	Temporary
Private Car Parks													
Castle Quay (08.00-20.00)	£1.00	£1.00	£1.70	£2.20	£2.80	£6.50	£1.00-£1.70	n/a	n/a	n/a	n/a	n/a	£1.50 all day Sun/Bank Hols / pay on exit
Marlborough Road NCP(24hr/7days)	n/a	n/a	£2.50	n/a	n/a	£3.00	£2.50-£3.00	£100.00	£50.00	£100.00	£50.00		
Cherwell Centre NCP(08:00-22:00 Mon-Sat 09:30-17:00 Sun)	£3.50	£3.50	£5.50	n/a	n/a	£6.60	£3.50-£5.50	n/a	n/a	n/a	n/a	n/a	£60 charge for misuse / pay on exit
Vinci Multi Storey Bolton Rd (07.30-18.30)	£0.80	£0.80	£1.60	£2.00	£2.60	£3.50	£0.80	n/a	n/a	n/a	n/a	n/a	Closed Sunday / pay on exit
Vinci Banbury Train Station (24hrs)	n/a	n/a	n/a	n/a	n/a	£6.50	£6.50	yes	?	yes	?		Off peak rate of £4.50 apply after 10am Mon to Sat, Sun and Bank Holidays.
Retail Outlets - e.g. Sainsbury's, Tesco etc	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	All car parks free of charge for customer use only at retail outlets
Bicester													
Council Car Parks													
Ultra Short Stay 1hr													
Market Square***	£0.70	£1.20	n/a	n/a	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	changes proposed should Market Square development go ahead

Location	0-30mins	1hr	2hr	3hr	4hr	Daily	Evening (6pm-midnight)	Excess Charge A	Discount <14 days	Excess Charge B	Discount <14 days	Payment >28 days	Notes
Short Stay 3hrs													
Victoria Road	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	
Franklins Yard**	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	due to close for Civic building. Date not known but post 2013
Crown	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	due to close late 2011 for town centre redevelopment
Crown Walk	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	due to close late 2011 for town centre redevelopment
Claremont	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	
Chapel Brook	n/a	£0.70	£1.40	£2.00	n/a	n/a	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	
Long Stay 24 hrs													
Chapel Street****	n/a	£0.70	£1.40	£2.00	£2.60	£3.00	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	due to close 2011
Cattle Market	n/a	£0.70	£1.40	£2.00	£2.60	£3.00	£0.70	£60.00	£50.00	£80.00	n/a	£100.00	
Private Car Parks	none	none	none	none	none	none	none	none	none	none	none	none	All car parks are for customer use only at retail outlets
Kidlington													
Curtis Place	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Short Stay 3 hrs and Long Stay 24hrs
Private Car Parks	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	All car parks are for customer use only at retail outlets

Appendix 4

Portfolio Holder Report for Community Safety, Street Scene and Rural Services

Curtis Place Car Park Covenant

Report of Head of Safer Communities, Urban and Rural Services

PURPOSE OF REPORT

To secure decision on:

1. Whether to progress further negotiations with Eames in connection with the covenant restrictions on Curtis Place car park, Kidlington, to enable introduction of paid for parking or to determine that no further work be undertaken.

This report is public
Reason Non-Key
No effect on Policy or budget.

Recommendations

The Portfolio Holder is recommended to :

- (4) Note the outcomes of correspondence with Eames in connection with releasing the covenant restriction.
- (5) Determine that no further work be undertaken on alternative management arrangements for parking at Curtis Place at this time.

Executive Summary

Introduction

- 1.8 Following the 6 December 2010 Executive, Officers were asked to investigate the lifting of the covenant on Curtis Place car park to enable consideration of paid for parking.

- 1.9 Material in implementing paid for parking at Curtis Place (should the covenant restriction be negotiated away), are the wider implications of parking in the village centre. These issues would need to be explored thoroughly with relevant parties to be certain that the financial affects planned from paid for parking were indeed realistic and there was no material adverse affects.
- 1.10 Prior to any detailed implications being considered, negotiations with the beneficiaries of the covenant, Eames, would need to be concluded. They have indicated they see no benefit from the covenant being lifted but may be interested in purchasing some or all of the public car park. No further discussions have taken place pending member views.

Proposals

- 1.11 That no further investigation of alternative management arrangements for parking at Curtis Place, Kidlington takes place at this time.

Conclusion

- 1.12 The wider implications from introducing paid for parking at Curtis Place, Kidlington, in particular displacement into other free publically available parking or to residential streets; and the reluctance by Eames to lift the covenant rule out this opportunity at the current time.

Background Information

- 2.38 As part of the MTFs (Medium Term Financial Strategy) Building Block work undertaken in August last year, officers were tasked with identifying potential opportunities for increasing income. Along with the range of parking proposals that are being implemented on 4 April 2011, the option to investigate paid for parking on Curtis Place, Kidlington was included.
- 2.39 The early assessment at that stage (August 2010) was that, whilst sections of the car park are covered by a restrictive covenant, there may be opportunities to explore lifting this to allow introduction of paid for parking and, using the charging arrangement that were at that time in force at Bicester, there could be potential for income up to £120,000 per year, with set up costs of around £18,000. The Building Block also made reference to the need to consider wider village centre parking provision in any consideration of this proposal for Kidlington.
- 2.40 During the early MTFs discussions a number of Building Blocks were identified as confidential, consequently no consultation was undertaken with Kidlington Parish Council or other potential consultees at that stage.
- 2.41 The car park is mainly comprised within three separate legal titles-the Council's property terrier and numbered 629, 631 and 4230. There is provision for both long stay and short stay parking, and enforcement is

undertaken on a 'light touch' basis, to enforce length of stay and parking within bays.

The Covenant

2.42 The covenant on the car park area in the title deeds 629 and 631 states:

“To construct and complete in ... [a proper and workmanlike] ... manner a free public car parking area and public convenience on that part of the property first hereinbefore described which does not form the site of the said new road and thereafter at all times to use or cause the same to be used for that purpose and for no other purpose whatsoever and at its own expense to maintain the same in a proper state of repair and condition PROVIDED that the Purchaser or its successors in title shall not be required to permit public car parking free of charge under the foregoing covenant if at any time the car parking area shall be placed under the supervision of a paid attendant or if any building designed for use as a public car park shall be erected thereon in which event a reasonable charge only may be made”.

2.43 The expressed purpose of the covenant was to benefit and protect the adjoining shopping precinct.

Scrutiny and Call-In

2.44 Along with the other parking proposals, the Resources and Performance Scrutiny Board undertook a review of this proposal. At their meeting on 23 November 2010 the Head of Safer Communities, Urban and Rural Services reported that the covenant issue had been discussed with the Head of Legal and Democratic Services and the Head of Regeneration and Estates but that the position of the owner (Eames Estates) was not yet known.

2.45 The Board agreed the following recommendations be submitted to the 6 December Executive:

- That officers be requested to make initial approach to the owner of Watts Way car park to explore the position with the covenant and to understand the legal costs that any negotiations may entail.
- That any consideration of charging proposals be deferred pending the outcomes the outcomes of the above and be reviewed as part of the 2012/13 budget process
- That officers be requested to explore the possibility of selling the Watts Way car park.

Wider Implications

2.46 In considering the introduction of paid for parking at Curtis Place (should covenant restrictions be lifted), members need to be mindful of potential consequential effects:

- There are a number of other publically accessible car parks in Kidlington that are free to park. It is likely that displacement from Curtis Place into these areas would occur. It would be sensible to consider, and discuss with the

operators of these facilities, the overall policy on parking in the village centre.

- Without enforcement on the streets around the village centre, there is every likely hood of displacement into these areas and consequent resident dissatisfaction and highway safety fears. There are currently no plans for this Council to take on Civil Parking Enforcement and the police see enforcement on street parking contraventions as a low priority.
- The Council, along with Kidlington Parish Council are promoting High Street pedestrianisation. It is possible that this project could be adversely affected should paid for parking be implemented in Curtis Place.

Eames Response

- 2.47 In response to the Head of Safer Communities, Urban and Rural Services' initial enquiry to Eames, a letter was received back from their Agent which concluded that "Having considered the matter very carefully at a recent (Board) meeting, Eames does not feel inclined to entertain lifting or modification of the covenant..."
- 2.48 This did not reject out of hand a negotiation to seek lifting of the covenant so further correspondence was entered into at the beginning of March which included some broad principles around how paid for parking might be implemented. It also included the alternative for Eames to consider purchasing the car park from the Council.
- 2.49 Eames response on 10 March stated: "...the Board meeting yesterday discussed your proposals at length. Regrettably Eames can see no benefit to lifting the covenant to themselves, their tenants or customers. They might be interested in considering a purchase of part of or all the public car park".

Key Issues for Consideration/Reasons for Decision and Options

- 3.8 Whether to undertake further work on the introduction of paid for parking or other management arrangements in light of the covenant position Eames has taken; and because of the wider implications and displacement activity that is likely to take place.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- | | |
|-------------------|---|
| Option One | Continue to negotiate release of the covenant.
Not recommended. |
| Option Two | Not to undertake any further negotiations in relation to Curtis place car park at this time.
Recommended |

Consultations

Eames		As set out in this report
Kidlington Council	Parish	Whilst not formally consulted in light of initial confidentiality, Kidlington Parish Council are not in favour of paid for parking. They have expressed concern for the effects on the prosperity of the village centre and the implications for the pedestrianisation scheme.

Implications

Financial:	<p>The initial Building Block identified additional income up to £120,000 and set up costs of c £18,000. Income projections were based on the charging Policy then in operation at Bicester, and that the covenant could be lifted.</p> <p>The income projections are based on charging levels that could not realistically be sustained at Kidlington in light of the other free parking that is available in the village centre</p> <p>Comments checked by Denise Taylor, Service Accountant 01295 221982</p>
Risk Management:	<p>The recommendations in effect leave the status quo with no consequent additional risks.</p> <p>Comments checked by Claire Taylor, Corporate Strategy and Performance Manager 01295 221563</p>
Other	<p>The pedestrianisation project that the Council is currently working on with Kidlington Parish Council could be adversely affected should paid for parking be considered further.</p> <p>Comments checked by Chris Rothwell, Head of Safer communities, Urban and Rural Services 01295 221712</p>

Wards Affected

All Kidlington

Corporate Plan Themes

Accessible, Value for Money Council

Executive Portfolio

Councillor Nigel Morris
Portfolio Holder for Community safety, Street Scene and Rural

Document Information

Appendix No	Title
Background Papers	

Medium Term Financial Strategy Building Block 45 Resources and Performance Scrutiny Board Agendas 12 October 2010, 23 November 2010, 30 November 2010, Agenda 6 December 2010 Executive Agenda 21 December 2010 Call-In. Minutes of Call-In 21 December 2010	
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