

Consideration of objections – Bristol Street Car Park

Cabinet

Date: 10th July 2019

Author: Cabinet Member for Highways and the Environment
Corporate Director of Communities and Housing

Wards: Central

Parishes Affected: Central Swindon South

1. Purpose and Reasons

- 1.1 To advise Cabinet of the objections received in response to the Public Notice advertising the amendment to the Borough of Swindon (Fee paying off-street parking places) Consolidation Order 2003 by adding a new car park at Bristol Street.
- 1.2 Such objections are dealt with through the Cabinet Member Decision Note process. As part of that process Ward Members and Opposition spokespersons are consulted on the proposed recommendations and have the option to request the matter is referred to Cabinet.
- 1.3 Having been referred to Cabinet by one of the Ward Members and an Opposition Spokesperson Cabinet is asked to consider the objections to the advertised amendment to the Order.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the objections received in respect of the advertised Public Notice (dated 1 March 2019) to add Bristol Street Car Park as a town centre, long stay, pay on foot car park, subject to the same tariff as other town centre, long stay car parks. (A copy of the advertised Public Notice is included as Appendix A and a copy of the summary of objections is included as Appendix B).
- 2.2 To authorise the Corporate Director of Communities and Housing to implement the Order as advertised subject to amending the tariff on Sundays to provide free parking in line with other town centre long stay car parks.
- 2.3 To authorise the Corporate Director of Communities and Housing to notify the objectors of the Cabinet decision on this matter.

3. Detail

Background

- 3.1 A 320 space public car park has operated on former railway works land at Bristol Street for many years. Although owned by Network Rail operations it was sub contracted to specialist car park operators. The car park was operated as long stay parking, aimed at town centre commuters. Although a longer walk from

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major town centre employment sites than other Council operated long stay car parks it proved popular with commuters, being full most weekdays, as the tariff was significantly lower than equivalent long stay car parks operated by the Council or by Great Western Railway. Charges were £1 for up to 2 hours, £2 for 2 to 4 hours and £3.50 for up to 24 hours.

- 3.2 The Council has now entered into a “land swap” agreement with Network Rail as a result of development plans around former railway buildings on Bristol Street. As a result the Council became the owner of the car park from 1 May 2018. The Council will continue to operate the land as a public fee paying car park. However the intention is to bring the tariff in line with the charges that apply in other long stay car parks in the town centre. This will see a significant increase in charges for existing users. The tariff will be –

Up to 1 hour – £1.20

1 to 2 hours – £2.40

2 to 3 hours - £3.60

3 to 4 hours - £4.80

4 to 6 hours - £7.60

6 to 24 hours - £8.80

- 3.3 A special rate will apply at weekends in order to encourage use by visitors to the Outlet Village and the Steam Museum as a way of reducing congestion around the car parks on Rodbourne Road and Kemble Drive. The special tariff is £1 for up to 5 hours, £12 for 5 to 12 hours and £25 for 12 hours and over. This is aimed to be particularly attractive for shoppers and visitors to the museum and discourage use of spaces for longer term parking.

Consultation

- 3.4 On 1 March 2019 the Council issued a Public Notice advertising the amendment to the Borough of Swindon (Fee paying off-street parking places) Consolidation Order 2003 by adding a new car park at Bristol Street subject to the same tariff as other town centre, long stay car parks, (A copy of the advertised Public Notice is included as Appendix A).
- 3.5 In accordance with the Local Authorities Traffic Orders Procedure (England and Wales) Regulations 1996 the public notice was advertised in the local press, published on the Council website and copies were posted at Bristol Street Car Park.

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- 3.6 Objections or representations in respect of the proposals could be made to the Council until 21 March 2019. Any objections received by the Council would need to be considered before the proposals could be implemented.

Objections

- 3.7 Six objections have been received from existing users of the car park. Their objections can be summarised as follows;
- 3.7.1 New tariff represents too great an increase compared to previous tariff.
- 3.7.2 It should not be classed as a town centre car park as it is not in the centre.
- 3.7.3 Will have an adverse economic impact on current users.
- 3.7.4 Will hit commuters and rail users hard.

A summary of the objections raised are included in Appendix B.

- 3.8 As well as the objections received through the formal process as a result of the Public Notice the Council has also received a number of complaints by phone and e-mail from existing users regarding the new tariff proposed for Bristol Street car park.
- 3.9 In response to the objections raised consideration was given to each point and the following comments can be made:
- 3.9.1 It is fair to have a common tariff across all long stay car parks.
- 3.9.2 The Council cannot set the tariff of a new car park based on the previous landowners decisions. The Council does not have access to their economic model or to the details of their motivations, commercial or otherwise, for setting such a low tariff for all-day commuter parking.
- 3.9.3 Swindon Council car parks remain good value for all-day commuters compared to those operated in other towns and cities.
- 3.9.4 There are significant budget pressures on the Council and income generating assets such as car parks are required to make a significant contribution to supporting wider Council highways and transport services.
- 3.9.5 It is uneconomic to operate the car park at the previous tariff as there are on-going costs related to maintenance, security, lighting and business rates which must be met from the income generated.

Opposition spokespersons/Ward Members

- 3.10 Objections are dealt with through the Cabinet Member Decision Note process. As part of that process Ward Members and Opposition spokespersons are consulted

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on the proposed recommendations and have the option to request the matter is referred to Cabinet.

3.11 Councillor Allsopp (Labour Group Opposition Spokesperson) responded as follows –

3.12 “I do have significant reservations about the proposed uplift in fees for the above car park in the light of the comments received to date. In particular the scope for more pressure on parking in the area adjacent to the rail station. I already get anecdotal examples of people parking in Old Walcot, jumping on their fold up cycles to the rail station. I suggest this will become more the case with the uplift in fees. I note that the changes have been brought forward for economic reasons I would ask what modelling has been done to sustain the case that the increase in fees will be matched by the suggested increase in income. I am more than happy with the proposed weekend arrangements. In the light of the issues raised above I would request that the issue be decided by Cabinet.”

3.13 Councillor Bob Wright (Ward Member) responded as follows -

“This car park has not been used primarily for shopping but for work parking. This use supports the local economy and takes pressure off street parking. It has not been seen as Town centre provision until described this way in this decision note. I agree with the objections. I support a cheap weekend rate for other users. This proposal seems to contradict the idea that it is okay to lower charges at the weekend for Outlet shoppers but not in the week for Town centre? Low charge should be used to benefit all the economy and not give advantage to just one benefactor. Request Report be referred to Cabinet - Yes.”

3.14 Following receipt of these comments it is proposed that in order to match the current tariff of long stay car parks in the town centre there should be free parking on Sundays and that the proposal should be amended accordingly.

4. Alternative Options

4.1 There is an option to add the car park to the Order but to continue with the existing tariff. This option was considered and rejected on the grounds that the previous tariff was too low to be economic for the Council to operate and was out of line with other long stay charges in other car parks. The fact that the car park was full each week day suggested that the tariff was generating excess demand because of its low level.

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5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The cost of the legal process and associated costs for car park signing have been met from within the existing car park budget.
- 5.2 Failure to implement the proposed tariff will have a negative impact on potential revenue from this car park and its contribution to council income for 2019/20.
- 5.3 The income budget for this car park for 2019/20 has been set at £130,000 and this is based on information from the previous operator on occupancy levels and the previous tariff.

Legal and Human Rights Implications

- 5.4 Legal and Human Rights legislation have been considered in the preparation of this report and it is considered to be compatible with convention rights. In accordance with the principle of proportionality, any interference with the convention rights of individuals is justified by the overall benefit to the community.
- 5.5 In accordance with the Local Authorities Traffic Orders Procedure (England and Wales) Regulations 1996 the Council is required to consult through a Public Notice any proposed amendment to the Borough of Swindon (Fee paying off-street parking places) Consolidation Order 2003.
- 5.6 When objections are received they are dealt with through the Cabinet Member Decision Note process. As part of that process Ward Members and Opposition spokespersons are consulted on the proposed recommendations and have the option to request the matter is referred to Cabinet.
- 5.7 Having been referred to Cabinet by one of the Ward Members and an Opposition Spokesperson Cabinet is asked to consider the objections to the advertised amendment to the Order.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.8 No other direct implications have been identified.

Diversity Impact Assessment

- 5.9 A Diversity Impact Assessment has been completed in relation to these proposals and is available from the report author. It identified that Council management of this car park will have a positive impact on “blue badge” holders who will now be able to park in this car park without charge.

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Risk Management

- 5.10 There is a risk to the Council's financial budget in not being able to agree the tariff for this new car park.

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Chief Legal Officer are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix A – Public Notice
8.2 Appendix B – Summary of objections

9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme for July 2019.