

Decision maker:	Cabinet member transport and roads
Decision date:	9 August 2017
Title of report:	Hereford City Centre Improvements - On Street Parking - Hereford City Centre Order 2016
Report by:	Assistant director environment and place

Classification

Open

Key decision

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.

Wards affected

Central

Purpose

To consider and decide upon objections to the proposals within the Hereford City Centre Order 2016 and to authorise completion of the Hereford City Centre Order 2016 as amended.

Recommendation(s)

THAT:

- (a) **To approve the introduction of Pay & Display parking restrictions 8am to 6pm, Monday to Saturday in place of the Limited Waiting general parking places within the area of the On-Street Parking Scheme (OSP): Aubrey Street, Bridge Street, Broad Street, Gaol Street, Harrison Street, King Street, St. John Street and St. Owen's Street in accordance with the Order advertised with the following changes:**
- **To standardise the maximum stay period for general parking places at 1 hour, within the area of the OSP (see paragraph above), as opposed to the 2 hour maximum stay advertised.**
 - **To approve tariffs of £0.50 for stays up to 30 minutes and £1.00 for stays up to 1 hour and to withdraw the £2.50 tariff for stays up to 2 hours (if a 1 hour maximum stay is approved).**
 - **To approve the proposed 30 minute Limited Waiting except Permit Holders and Permit Holder only parking restriction changes in Castle Street, the proposed 30 minute Limited Waiting except Permit Holders**

parking restriction changes in St Ethelbert Street and the 1 Hour Limited Waiting except Permit Holders parking restriction changes in Cantilupe Street, to operate from 8.00am to 6.30pm, Monday to Saturday, as advertised and to approve an amendment to the proposals advertised, which would allow the discretionary issue of 2 Hour Limited Waiting permits to businesses within the zone.

- **To withdraw the proposals to change goods vehicle loading to loading bays for use by any vehicle.**
 - **To withdraw the proposed reinstatement of the no waiting restrictions outside the Castle House Hotel.**
- (b) To approve the variation of the current contracts for Metric Group Ltd, Cobalt Telephone Technologies and 3C payment UK Ltd. in respect of providing off street parking machines and their payment methods, to include any proposed additional on street machines.**
- (c) To approve an exemption to paragraph 16.4 of the council's contract procedure rules for the reasons set out in paragraph 12 the report below.**

Alternative options

- 1 To make the order unamended but this would not reflect consultation feedback and stakeholder engagement.
- 2 Not to make the order. Withdrawing the OSP scheme would not meet the Council's transport policy objectives to reduce traffic growth in the city centre, to reduce congestion and to promote sustainable transport modes.

Reasons for recommendations

- 3 The OSP scheme provides the basis for the council to progress its transport policy objectives to help mitigate traffic growth in the city centre, congestion and promote sustainable travel.

Key considerations

- 4 As part of the Hereford city centre improvements approved by cabinet at its meeting on 21 July 2016, a Traffic Regulation Order was promoted to enable the introduction of on-street parking charges within the city centre. The statutory public consultation for this order commenced on 24 November 2016 and ended on 6th January 2017. The advertised proposal followed the 2015/16 High Town consultation, in which the council outlined proposals for a scheme of on-street parking charges based on feedback from an earlier consultation in March 2014.
- 5 113 representations were received in response to the consultation. Of these representations 99 were objections, 4 were supportive and 10 involved other matters (e.g. requests for additional restrictions).
- 6 Respondents have highlighted the availability of on-street parking as a key customer attraction to the historic city centre. Their preference is that longer duration parking is restricted to the off-street car parks. The proposed amended maximum stay and no return period is in response to this feedback would also be less confusing for visitors and assist enforcement.

- 7 The proposed tariffs are intended to help encourage the use of off-street car parks and to reduce circulating traffic in search of available parking.
- 8 The decision not to change goods vehicle loading bays to bays for use by any vehicle is in response to Hereford Bid Improvement District (HBID) feedback which highlighted that the conditions applying to the use of loading bays could be open to misunderstanding, which could lead to visitors being subject to unexpected penalty charges for misuse.
- 9 The proposals for Castle Street, St Ethelbert and Cantilupe Street will remove the attraction of 2 hour free parking. Traffic and parking should then be generated by frontage holders rather than for visits to St Owen's Street and the city centre. The permit parking in Castle Street is intended to balance the parking needs of frontage holders and visitors.
- 10 The short section of kerbside with stone sets outside the Castle House Hotel may continue to be used for a range of purposes, without restriction. The provision of a 2 Hour Limited Waiting business permit, within this zone will help reduce the impact of the loss of 2 hour parking for businesses located within the zone.
- 11 A contract was awarded to Metric Group Ltd. In December 2015 for the procurement of 55 pay and display machines and associated maintenance agreements for 4 years following the 12 month warranty period. The value of this contract was £171K. It is proposed to extend this contract by £58.8K by way of a contract variation to cover the procurement of the additional machines required for OSP. This represents a 34% increase in the original contract value.
- 12 A contract was awarded to Cobalt Telephone Technologies Ltd. (Ringo) in May 2015 for the provision of payment by telephone. The contract was awarded for 5 years and is valued at £125K for this period (£25K per annum). It is proposed to extend this contract by £10.8K to allow for payment by phone provision for OSP. This represents a 9% increase in the original contract value.
- 13 A contract was awarded to 3C payment UK Ltd. to act as a Payment Service Provider (PSP) for card payments in June 2016. This contract was awarded for 3 years and is valued at £44.7K, which is above the £31.2K originally forecasted due to the popularity of this payment method with members of the public. It is proposed to extend this contract by increasing the number of terminals and therefore transactions, the contract will be extended by an additional £1.7K to allow for the PSP provision for OSP card payments. This represents a 43% increase to the originally approved contract value.
- 14 A contract was awarded to SIX payment services to act as a merchant acquiring bank in June 2016. This contract was awarded for 3 years and is valued at £37.5K, which is above the £28.2K originally forecast due to the popularity of this payment method with members of the public. It is proposed to extend this contract by an additional £6K to allow for the merchant acquiring bank provision for OSP card payments. This represents a 54% increase to the originally approved contract value.
- 15 An exemption to paragraph 16.4 of the council's contract procedure rules is required to enable a contract to be extended with SIX Payment Services to cover the expected demand for on street card payments. This is due to the market for this service being limited to only this provider who can support our current hardware provided by Metric Group Ltd. This will also ensure that customers have a consistent machine and payment interface across the city promoting ease of use.

Summary of Representations

- 16 In total 113 representations were received in response to the consultation. Of these

Further information on the subject of this report is available from
Mairead Lane, Head of Infrastructure Delivery on Tel (01432) 260944

representations 99 were objections, 4 were supportive and 10 involved other matters (e.g. requests for additional restrictions). These representations are shown in full at Appendices 5-7, with a summary of the objections raised at Appendix 4.

17 Of the representations received 72 were primarily related to Pay & Display, 18 Permit Parking and 23 General or Other matters. 5 of these representations were from local associations or institutions, 14 from businesses or service providers and 94 were from individuals.

18 A summary follows of key objections themes with a response setting out any changes as a result:

Objections to On Street Charging

19 From the representations made by individuals to the principle of paying for on street parking

53 highlighted reasons related to the economy of Hereford as the reason for their objection setting out that loss of business could result.

23 set out reasons relating to traffic and transport saying that existing restrictions are effective, measures are not appropriate to manage traffic and that there is no viable alternative to car use.

27 responses objected to the proposals for reasons relating to social or personal finance circumstances citing the impact on the elderly and vulnerable which could lead to social isolation.

4 respondents referred to environment in their objection to the proposals such as visual intrusion of the meters in the historic centre.

Response to these Objections

20 Whilst these objections are noted the introduction of the on-street parking charges in the city centre will:

- Provide an incentive to use more appropriate off-road parking places.
- Reduce congestion and circulating traffic within city centre streets.
- Encourage road users to consider other more sustainable travel options.
- Encourage people to consider making fewer trips with longer stays (to make the most their travel time).

21 In addition when designating paying parking places on the highway, the Road Traffic Regulation Act 1984 states that the authority concerned shall consider the free movement of traffic, maintaining access to properties and the availability of off-street parking. Guidance also indicates that when setting on and off-street parking charges, authorities should consider lower charges off-street than on-street. In Hereford the current arrangement of free on-street city centre parking conflicts with this principle.

22 Furthermore whilst the impact of any additional household costs is not desirable the tariffs proposed have been set to an appropriate level for short terms parking stays on the street whilst ensuring people who are coming to the city for longer stays use the more appropriate off street car parks

23 Though many businesses and HBID have requested a free initial parking period, this is not recommended as it may encourage higher levels of trips with shorter stays, together with the potential for drivers to park in different places on the same trip to avoid payment, rather than walking between attractions.

- 24 Concerns were raised by businesses and HBID over the cost and inconvenience for employees/customers who have to make multiple visits to premises in the course of a day has been highlighted. The Council and HBID will work together on identifying the appropriate season tickets, technology and price points, that will meet the needs of most businesses, whilst allowing for cost-effective administration and enforcement.
- 25 Concern were also raised about potential impact on a range of community services provided by charities, faith organisations and other providers. The Council will consider options to help support essential community and social services, within the off-street car parks.
- 26 Occupancy surveys will be undertaken of all the on-street parking places and public car parks, prior to and post implementation and as part of a regular monitoring programme.

Objections to 2 Hour Maximum Stay

- 27 There were 4 respondents and HBID who highlighted that extending the current provision from 1 Hour Limited Waiting (or 30 minutes in Broad Street and St Owen's Street) to 2 Hours maximum stay would reduce turnover and availability of parking, reducing footfall. There were also related views that car parks can meet this demand. Nine respondents however highlighted that parking charges, maximum stay and / or no return periods reduced the number of visitors to the city centre and the length of their stays.

Response to these objections:

- 28 Whilst a narrow majority of respondents favoured a maximum stay of 2 hours, there are concerns from HBID and other respondents as to whether this will reduce the turnover and availability of parking. There is particular concern for Broad Street and St Owen Street given the extent of the step change from the current 30 minute Limited Waiting period.
- 29 Therefore the maximum stay will be standardised at 1 hour for the OSP area. Occupancy and availability of parking places will be monitored post implementation to establish whether there is capacity for extended stays and what tariff may then be appropriate to retain an incentive to use off-street car parks.

Objections to Hours of operation

- 30 There were three representations that the restriction period should not commence until after the school run (e.g. 9am) to reduce the displacement of parent parking for Cathedral School from St Owen's Street. A further representation that the restriction period should not extend beyond 5pm, otherwise this would impact on visitors to the Cathedral (e.g. for Evensong).

Response to these objections:

- 31 The hours of operation are intended to cover both the peak morning and evening traffic periods to ensure effective traffic management throughout the entire day.

Objections to Goods Vehicle Loading Bays / Loading Bays

- 32 There were concerns raised by 2 respondents and HBID that opening goods vehicle loading bays to all vehicles would cause confusion and issues, as people may not understand the conditions of use. It did not therefore provide a satisfactory option for general picking up and dropping off requirements.

Response to these objections

- 33 Given the concerns raised it is not appropriate to progress this proposal at this time. It is therefore recommended that these proposals are withdrawn.

Objections to proposals for Castle Street, Cantilupe Street and St Ethelbert Road

- 34 There were 27 representations related to the Permit holder only and reduced Limited Waiting (except permit holders) proposals for the Castle Street, Cantilupe Street and St Ethelbert Scheme permit scheme which are outlined below:

- Create safety/congestion issues by reducing ability of parents to pick-up young children or cause double parking as drivers wait for a space to avoid unaffordable charges (9 respondents).
- There is no viable travel alternative for most children attending Cathedral School (5 respondents).
- Permit Holder only and 30 minute Limited Waiting in Castle Street/St Ethelbert Street will increase traffic movements and will reduce custom for businesses and service providers in these roads (7 respondents).
- Extend the restrictions in Castle Street to include Sunday (5 respondents).
- Loss of 2 hour parking in Castle Street will reduce custom for businesses in the historic centre and displace vehicles into neighbouring roads (3 respondents).
- Why do these roads retain free parking and why are permits not available for all residents in the historic centre (1 respondent) and charges for resident parking, is just another revenue raising measure (1 respondent).
- Make Cantilupe Street a Permit holder only area (1 respondent).

- 35 It was highlighted that a short length of kerbside outside the Castle House Hotel was primarily used by its customers or suppliers and should be dedicated for this purpose and there was a request that there should also be a provision for permits for wider use by customers.

Response to these objections

- 36 The proposals for Castle Street and St Ethelbert are required to address over-parking in these streets.. A significant contributor to this is the attraction of 2 hour free parking that encourages parking for attractions in the wider city centre. If the OSP scheme is approved this situation would be exacerbated. It is intended that the proposed mix of Permit Holder only and 30 minute limited waiting will mitigate this. The provision for Permit Holder only parking is intended to further balance the needs of residents and visitors. As there are concerns over how the pattern of traffic and parking may be affected by these changes, traffic count and speed surveys will be undertaken prior and monitored post implementation (if the OSP scheme is approved) in Castle Street and St Ethelbert Street.
- 37 As Cantilupe Street has a lower density of properties, a 1 hour limited waiting (except Permit Holders) is still recommended, to help reduce displacement from the OSP area. Given the concerns that there may be an increase in parking demand as a result of the Pay & Display proposals, a parking occupancy survey will be undertaken prior and monitored post implementation (if the OSP scheme is approved) to confirm that obstructive parking is not occurring.
- 38 20mph repeater signs or surface roundels can be marked on the carriageway of St Ethelbert and Castle Street to help highlight to drivers the importance of slower speeds on roads with a high number of vulnerable pedestrians.

- 39 Given that the kerbside with stone road surfacing is used by the Castle House Hotel for loading and other purposes it is recommended that the proposal to reinstate a no waiting restriction is withdrawn. Any alternative proposal should however await a period of experience with the new restrictions (if approved), as the current arrangement may continue to be appropriate. Whilst the Council may not be able to fully mitigate the loss of customer parking with the reduction or removal of the 2 hour Limited Waiting in these roads, the provision of Business Permits could be considered.
- 40 The Pay & Display proposals in the OSP area were not extended to cover Sunday, as traffic management was not viewed to be as necessary.
- 41 Whilst road safety is a concern for all roads within the city, the specific references within the Statement of Reasons for avoiding danger to persons, specifically relates to the proposal to extend the no waiting at any time restrictions on Gaol Street at the junction with Union Street.

Other Matters Raised

Dedicated Free Parking Spaces

- 42 The Haven requested the provision of two parking spaces for free use by their breast cancer clients for whom they provide highly valued support services. Whilst it is appreciated that The Haven and potentially other charitable or community service providers make a very important contribution spaces cannot be dedicated for any specific charity in the public highway. There may however be scope for providing options in off-street car parks or future on-street options for season tickets and this will be reviewed following implementation.

Proposals without objections

- 43 The following matters were raised for consideration and did not form part of stated objections to the OSP scheme.

Bus Parking Places

- 44 There were no objections to the proposed redefinition of coach to bus parking places.

Waiting Restrictions

- 45 There were no objections to the following waiting restriction proposals:
- To extend the no waiting at any time restrictions in Gaol Street, at the junction with Union Street to 10m.
 - To introduce a no waiting 8am – 8pm restriction in Berrington Street, east side, from 21m south of West Street for 18m near, to Gala Bingo.

Disabled Parking Places

- 46 There were no objections to the following waiting restriction proposals:
- To amend the hours of operation for the existing disabled parking bay in Broad Street, west side, between West Street and High Street to 4.30pm – 1.30pm (currently 4.30pm – 10.30am).
 - To amend the disabled parking bay in Gaol Street by providing two 6.6m long bays in place of the existing three substandard length bays.

Otherwise the entitlement for Blue Badge holders to park without restriction in Pay &

Display bays is the same as for general Limited Waiting parking places.

Traffic Order integration

- 47 There were no objections to the integration, standardisation of exemptions and alignment proposals, as advertised.

Requests for additional No Waiting at Any Time Restrictions

- 48 The following requests for additional restrictions are outside the scope of this consultation and decision making process and have been referred for further investigation and prospective proposals under the Resident's Parking project:

- No waiting at any time parking restrictions in the vicinity of The Embankment, Gaol Street
- No waiting at any time parking restrictions in the vicinity of 81 to 86 East Street
- No waiting at any time parking restrictions in Gwynne Street

- 49 Given the above the orders as advertised will be amended in response to feedback summarised above prior to making.

Community impact

- 50 The outline plans for the introduction of the on-street parking charges were included within the High Town consultation in 2015/16. The proposals were modified to reflect a balance of community and transport policy views and were agreed in principle by Herefordshire Council Cabinet on 21st July, subject to due process. The introduction of OSP will reduce congestion and circulating traffic in city centre streets and thereby improve the quality of the city centre environment. Promoting more sustainable travel modes will improve the quality of life for residents and active travel will improve public health.

Equality duty

- 51 The relevance of these proposals are assessed to be low and the impact as neutral as stated in the Equality Impacts and Needs Assessment at Appendix 3 of this report. Whilst there are financial impacts on visitors to the city centre, it is not evident that they significantly affect any particular age, ethnic or gender group.

Financial Implications

- 52 The budget for delivering the Hereford city centre on-street parking charging scheme is £270,000 and is contained within the BBLP public realm annual plan funded from local transport plan grant funding.

- 53 The cost of extending the Metric contract to procure additional machines for the On Street parking project is included in the cost above.

- 54 The cost of extending the Cobalt Telephone Technologies Ltd (Ringo) contract to allow for payment by phone for On Street parking is cost neutral to the Council as it is an end-user cost.

- 55 The cost of extending the 3C payment UK Ltd and SIX contracts will be funded from income generated by the scheme.

- 56 Income from the introduction of charges is anticipated to be in the region of £200k per annum.
- 57 The financial provisions applying to on-street Pay & Display parking are stipulated in s55 of the Road Traffic Regulation Act 1984. Any deficit has to be met from the general fund and any surplus reassigned to defined areas of expenditure (e.g. off-street parking, public transport or highway expenditure).

Risk Management

- 58 The Council will take the following steps through the implementation and monitoring of the project to manage risk, as part of the wider programme of Hereford City Centre improvements:
- Pre/Post implementation occupancy surveys will be undertaken to monitor any changes in the pattern of parking within the OSP area on-street and off-street
 - Pre/Post traffic speed and count surveys will be undertaken in Castle Street and St Ethelbert Street to assess any implications for road safety
 - To monitor traffic patterns and trends on the A49/A438
 - Following competitive tenders in 2015 of off-street car parks, to continue working with existing suppliers of the Council to provide, operate and maintain the on-street meters and payment processing.
 - To continue to work with Hereford BID team on the Hereford City Centre improvement programme to help maintain and develop the city as an attractive location for business and visitors
 - To help mitigate any displacement of parking into neighbouring residential areas, through the Resident's Parking project around the city centre.
 - To manage the implementation phase of the scheme to minimise any loss of on-street parking or impact on local businesses and visitors
 - To undertake a programme of communications to advise city centre residents, businesses and visitors of the implementation timetable and to help guide them through the changes

Legal Implications

- 59 The council as the local highway authority has the power to make Traffic Orders under the provisions of the Road Traffic Regulation Act 1984, as amended. The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provides the regulatory procedure for proposing and introducing Traffic Orders.
- 60 The council has the discretion to modify the proposals, including withdrawing parts of the order or deferring a decision on the introduction of parts of the order. If the modifications appear to the Council to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.
- 61 The term "substantial" is not defined and therefore in those circumstances it rests to be determined based on the everyday use of the word. The Oxford English Dictionary defines substantial to mean "Of considerable importance style or worth" or "concerning the essentials of something". Ultimately it is a matter of judgment that needs to be exercised by the council subject to not acting irrationally or unreasonably.

- 62 Further legal advice regarding the four modifications recommended has been sought to assist the Council in deciding whether or not these modifications considered are substantial.
- 63 The advice provided regarding reducing the proposed maximum stay period for the pay and display bays from 2 hours to 1 hour (and the withdrawal of the associated charge), deferring a decision on the use the loading bays and the withdrawal of the reinstatement of the no waiting restriction outside the Castle House Hotel, is that in their reasoned view these would not be considered substantial changes as the impact of the changes are minimal.
- 64 The advice provided regarding the recommendation to include provision for business permits for use in Castle Street, Cantilupe Street and St Ethelbert Street, is that this modification could potentially be substantial and consideration should be given to the impact the change would have on the users of the bay.
- 65 On the basis that the issue of permits would be limited and only available to business in the immediate area in an effort to mitigate the impact of the reduced limited waiting period, there would not be a change to the pattern of parking which pre-existed the proposals and as such the change is not substantial.

Consultees

- 66 The public consultation for the Hereford Centre Order opened on 24th November 2016 and ended on 6th January 2017. The advertised proposal followed the 2015/16 High Town Consultation, in which the Council outlined proposals for a scheme of on-street parking charges based on feedback from an earlier consultation in March 2014. The proposals were developed in accordance with Transport Policy objectives to help reduce traffic growth and congestion in the city centre. The amended traffic regulation order (TRO) maps and public notice are shown at Appendices 1 & 2.
- 67 As part of the communication of the proposals by the Council, 875 letters were sent to residents and businesses. Public notices were posted on street, in the Hereford Times and on the Herefordshire Council web pages. Also the proposals were sent to the following consultees: local members, police, fire and rescue authority, ambulance, road haulage association, freight transport association, taxis association, chamber of commerce, city council, HC markets and fairs, HC parking services, HC waste collection, HBID, and Hereford Civic Society.
- 68 The views of Members and Group Leaders have been sought on this report and no comments have been received.

Appendices

Appendix 1A – TRO plan of revised proposed restriction changes in the City Centre (west)

Appendix 1B – TRO Plan of revised proposed restriction changes in the City Centre (east)

Appendix 2 – Public Notice

Appendix 3 – Equality Impacts and Needs Assessment

Appendix 4 – Summary of Objections

Appendix 5 – Objections from Associations and Institutions

Appendix 6 – Objections from Businesses and Service Providers

Appendix 7 – Objections from Individuals

Background papers

- None identified