

Decision maker:	Cabinet Member – Transport and Regulatory Services
Decision date:	Wednesday 20 June 2018
Title of report:	On Street Parking – Hereford City Centre Order 2018
Report by:	Head of infrastructure delivery

Classification

Open

Decision type

Non-key

Wards affected

Central

Purpose and summary

To consider and decide upon objections to Council proposals to amend the operation of On-Street Parking (OSP) in Hereford City Centre to allow a maximum stay period of 2 hours (with a £3.00 tariff), together with an extension of the scheme to include St Ethelbert Street and a number of parking places in Castle Street, with a standardised operating period. Also to consider and decide upon objections to a new Zone 2 identifier for the Castle Street, St Ethelbert Street and Cantilupe Street permit parking scheme.

To authorise the making and implementation of the On Street Parking – Hereford City Centre Order 2018, as decided upon.

Recommendation(s)

That:

- (a) **the making and implementation of The County of Herefordshire District Council (Hereford City Centre) (Amendment 2) Order 2018, as advertised be authorised introducing the following changes to the operation of on-street parking in Hereford City Centre:**

- to extend the maximum stay period for the pay and display parking bays to 2 hours, with an extended tariff structure (up to 30 mins - 50p, up to 1 hour - £1 and up to 2 hours - £3)
 - to extend Pay & Display parking to include St Ethelbert Street and selected parking places in Castle Street, with a standardised operating period of 8am to 6pm, Monday to Saturday, with a continued exemption for permit holders (see plan at Appendix 2)
 - to introduce a Zone 2 identifier for the Castle Street, Cantilupe Street, St Ethelbert
 - to include a provision for the council at its discretion to suspend on-street charging for special events
- (b) A variation of the current contract with Metric Group Ltd in respect of providing an additional 4 pay and display machines for Castle Street and St Ethelbert Street be approved at a cost of no more than £14.1k.

Alternative options

- 1 Not to proceed with the increase in maximum stay to 2 hours for pay & display parking on street across the OSP or more specifically in the Castle Street/St Ethelbert Street. These proposals were however welcomed by HBID on behalf of the business community and supported by many customers. Any variation in stay for the Castle Street District would also conflict with the principle of standard restrictions and tariffs across the OSP.
- 2 Not to introduce pay & display parking in Castle Street/St Ethelbert Street, though this would conflict with the requests for longer duration visitor parking in locality by local businesses and service providers.
- 3 Not to introduce a proportionate tariff of £2, as requested by a number of objectors. This would not however be in line with guidance advising authorities to introduce higher tariffs for on-street parking to encourage the use of off-street parking.

Key considerations

4. The introduction of 30 minute waiting in Castle Street and St Ethelbert Street has also resulted in concerns being expressed regarding the impact of the changes on businesses in the area. This appears to be due to the constraints of the limited waiting period of 30 minutes and permit holder only parking.
5. On 8th March 2018 the Cabinet member transport and regulatory services authorised the proposing of a Traffic Order to amend the operation of On-Street Parking (OSP) in Hereford City Centre to allow a maximum stay period of 2 hours (with an extended tariff structure) and an extension of the scheme to include St Ethelbert Street and a number of parking places in Castle Street (with a standardised operating period).
6. The Hereford City Centre Order 2017 came into force on the 6 November 2017. Whilst the introduction of changes has been broadly accepted there were concerns from businesses both direct and via the BID team that the absence of a 2 hour on-street parking stay option was making Hereford less attractive as a destination by limiting the scope of visits.

7. The introduction of 30 minute waiting in Castle Street and St Ethelbert Street has also resulted in concerns being expressed regarding the impact of the changes on businesses in the area. This appears to be due to the constraints of the limited waiting period of 30 minutes and permit holder only parking. On 8th March 2018 the Cabinet member transport and regulatory services authorised the proposing of a Traffic Order to amend the operation of On-Street Parking (OSP) in Hereford City Centre to allow a maximum stay period of 2 hours (with an extended tariff structure) and an extension of the scheme to include St Ethelbert Street and a number of parking places in Castle Street (with a standardised operating period).
8. On the 5 April 2018 the Notice of Proposal was published in the local press and on the council's website, giving 21 days for comments and objections to be made. Further copies of the Notice were displayed in the affected streets and copies of all the relevant documents were deposited in the council offices at Plough Lane.
9. Feedback received from the BID team, Independent Quarter businesses, Castle House Hotel, the Cathedral and Cathedral School has strongly identified that a 30 minute maximum stay is insufficient to meet the needs of their visitors and customers. This feedback has indicated that a 2 hour maximum stay is preferred and that if necessary, the use of pay and display charges be extended to these streets to control the usage. Whilst it is important to ensure residents are not disadvantaged by any changes, monitoring has indicated that there is sufficient capacity within these streets.
10. In order to take account of feedback received and the monitoring undertaken the introduction of Pay & Display in parking places in Castle Street and St Ethelbert Street was proposed to provide a facility for 2 hour parking to support businesses in the locality. This would allow a moderate increase in parking and traffic, without reverting to the excess demand that preceded OSP. It was proposed to retain two permit holder only parking places (containing up to 15 vehicles) and an exemption for permit holders on all bays, to allow residents a continued priority. It is considered that such an approach would provide a suitable balance between the requirements for residents and those of business.
11. The current contract, awarded to Metric Group Ltd, for the supply of on and off street parking machines is valued at £230k. The contract was extended to include an additional 16 on street machines in November 2017. This proposal (4 new machines) would extend this contract again by £14.1k. In total both extensions represent a 43% increase from the original contract value which is within the scope of the contractual procedure rules.
12. All other services and associated costs for these proposals for payment for parking by phone and card are within scope and accounted for with separate contracts.

Consultation Responses

13. A total of 43 responses were received to the public consultation.
14. A summary of the main issues raised along with a response are detailed below. Full copies of all the responses received are available in appendix 4.

Extended Tariff - £3.00 charge for 2 hour stay

Summary of issue

15. A total of 16 respondents raised objections over the proposed charge of £3.00 for a 2 hour stay.
16. The main points raised by the respondents regarding this issue are summarised below:
 - The charge is disproportionately high compared to the current charge of £1.00 for 1 Hour and should not be higher than for an equivalent stay in an off-street car park. As a consequence it will not attract longer duration stays, and will discourage visits and custom for local businesses and will reduce the revenue raised from parking.
 - Parking in the city centre is not a luxury for some, the elderly and less mobile need to park close to their destination, in particular the pharmacies and doctors surgeries.

Response

17. Promoting longer duration stays on-street in the historic centre by offering reduced or proportional charges would attract visitors now using car parks, adding to circulating traffic. Any associated reduction in the turnover of parking could also impact on the availability of parking which could impact on “drive-by” trade.
18. The proposed tariff structure will offer a facility for visitors to extend their stays in the historic centre, whilst retaining the financial attraction of using off-street car parks.
19. A number of respondents have highlighted that the council needs to be able to be more responsive to the issues related to excessive demand or excessive availability of on-street parking. The current proposed £3.00 charge is in keeping with the current policy and guidance that on-street parking charges should be higher than off-street charges.
20. Blue badge holders can park in the Pay & Displays bays without any charge or restriction. There are also additional disabled parking facilities provided across the historic centre which generally allow for stays of up to 3 hours, also without charge.
21. The operation of the OSP area will continue to be monitored.

Requests for short term parking period

Summary of issue

22. Although a free parking period was not included within the proposals, requests for a free parking period varying from 15 minutes or 30 minutes or free parking per se was raised by 17 respondents including HBID.
23. The main points raised by the respondents are summarised below:
 - A free period of parking would be a valuable facility for both businesses and their customers, especially those who only want to make short visits, e.g. picking up a prescription or doing ‘click and collect’ shopping, and cannot afford the parking charge or do not want to pay to park for a short period of time.
 - Business owners having legitimate business servicing their premises are denied the ability to stop and drop off goods or people.

Response

24. There is significant concern that introducing a free parking period would conflict with the current policy of reducing traffic movements and reverse the current trend of visitors favouring longer stays, within the pay and display bays.
25. A free parking period might encourage shorter stays and more trips and circulating traffic in an effort to avoid a parking charge.
26. A number of respondents have highlighted the importance in the current economy of being able to provide a "Click and Collect" or pick-up / drop-off facility. This facility is already provided by the existing no waiting restrictions which allow for vehicles to wait for the purpose of loading and unloading providing it is continuous, timely and undertaken in the vicinity of the premises. There are also dedicated loading bays provided in King Street and West Street, together with Goods Vehicle loading bays in Broad Street, Gaol Street, St. Peter's Square (now proposed to be a Loading Bay), Union Street and West Street. It is also intended to consider the provision of additional loading facilities in the upcoming St Owen Street cycle scheme consultation
27. The option is available for businesses to consider any incentives that may be appropriate to reward custom by discounting or refunding parking charges.

Introduction of Pay and Display parking in Castle Street & St. Ethelbert Street

28. A total of 19 respondents raised objections over the introduction of pay and display parking in Castle Street and St. Ethelbert Street.
29. These responses were primarily split between local residents and those connected with Hereford Cathedral School.

Local Residents

Summary of issue

30. 9 responses were received from residents of Castle Street and St. Ethelbert Street objecting to the introduction of pay and display parking.
31. The main points raised by the respondents are summarised below:
 - The changes made to Castle Street as part of the original on-street parking scheme transformed the Street into a peaceful, non-polluted traffic free area which the residents all enjoy. The lack of permit holder only spaces will make it difficult for residents to park in their own street. The current proposals would reverse these positive effects and only reflect the needs of local businesses and traders.
 - The needs of local business are adequately served by the inner city car parks, many of which are cheaper to park in than the proposed tariffs for on-street parking. Little evidence has been produced showing that the removal of the 2 hours limited waiting parking spaces in Castle Street had any bearing on the reported downturn in footfall in the city.
 - Castle Street is a conservation area, with listed buildings and should not be blighted with inappropriately placed and ugly parking meters.

Response

32. The primary objective of the November 2017 changes in Castle Street and St Ethelbert Street was to address issues with circulating traffic and over parking. It was also expected that frontage holders would attract sufficient demand to make full use of the available parking.
33. After 6 months operation it is evident that there is now surplus parking available and the 30 minute limited waiting period is not meeting the needs for visitors to Hereford Cathedral, the Cathedral School, Castle House Hotel and other service providers. There are also understandable concerns from Church Street and other local businesses that there has been a significant and coincidental drop in footfall, since the new restrictions were introduced.
34. The intention of the current proposals is to amend the parking restrictions to provide facilities for the wider community as well as the local residents. This is public highway and it is appropriate to encourage utilisation of this community asset, whilst seeking to avoid the excess traffic and parking that predated OSP.
35. Permit holders will be able to park in the pay and display bays without limit or charge, and a number of bays have been retained as 'permit holders only' to help ensure parking is available for residents.
36. One of the main causes of the pre-OSP issues in Castle Street and St Ethelbert Street was that these streets offered the only 2 hour free parking in the city centre. Under the new proposals parking will now be charged and provide no additional benefit over other streets in the OSP. With a premium charge there is no reason why this should attract parking that has recently migrated to off-street car parks or nearer to attractions in other streets that have a similar parking provision.
37. It is recognised that the location of meters would need to be sensitively considered, but that would not preclude their installation.

Cathedral School

Summary of issues

38. 10 responses were received in connection with the Hereford Cathedral School and Hereford Cathedral Junior School objecting to the introduction of pay and display parking in Castle Street and St. Ethelbert Street.
39. The main points raised by the respondents are summarised below:
 - It is unfair to penalise parents who are saving the Council large sums of money by sending their children to a private school, to pay for parking to drop off and collect their children from school. There is not another school in the county where parents have to pay for parking in order to drop off and collect children from school.
 - There is limited school bus availability with the result that most parents have no choice but to drive their children to school in the morning and collect them by car at the end of the school day. Children in the Pre-Prep department need to be escorted to the entrance at the rear of the school so it is not an option to stop on Castle Street and allow these children to make their own way into school - parents need the ability to park nearby and safely escort their children into school.

- Parents should be allowed a 15 min window regardless of timings to drop off and collect their children without any need for parking charges.

Response

40. As highlighted above the intention of the current proposals is to amend the parking restrictions to provide facilities for the wider community. This is public highway and it is appropriate for the Council to encourage utilisation of this community asset, whilst seeking to avoid the excess traffic and parking.
41. The school's travel plan should provide guidance to parents on appropriate arrangements for picking up and dropping off children. Alternative options are available in the locality, for example Cantilupe Street and Mill Street.
42. Providing a period of free parking would likely reintroduce many of the issues resolved by OSP, by attracting visitors now using alternative options, adding to vehicle movements and circulating traffic.

Introduction of Zone 2 identifier

Summary of issues

43. A total of 5 respondents raised objections over the proposed introduction of a Zone 2 identifier for the Castle Street, Cantilupe Street and St. Ethelbert Street permit zone.
44. The main points raised by the respondents are summarised below:
 - Renaming the residents parking areas as "Zone 2" would make it easier to add streets to the zone should the council at some point wish to do so.

Response

45. The provision of a numeric or alphabetical Zone identifier is standard highways practice to ensure that road users understand which permits are eligible in a parking place. It does not change the Council's intentions or scope for future amendments. It provides for effective enforcement.
46. However it should be noted that there are no closed resident permit parking schemes in Herefordshire and given the number of micro schemes in Hereford, it is current practice for the Council to seek to minimise the number of new schemes by integrating extensions into existing zones. As such it may be appropriate to extend or merge zones in the future. The main objective of these schemes remains to help manage non-resident (e.g. commuter) parking.

Other Issues

47. A number of other issues were raised as part of the consultation which do not fit into the general themes discussed above.

Extending the maximum stay period

Summary of issue

48. A business in Church Street made the representation that the maximum stay period should be 3 hours, as this allowed visitors the option for longer duration stays to the historic city centre and its attractions. This is particularly the case for visitors with reduced mobility,

who do not have Blue Badges. The quality of the visitor experience is reduced by concerns over having to watch the time for fear of overstaying.

Response

49. The intention of the proposed increase in the maximum stay period is to achieve a balance between allowing longer duration stays in the historic centre, whilst still encouraging the turnover of vehicles to maintain available parking, as well as reducing traffic movements by encouraging the use of car parks for longer duration stays.
50. Whilst it may not be appropriate for all visitors, Gaol Street car park is only around 500m from Hereford Cathedral and there is 3 hour Blue Badge parking in Broad Street and unlimited stays for Blue Badge holders in the Pay & Display bays. Any extension to the maximum stay period to 3 hours would require a further public consultation. This would not be recommended without any experience or monitoring of the proposed extension to 2 hours.

Permit Holder Only Parking in Castle Street and St. Ethelbert Street

Summary of issue

51. 2 respondents raised queries regarding the provision of permit holder only restrictions in Castle Street and St. Ethelbert Street.
52. The main points raised by the respondents are summarised below:
 - Why is Castle Street the only street in the City which has protected residential parking spaces
 - The introduction of Permit Holder only parking in Castle Street and St Ethelbert discriminates against Blue Badge holders who are not eligible to park on these restrictions and has affected social gatherings at the Castle House Hotel.

Response

53. There are a small number of roads with permit holder only restrictions in Hereford. These restrictions are generally considered appropriate where there are nearby attractions which attract a high level of short stay non-resident parking. As with any parking restriction they can only be introduced through due process. The current proposals are intended to rebalance the availability of parking, by reducing the number of permit holder only parking places.
54. Whilst the proposed retained permit holder only bays will not have an exemption for Blue Badge holders, they can park in the Pay & Display bays without charge or restriction on the period of stay.

East Street

Summary of issue

55. 1 respondent queried why the resident parking bays in East Street were not being changed to pay & display and permit holder parking. They should not be treated differently. It is important that these proposals maximise the use of all the city centre parking resource.

Response

56. East Street is a micro permit scheme with a small number of parking places and permits. It was not considered to be within the appropriate scope of the current proposals.

Cantilupe Street**Summary of issue**

57. 1 respondent requested that the parking bay on the left hand side of Cantilupe Street, as you enter the street from St Owen street which is currently 30 minutes limited waiting and has space for 4 to 5 cars, is be made resident permit holders only.

Response:

58. The only change proposed for Cantilupe Street is the addition of the Zone 2 identifier. Any other changes are outside the scope of these proposals.

Loading in St. Owen Street**Summary of issue**

59. 1 respondent requested additional loading facilities for businesses on St Owens Street.

Response

60. This can be considered as part of the St Owen Street cycle scheme consultation.

Community impact

61. As on-street parking charges impacts on a wide community, there are different interests and viewpoints. It would be expected that these proposals would be of benefit to local business, employees, customers and visitors by allowing a wider range of options including “pop-in” visits and longer duration stays to enjoy the attractions of Hereford. The proposals will ensure appropriate city centre on street parking to support the city centre economy in line with the councils corporate plan priority to support the growth of the economy.

Equality duty

62. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the 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 this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
63. The impact of these proposals is considered to be of low impact as stated in the Equality Impacts and Needs Assessment at Appendix 1 of this report

Resource implications

64. The estimated cost of the detailing and legal process for the Traffic Regulation Orders for the revisions to the OSP scheme is £35k and is funded from the Hereford City Centre Improvements capital budget. The estimated construction costs for the signs, and meters necessary to implement the order is up to £30k and is also funded from the Hereford City Centre Improvements capital budget within the 2018/2019 annual plan.

Legal implications

65. This is a non-key decision and as such the Chief Executive has the authority to delegate to officers (under Part 2 Article 10 in exercise of its functions in the Part 3 Functions Scheme Section 7 officer functions of the Constitution ECC Scheme of delegation to officers part 77) to act on behalf of Herefordshire Council in highways and transportation matters
66. The proposed Traffic Order is in the form of an 'amendment order'. The amendment order will revoke and replace elements of the 'principal order' (The County of Herefordshire District Council (Hereford City Centre) Order 2017) in order to achieve the desired changes.
67. The Council as the local highway authority has the powers to make Traffic Regulation Orders under the Road Traffic Regulation Act 1984 and to regulate taxi ranks under the Sections 63 and 64 of the Local Government (Miscellaneous Provisions) Act 1976, where appropriate.
68. The procedure for making such orders is set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, as amended, ("The Regulations"). This includes the requirements for consultation and the publication of a notice in a local newspaper. Anyone may object in writing to an order by the date specified on the notice.
69. Following the consultation period the authority must consider all objections made and not withdrawn. The decision is then taken to make the Order as originally advertised, modify the proposed Order provided it that the modification is not a substantial change or to abandon the proposals.
70. Where a modification to the proposed Order is considered a substantial change, then steps must be taken for those affected by the proposed modifications to be further consulted and any responses must be considered (Regulation 14 of The Regulations).
71. If objections are made and not withdrawn then a further report will be produced to assist the decision maker in considering the objections and deciding how to proceed.

Risk management

72. The view of the British Parking Association (BPA) and Association of Town & City Management (ATCM) Association is that parking charges and occupancy in town centres should be monitored and reviewed. It is intended by the Council to continue to monitor parking within the OSP area in the interests of traffic management, local businesses/service providers, residents and visitors.

Consultees

73. Correspondence since the OSP was implemented has been recorded in order to assist with any review process. In respect of on-street charging 31 respondents have highlighted

concerns, predominantly over the impact on the local economy and future prospects for Hereford, over the loss of free parking, restricted stay and need for general parking in the Castle Street area.

74. There were also 10 responses from Castle Street and St Ethelbert residents concerned with the vouchers issued to support local businesses, when the initial OSP scheme was implemented.
75. A meeting was organised by the BID team at Hereford Town Hall in January 2018. This was to provide an opportunity to discuss the on street parking scheme as implemented in November 2017 with the Herefordshire Council Cabinet Member. The meeting was attended by 80 representatives of businesses and organisations, who outlined their views on the current on street parking arrangement.
76. Following the development of prospective proposals, further meetings were arranged with Key stakeholders to present and discuss them. Meetings were held with; the local member for Central Ward, the Hereford City Council Clerk, the Bid team, Hereford Cathedral, Castle House Hotel, Hereford Cathedral School and Castle Street Residents Association.
77. In this meeting the local member was supportive of the proposals to increase the maximum stay period to 2 hours, but also expressed the view that a 30 minute free period, especially on St Owen Street, would benefit local businesses, in particular for short trips to the pharmacy or a legal office. The local member also highlighted the impact the original OSP changes had on the Castle House Hotel and believed the proposals in Castle Street and Cantilupe Street would be positive for them.
78. As part of the regulation process a formal public consultation was carried out between 5 April and 26 April 2018. A total of 947 local businesses and, residents were notified of the proposals, together with other stakeholders including Local Members, The Chief Constable of West Mercia Police, Hereford City Council, Freight Transport Association, Road Haulage Association, Hereford & Worcester Ambulance Service, Hereford & Worcester Combined Fire Authority, and The Royal National College for the Blind will be asked to provide their views. The Notice of Proposal was published in the local press and on the council's website, giving 21 days for comments and objections to be made. The proposals were displayed on site notices in the affected streets and deposited in the council offices at Plough Lane.
79. In response to the public notice the Council received 43 objections from local businesses, service providers or residents, together with representations from the Castle Street & District Resident's Association, HBID and The Cathedral School. There was also a response from West Mercia Police confirming that they had no objection to the proposals.

Appendices

Appendix 1 – Equality Impacts and Needs Assessment

Appendix 2 – TRO Plan

Appendix 3 – Summary matrix of consultation objections and concerns

Appendix 4 – Consultation Responses

Background papers

None