INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE – 17 JANUARY 2023

PART I - DELEGATED

5. PARKING SERVICES AND PARKING ACCOUNT UPDATE (DCES)

1 Summary

- 1.1 This report provides an update on the Council's Parking Service including the parking account and the parking enforcement service and includes some suggestions for modifications to the Council parking permits.
- 1.2 The report also seeks approval for amendments to Traffic Regulation Orders in order to regularise the School Waiting Restrictions around the District. In addition to amendments to the Three Rivers House off street (car park) Traffic Regulation Order to enable air source heat pumps to be installed outside Three Rivers House.

2 Details

- 2.1 In 2015 work commenced on reviewing the Council's parking account due to a deficit in income and expenditure. At the time the parking service was costing the Council/taxpayer approximately £180k per annum. Early reports in 2015/16 identified parking recharges and car park business rates as falling into the Account although subsequent cost exercises have not included these figures/calculations. This budget code includes all income into the service, parking costs including for the parking enforcement service and employees. What is does not include are maintenance costs and other areas of work managed by Property.
- 2.2 The objective of the review was to balance the parking account or introduce a level of surplus which would then be used to enhance the parking services or more widely used for other parking and transport related measures.
- 2.3 Balancing the parking account would bring the Council into compliance with Government requirements (cited in Statutory Guidance) that the civil enforcement of parking controls by local authorities should not be subsidised by the taxpayer. However, parking legislation states, 'if an authority make a surplus on its on-street parking charges and on and off-street parking enforcement activities it must use the surplus in accordance with legislative restrictions in the Road Traffic Regulation Act 1984 (as amended)' These restrictions essentially advise that onstreet income is ring fenced for parking services. Off-street income can be used for parking and transport related services within the wider corporate remit. However, parking income targets should not be set.
- 2.4 Any surplus arising from parking charges and income can be used to meet a deficit or be spent on parking services with off-street income used more widely to balance the parking account (for example inclusive of aspects such as car park maintenance costs, Officer salaries). Surplus income can also be used to balance previous deficits in the parking service.
- A series of reports on the Parking Account were presented to the relevant Committees between 2015 and 2018 detailing measures to reduce the deficit in the parking account to enable the retention and improvement of existing parking services. In addition, Officers investigated concerns that many Council car parks had reached capacity and there was an absence of short term churn. The agreed measures included increasing parking fees and charges in addition to the introduction of short term charging in the Council's short term car parks in Rickmansworth.

 Appendix 1 details the parking measures agreed and implemented from 2016 with the objective of maintaining and improving the Council's parking services.
- 2.6 Agreement was also given to produce a Parking Strategy to identify parking proposals with an income stream but this work has ceased following concerns raised by Members on a number of the measures progressed by Officers.

- 2.7 A number of other measures were also investigated but a decision was decided not to progress or continue to investigate. This has included:
 - proposed pilot scheme to offer local worker permits for employees of local businesses; and review of business permits, specifically in Rickmansworth long term car parks.

This was developed into an investigation that resulted in initial scoping consultation in 2019, following a report into the full options in 2018. Officers investigated the potential dual use for local business employees (specifically those with addresses in the retail centres of Rickmansworth and Chorleywood) in permit parking bays in existing Permit Parking Zones.

A report was presented to Committee which resolved to progress to initial consultation following surveys and other data collection. Following this initial public consultation exercise, which sought general views on the concept, this scheme was not progressed whilst feedback was considered and due to Member concerns on the impact on existing residents, as this investigation and initial proposal was intended to protect and increase capacity for residents.

No further progress has been undertaken but the committee decision is as yet unmet, with elements including increased and more efficient off-street parking not yet realised.

 investigation of use and capacity of non-Rickmansworth car parks and potential to maximise the parking opportunities

Work is continuing at the Community Way car park in Croxley Green as part of the Croxley Green area wide parking scheme.

Area Wide Parking Schemes to be considered with permits

As part of the annual Parking Programme, an area wide review of Rickmansworth West and Croxley Green commenced – Croxley Green CPZ was implemented in April 2021. The Rickmansworth West proposed parking scheme is ongoing. Both schemes involve new permits in a Controlled Parking Zone.

- 2.8 Despite the above measures the Parking Account has only been in surplus for one year in the last 5 years and is currently in deficit, and this deficit continues to increase with increasing costs of providing a parking enforcement service combined with more recent reductions in parking income as a result of the pandemic (further details below). This means the Council are not covering the costs of providing its parking enforcement service. This continued deficit also means the parking service is being subsidised by Three Rivers DC taxpayers which is contrary to Government guidance (cited in Statutory Guidance).
- 2.9 In conjunction with this Parking Review was a review of the Council's Parking Enforcement Service. Previously provided by Watford BC and a third party parking enforcement service provider, since April 2018 the service has been provided in Partnership with Hertsmere Borough Council. This five year Partnership expires on 1 April 2022 and work to extend this Partnership for a further three years has commenced. Additional costs for this service provision are required in year six as a result of service provision and 'contract' inflationary costs.
- 2.10 Whilst work now continues on the Area Wide Parking Schemes as part of the Parking Management Programme much of the other work identified in the original Parking Review ceased. This has been partly attributable to the pandemic which has refocused priorities but has also led to changes in how the public and residents are using the Council's parking services. For example, with changes to working behavior initiated as a result of the pandemic it is evident our long term car parks are in less demand than previously as employers/employees/commuters spend reduced time in their place of work, although this needs to be considered over a longer period post pandemic restrictions.
- 2.11 The table below provides an overview of the Parking Account over the past 5 years. During years 2020/21 and 2021/22 there was a significant impact on income due to the pandemic, albeit Government compensation funding totaling £269k £216k for off street parking and £53k for off street parking) was paid to TRDC in 20/21 to mitigate this loss of income.

TABLE: Parking Account 2018-22

Bardada Badda	Actuals	Actuals	Actuals	Actuals	Actuals
Decriminalised Parking	2017/18	2018/19	2019/20	2020/21	2021/22
Expenditure					
Employees	56,616	51,335	64,489	79,163	81,743
Premises	6,189	6,015	35,014	23,030	34,131
Transport	1,712	1,239	2,197	2,494	2,478
Supplies and Services	22,075	16,561	6,994	668	1,962
Third Party Payments	278,801	403,664	369,297	382,988	429,262
Total Expenditure	365,394	478,813	477,992	488,344	549,576
Income					
On Street Parking	-	- 14,861	- 13,993	- 1,999	- 7,492
Off Street Parking	- 117,885	- 223,678	- 212,144	- 61,814	- 150,907
PCN's	- 212,439	- 146,329	- 115,407	- 56,079	- 101,012
Permits	-	- 84,970	- 100,971	- 86,519	- 107,291
Other Parking Fees	- 6,897	- 20,488	- 18,941	- 44,488	- 41,393
Rent	- 3,271	- 3,271	- 3,271	- 3,194	- 3,195
Total Income	- 340,492	- 493,598	- 464,727	- 254,092	- 411,290
Net Cost of Service	24,902	- 14,785	13,265	234,251	138,286

NOTE: 2020/21 Income does not include Government 'Grants' for lost income during pandemic. In 2017/18 permit income was not separated out of other categories.

2.12 The next table details the volumes of permits and suspensions/dispensations issued over the last 5 years to provide some comparison of volumes.

Issued Data:

	2018/19	2019/20	2020/21	2021/22	Qtr 1 and 2 (22/23)
Resident Permits	815	911	982	1059*	516
Annual Visitor Permits	453	472	437	430	159
Visitor Voucher booklets (books of 10 vouchers)	865	838	658	626	436
Business permits	67	57	42	59	22
DHV permits	84	101	86	76	83

^{*}New Controlled Parking Zone was introduced in Croxley Green in March 2022 which will partly attribute to this increase in residents permits issued and also affecting the visitor permit numbers.

NOTE: Parking enforcement ceased for 2 periods during 21/22.All resident and annual visitor permits that were live during the lockdown periods when enforcement was suspended were extended by 3 months.

There is no discount on residential permits. Overs 60s receive a 50% discount on visitor permits and visitor vouchers.

Blue badge holders can have one resident permit free of charge.

2.13 The next table details the parking income from on and off street P&D car parks over the last 5 years.

						2022/22
		2018/19	2019/20	2020/21	2021/22	2022/23 to Q2
		* Actuals				
10619	Off Street - Pay & Display					
TPAR001	Northway Upper Deck	(14,299)	(14,072)	(4,345)	(10,546)	(5,463)
TPAR002	Northway Lower Deck	(25,637)	(29,409)	(7,669)	(20,114)	(9,965)
TPAR003	Rose Garden	(10,718)	(10,818)	(1,319)	(4,837)	(3,483)
TPAR004	High Street West (M&S)	(25,627)	(30,890)	(8,991)	(21,146)	(12,271)
TPAR005	Ebury Road	(4,319)	(4,853)	(1,587)	(3,495)	(1,338)
TPAR006	Talbot Road West (North)	(19,095)	(18,369)	(6,477)	(15,802)	(8,501)
TPAR007	TRH Multi-level Saturday Charging Upper	(2,660)	(2,849)	(152)	(1,171)	(355)
TPAR008	Talbot Road/High Street	(45,126)	(38,179)	(9,847)	(24,295)	(12,811)
TPAR009	Talbot Road South	(6,946)	(2,663)	(668)	(1,077)	(569)
TPAR010	Talbot Road West (South)	(27,824)	(29,255)	(12,926)	(24,599)	(12,965)
TPAR011	Bury Lane	(21,907)	(19,507)	(4,433)	(7,895)	(3,227)
TPAR012	Park Road	(15,214)	(3,369)	(1,501)	(6,833)	(3,964)
TPAR013	TRH Multi-level Saturay Charging Lower	(333)	(442)	(27)	(3)	(80)
TPAR015	Station Approach	n/a	(7,469)	(1,871)	(9,094)	(5,777)
NOJOB	No Job Code	(3,973)	0	0	0	0
10621	On Street - Pay & Display					
TPAR014	High Street Bays	(14,861)	(13,993)	(1,999)	(7,492)	(3,355)

- 2.14 It is evident from this data that resident permits and annual visitor permits numbers have remained relatively stable over the last few years with a slight reduction in business permits and day scratchcards. However, it should be noted Croxley Green CPZ came into effect in March 2021 and that would have increased numbers of permits purchased.
- 2.15 It has been the usage and subsequent income from car parks that has seen the most significant decline but it is evident this is slowly increasing again. Broken down further it is evident that the most significant impact of the pandemic (and potentially other High Street changes brought about by changes to planning rules) is on our long stay car park usage.

3 Options and Reasons for Recommendations

- 3.1 The Parking Account is currently in deficit but it is difficult to forecast future years income based on the implications of the pandemic on parking income over the last two years, albeit anecdotally (some evidence) there is a reduced use of the Council's car parks due to changing work and shopping habits. It is considered changes in our High Streets with permitted development conversions from offices to housing and other permitted development change of uses now allowed are also having an impact. As residents more frequently work from home there has also been a greater demand for residents' permits.
- 3.2 Consideration needs to be given to any proposed increase in all parking fees and charges but it is considered a full review of all fees and charges should commence from 1 April 2023 allowing a full year of post covid recovery and this presents an opportunity to gather new data

on our car park usage. Notwithstanding this, it is considered appropriate to propose some immediate (as an alternative virtual option) changes, detailed below.

3.3 Virtual Permits

At the start of the Partnership with HBC all residents' permits were issued virtually (with paper permits only being issued in exceptional circumstances). HBC confirmed they would seek a change to further paper permits over the course of the Partnership. It has been discussed that annual visitor permits (subject to any changes detailed below), visitor permits in the form of scratchcards and business permits could now be provided as virtual permits. There would be small savings in printing, paper and postage costs but the greater efficiency would be in processing and enforcement (no change is currently proposed to the Partnership costs). The option would remain that paper permits could be issued in exceptional circumstances. A one off software cost for the changes to the relevant software systems has already been paid by HBC. Public consultation and relevant changes to the TRO would be made to allow this to happen.

3.4 Annual Visitor Permits

Officers have been investigating the removal of annual visitor permits (currently £50 per year) due to misuse and alternatives being available and its replacement with a specific carers permit.

- Annual visitor permits were introduced a number of years ago to provide an opportunity for regular visitors to properties i.e. carers, particularly family carers. One permit is allowed per household and the age 60+ receive a 50% discount on the price. These annual visitor vouchers are currently £50 per annum, which is less than a second resident permit and a cheaper alternative to the current visitor scratchcards. Officers are aware of their popularity but there is also concern, and evidence, that they are open to abuse as they are often utilised as a second residents permit (as cheaper) or provided to regular visitors i.e. commuters, neither of which is the intended use. When HBC carried out an exercise to check visitor permit use over a 3 month period the results confirmed a 10-15% misuse over the number of paper annual visitor permits and virtual permits issued.
- 3.6 It is evident from the Hertfordshire Authority benchmarking exercise (2020 data) at Appendix
 2 that a number of local authorities do not issue annual visitor permits although some offer a specific carers permit.
- 3.7 Continuing to provide a carers permit (i.e. for family members caring for a friend/relative) is still considered appropriate but this could be provided in a different way and requiring evidence. For those requiring a more general visitor's permit the scratchcards (available as a virtual option) remain an option.
- 3.8 It should be noted there may be some impact on income as a result of any changes, we do not know how many of those applying for a current annual visitor voucher would revert to a second residents permit or scratchcards. However, it is anticipated there would be an increase in the purchase of second resident's permits and visitor scratchcards. The cost of the special carers permits would be increased to £55 given inflationary increases (and as applied recently to many other Council fees and charges).
- 3.9 If Members agree to the withdrawal of the annual visitor permits this would require changes to the Traffic Regulation Order and due process would then occur including public consultation. All those affected would be written to and advised of the new carers permit type and options going forward.
- 3.10 The agreement to this proposal would be delegated to the Director of Community and Environmental Services in conjunction with the Lead Member to carry out the necessary legal processes and introduce a specific carers permit including eligibility criteria (which will be informed by an Equalities Impact Assessment).

- 3.11 The current annual visitor permit has a 50% discount offered to the 60+ age group which was part of the original introduction and suggested intended use of the permit ie for carers for the 60+ in our District. There would be no concessions applied to the new carers permit.
- 3.12 Disabled Blue badge holders currently get a free residents permit (one per household). This concession has been previously applied just to resident's permits. It is acknowledged that those requiring a blue badge may need to park closer to their property in a Controlled Parking Zone, but this does not require the issuing of a free permit. A permit can be applied for as with any other resident. If there is a specific requirement to park outside a property a formal disabled blue badge space can be applied for from HCC or requests in new or revised CPZs made through the TRDC Parking Management Programme process.
- 3.13 It is proposed to withdraw the 60+ concession for 50% off visitor scratchcards. This has been historically applied, as with the annual visitor permits. This was associated with the retirement age at the time of the introduction of permits. This concession is no longer considered appropriate.
- 3.14 The removal of these concessions would require public consultation and changes made to the Traffic Regulation Orders.

3.15 School Restrictions Traffic Regulation Order

Work has commenced on reviewing the School Restrictions in the District to ensure they are enforceable. This involves making amendments to some of the measurements either in the TRO, on the ground or both, to the restrictions are already in place.

3.16 It is the intention to go straight to formal consultation on revisions to the TRO.

3.17 Amendments to the Three Rivers House (Off Street) Traffic Regulation Order

Amendments are sought to the Three Rivers House off street (car park) Traffic Regulation Order to enable air source heat pumps to be installed outside Three Rivers House. A current planning application is pending for the installation of 7 air source heat pumps within a timber enclosure in the south western corner of the upper deck of the car park. The application is due to be presented to Planning Committee on 19 January 2023.

- 3.18 The requirement to amend the Traffic Regulation Order is due to the removal of up to 4 parking spaces to enable the development to be implemented. In amending the Traffic Regulation Order consideration would be given the parking remaining as this would be the primary consideration in amending the Order.
- 3.19 The TRH car park is a staff car park Monday to Friday 8am to 4.30pm, reverting to a public short stay car park after 4.30pm, and available to the public at weekends.
- 3.20 Regard would be had to the existing parking and that being retained after the development and this could be assessed using the parking standards for development as set out at Appendix 5 of the Development Management Policies LDD. Whilst this is a planning policy it indicates the floorspace to car parking ratios that would be considered appropriate.
- 3.21 Three Rivers House has a floor area of approximately 3991 square metres. The parking standards at Appendix 5 requires one parking space per 30sqm of floor area with a requirement for 133 parking spaces to be available for the building based on this. At the current time there are 151 car parking spaces available for users of Three Rivers House, which exceeds the policy requirement.
- 3.22 It should be noted that Appendix 5 sets out that the standards may be adjusted according to which zone the proposed development is in, with zones influenced by levels of accessibility. The car park is within Zone 2, where 25-50% of indicative demand based standard may be appropriate, allowing a further reduction from the standard. This is in the context of a car park serving a building in a town centre location with other staff car parking areas located on the lower deck and within the Rose Garden car park.

- 3.23 Outside of office hours, the proposal would result in fewer publicly accessible car parking spaces but there are many other public car parking areas in the immediate vicinity. It is also noted that the application site is within the principal town centre, with bus and rail links within 350 metres of the site.
- 3.24 The relevant statutory processes would be followed in amending the Order.

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets. The purpose of the proposed changes is to increase efficiencies in the administering and enforcement of the parking enforcement service and enable the Council to meet its legal requirements to ensure the taxpayer does not subsidise the costs of parking enforcement.
- 5 Community Safety, Public Health, Customer Services Centre and Health & Safety Implications
- 5.1 None specific.

6 Financial Implications

- Section 55(4) of the Road Traffic Regulation Act 1984 sets out that any deficit on the parking account must be made good out of the general fund. Where surpluses are generated, this can be used to support investment in infrastructure. The parking account is currently running at an annual deficit although it is difficult to predict the level for future years due to fluctuations in income as a result of COVID-19. In undertaking a review of parking charges it is important that the Council considers options to bring the parking into balance to ensure compliance with the Statutory guidance for local authorities in England on civil enforcement of parking contraventions (updated October 2022) that the civil enforcement of parking controls by local authorities should not be subsidised by the taxpayer.
- 6.2 Initial consideration of some of the permit prices and changes to eligibility set out in this report would assist with efficiencies in administering permits and enforcement but also potentially reduce the burden on the taxpayer by increasing income into the Parking Account.
- In the longer term, the Council needs to consider options to generate a surplus in order to facilitate investment as set out in Section 55(4) of the Road Traffic Regulation Act 1984.

7 Legal Implications

- 7.1 There is a general duty for the Council to exercise its traffic order making function to secure the provision of suitable and adequate parking facilities on and off the highway.
- 7.2 The purpose of the proposed changes to permits is to increase efficiencies in the administering and enforcement of the parking enforcement service and enable the Council to meet its legal requirements to ensure the taxpayer does not subsidise the costs of parking enforcement.
- 7.3 In pursuing any changes to Traffic Regulation Orders due statutory processes will be followed.
- 7.4 Under Article 7, Part 2 of the Three Rivers District Council's Constitution, the Lead Member is able to make all decisions in respect of the areas of responsibility provided those decisions falls within its allocated budgets and agreed policies.

8 Equal Opportunities Implications

8.1 The permit changes recommended within the report will all be subject to an Equalities Impact Assessment prior to implementation. The Equalities Impact assessment will be monitored on an annual basis and monitored though the annual Equalities Diversity report.

9 Staffing Implications

9.1 The proposed changes would be administered and implemented by existing TRDC staff and supported by our parking enforcement service provider, Hertsmere BC.

10 Environmental Implications

10.1 The introduction of virtual permits would reduce paper use and printing, paper and postage costs. Their introduction would result in further efficiencies in the administering of the permit process.

11 Communications and Website Implications

11.1 Any changes agreed would be publicised using existing communication platforms. All necessary changes to Traffic Regulation Orders would follow the required statutory processes.

12 Risk and Health & Safety Implications

- 12.1 The Council has agreed its risk management strategy which can be found on the website at http://www.threerivers.gov.uk. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 12.2 The subject of this report is covered by the Regulatory Services Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat terminate, transfer)	Risk Rating (combinat ion of likelihood and impact)
Negative public reaction/perception of removal of paper permits and introduction of virtual permits	Negative PR, increased number of complaints	Ensure changes are publicised in advance, all statutory processes are followed. Provide detailed justification for the changes	Tolerate	3-4
Reduced take up of permits as a result of removal of annual visitor permits and concessions	Negative PR, increased number of complaints, reduced income to Parking Account	Ensure changes are publicised and all statutory processes are followed, monitor permit types and numbers	Tolerate	6-8

	issued, ensure appropriate parking enforcement continues	
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12.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Low 4	High 8	Very High	Very High		
Low	Medium	High 9	Very High		
Low	Low	Medium	High		
Low	Low	Low	8 Low		
1 2 3 4 Impact					
	Low Low Low Low 1	4 8 Low Medium 3 6 Low Low 2 4 Low Low 1 2	4 8 12 Low Medium High 3 6 9 Low Low Medium 2 4 6 Low Low Low 1 2 3 Impact		

Impact Score	Likelihood Score
4 (Catastrophic)	4 (Very Likely (≥80%))
3 (Critical)	3 (Likely (21-79%))
2 (Significant)	2 (Unlikely (6-20%))
1 (Marginal)	1 (Remote (≤5%))

12.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

13 Recommendations

13.1 Members agree that:

- i) Officers continue to monitor and investigate the deficit in the Parking Account, specifically around fees and charges. This is to include further work on car park usage and any implications of this. A further report is to be presented to Committee with any findings/proposals.
- ii) All permits are to be issued virtually, unless in exceptional circumstances (to be determined on a case by case basis by our parking provider, in conjunction with the Head of Service (as appropriate) and informed by an Equalities Impact Assessment (EIA). With implementation delegated to the Director of Community and Environmental Services in consultation with the Lead Member to carry out the legal processes allowing changes to the Traffic Regulation Order.
- iii) The withdrawal of the annual visitor permit and its replacement with a specific carers permit at a price of £55, with implementation delegated to the Director of Community and Environmental Services in consultation with the Lead Member (and informed by the EIA) to carry out the necessary consultation and legal processes allowing changes to the Traffic Regulation Order and the introduction of a new carers permit.
- iv) The withdrawal of the disabled blue badge concession for a residents permits and the 60+ concession for visitor scratchcards with implementation delegated to the Director of Community and Environmental Services in conjunction with the Lead Member (and informed by the EIA) to carry out the necessary consultation and legal processes allowing changes to the Traffic Regulation Order.
- v) Amendments to the Traffic Regulation Order to ensure all School Restrictions around the District are enforceable. The implementation of such including statutory processes is delegated to the Director of Community and Environmental Services in conjunction with the Lead Member.
- vi) Amendments to the Traffic Regulation Order affecting the Three Rivers House upper deck car park enabling the deletion of up to 4 parking spaces to allow air source heat pumps to be provided (subject to the proposal receiving all the appropriate permissions including planning permission). The implementation including statutory processes is delegated to the Director of Community and Environmental Services in conjunction with the Lead Member.

Report prepared by: Kimberley Rowley, Head of Regulatory Services

Data Quality

Data checked by:

1	Poor	
2	Sufficient	
3	High	X

Background Papers

APPENDIX 1: Appendix 1 details the parking measures agreed and implemented from 2016 with the objective of maintaining and improving the Council's parking services.

APPENDIX 2: Benchmarking Data (2020)