

**Off Street Parking Places Order Variation**

<b>Final Decision-Maker</b>	Strategic Planning, Sustainability and Transportation Committee
<b>Lead Director</b>	William Cornall Director of Regeneration & Place
<b>Lead Officer and Report Author</b>	Charlie Reynolds, Operations Engineer Parking Services
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report presents to the Committee the results following public consultation carried out in relation to the proposed variation of The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018.

The report makes recommendations to the Committee to consider the objections received as part of the formal consultation process as required under the Parking Places (Variation of Charges) Act 2017.

**This report makes the following recommendations to this Committee:**

1. That the Committee agrees the recommendations to proceed in relation to The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 and agree to make the Order under the Road Traffic Regulation Act 1984 with regard to:
  - o Park and Ride
  - o Pay and Display
  - o Resident Parking Permit Concessions
2. That the Committee agrees the recommendation not to proceed in relation to The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 and agree to make the Order under the Road Traffic Regulation Act 1984 with regard to:
  - o Tovil Car Park
3. That the Committee agrees that the objectors are informed of the outcome as identified in the report and that the orders be sealed.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning, Sustainability and Transportation Committee.	10 April 2018

# Off Street Parking Places Order Variation

## 1. INTRODUCTION AND BACKGROUND

- 1.1 As part of the legal process to vary the Off Street Parking Places Order, the Council are required to conduct a formal consultation process which includes the placement of public notices in the car parks and notices in the local press.
- 1.2 The Parking Places (Variation of Charges) Act 2017 also makes provision in relation to the procedure to be followed by local authorities when varying the parking places order and requires any objections to be considered and reported formally.
- 1.3 Correspondence was sent to statutory and non-statutory consultees and notices were placed in each of the car parks.
- 1.4 A Public Notice formally advertising The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 was published in Local Press during the week ending Friday 16th February 2018 (Appendix 1)
- 1.5 Full details were contained in the draft orders which, together with a copy of the Public Notices, and a statement of the Council's reasons for proposing to make the orders were placed on deposit at the Main Reception, County Hall, Maidstone, Kent, ME14 1XX, and at The Link reception desk, Maidstone House, King Street, Maidstone, ME15 6JQ.
- 1.6 The details of the proposals were also available online at [www.kentonline.co.uk](http://www.kentonline.co.uk) .

### Park and Ride

- 1.7 Following the decision of the Committee on 22 January 2018 to introduce a pay to park system for park and ride services, proposals were published by Parking Services and all comments received during the formal consultation period were collated, reviewed and considered.
- 1.8 During the consultation period 5 objections were received with 13 comments recorded in relation to the Park & Ride service. By comparison to the number of customers using the service and the strategic reasons for making changes to the Park & Ride service, there are no compelling reasons to revise the proposals as advertised.
- 1.9 Further details on the objections and comments received are provided in Appendix 2.
- 1.10 Recommendation: To recommend to the Strategic Planning Sustainability and Transportation Committee to proceed with the proposal as advertised.

### Pay and Display

- 1.11 Following the decision of the Committee on 6 February 2018 to revise the

Off-street car park tariffs, proposals were published by Parking Services and all comments received during the formal consultation period were collated, reviewed and considered.

- 1.12 During the consultation period 6 objections were received with 1 letter of support being recorded in relation to the Pay and Display tariff proposals.
- 1.13 Of the 6 objections, 4 directly related to the Lockmeadow complex where Maidstone Borough Council is required to agree any changes with the head lessee under a separate agreement in accordance with the lease arrangement. Discussions with the head lessee are therefore ongoing after which the pay and display tariff will be amended.
- 1.14 Further details on the comments received are provided in Appendix 2.
- 1.15 Recommendation: To recommend to the Strategic Planning Sustainability and Transportation Committee to proceed with the proposals as advertised as there are no compelling reasons not to amend the order in relation to the Pay and Display tariff except in relation to Lockmeadow as this car park may be amended separately once the tariff has been agreed with the head lessee.

#### Resident Parking Permit Concessions

- 1.16 The parking places order currently allows resident parking permit holders to use designated off-street car parks from 6.30pm to 8am to improve levels of parking availability in high demand resident zones.
- 1.17 Members of the Planning Committee on 19 December 2017 requested that to allay residents' concerns about the Brunswick Street application, the Parking Services Section be asked to exclude this development from the S2 residents' parking zone area and to allow residents with S2 zone residents' parking permits to park in the Brunswick Street public car park after 5.00 p.m. rather than 6.30 p.m.
- 1.18 Members of the Planning Committee also requested that to allay residents' concerns about the Union Street, Queen Anne Road application the Parking Services Section be asked to exclude this development from the N4 residents' parking zone area and to allow residents with N4 zone residents' parking permits to park in Maidstone Borough Council car parks after 5.00 p.m. rather than 6.30 p.m. Proposals were published by Parking Services and all comments received during the formal consultation period were collated, reviewed and considered.
- 1.19 During the consultation period no objections were received to these proposals.
- 1.20 Recommendation: To recommend to the Strategic Planning Sustainability and Transportation Committee to proceed with the proposal as advertised.

#### Tovil Car Park

- 1.21 Tovil Parish Council contacted Parking Services and requested an amendment to the current Limited Waiting Period in the Tovil Car Park from the current 2 hours, reduced to 1 hour.
  - 1.22 During the consultation period 11 objections were received and 4 Petitions containing 24, 46, 14 and 11 signatures.
  - 1.23 Recommendation: To recommend to the Strategic Planning Sustainability and Transportation Committee not to proceed with the proposal due to the objections received.
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## **2. AVAILABLE OPTIONS**

- 2.1 That the Committee considers objections and agrees the recommendations in relation to The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 and agree to make the Order under the Road Traffic Regulation Act 1984 and that the Committee agrees that the objectors are informed of the outcome as identified in the report and that the orders be sealed.
  - 2.2 To not proceed with the recommendations would not allow strategic objectives to be met in relation to the introduction of pay to park at the park and ride sites as agreed at the Strategic Planning, Sustainability and Transportation Committee meeting on 22 January 2018 or enable tariffs to be reviewed to promote migration from high demand car parks in the town centre to outer zone car parks as agreed at the Strategic Planning, Sustainability and Transportation Committee meeting on 6 February 2018.
  - 2.3 To not proceed with the recommendations will also impact on resident parking proposals recommended by the Planning Committee designed to improve levels of parking availability within resident parking zones.
  - 2.4 To make the orders as advertised would not take account of comments received during formal consultation and will be contrary to the requirements of the Parking Places (Variation of Charges) Act 2017.
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## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 That the Committee considers objections and agrees the recommendations in relation to The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 and agree to make the Order under the Road Traffic Regulation Act 1984.
- 3.2 That the Committee agrees that the objectors are informed of the outcome as identified in the report and that the orders be sealed.
- 3.3 This will allow strategic objectives to be met in relation to the introduction of pay to park at the park and ride sites as agreed at the Strategic Planning, Sustainability and Transportation Committee meeting on 22 January 2018 and enable tariffs to be reviewed to promote migration from high demand car parks in the town centre to outer zone car parks as agreed at the

**4. RISK**

4.1 Consideration has been given to objections and formal letters of support with regard to each proposal. However this is balanced against the strategic objectives to meet the existing commitments in the Integrated Transport Strategy and the Low Emissions Strategy by minimising unnecessary car journeys into the centre of Maidstone.

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**5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 5.1 Where agreed The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018 will be amended accordingly and sealed by Mid Kent Legal Services.
  - 5.2 The 'Has Made' order will be advertised in line with legal requirements set out under the Road Traffic Regulation Act 1984.
  - 5.3 The objectors will be informed of the outcome.
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**6. CROSS-CUTTING ISSUES AND IMPLICATIONS**

Issue	Implications	Sign-off
Impact on Corporate Priorities	The proposals are intended to support the Council's priority to improve access across the Borough through better roads, thereby keeping Maidstone Borough an attractive place for all.	Jeff Kitson Parking Services Manager
Risk Management	Consideration has been given to objections and formal letters of support with regard to each proposal. However this is balanced against the strategic objectives to meet the existing commitments in the Integrated Transport Strategy and the Low Emissions Strategy by minimising unnecessary car journeys into the centre of Maidstone.	Jeff Kitson Parking Services Manager
Financial	The costs of the order variation and implementation will be met from within the existing Parking	

	Services budget.	
Staffing	It is anticipated that the services will be delivered within existing staffing levels.	Jeff Kitson Parking Services Manager
Legal	Formal orders will need to be sealed by Mid Kent Legal Services.	
Privacy and Data Protection	None identified	
Equalities	None identified	
Crime and Disorder	The developments identified within this report will have no negative impact on Crime and Disorder.	Jeff Kitson Parking Services Manager
Procurement	None identified	Jeff Kitson Parking Services Manager

## **7. REPORT APPENDICES**

- 7.1 Appendix 1 – Published variation to The Borough of Maidstone (Off-Street Parking Places) (Variation No10) Order 2018.
- 7.2 Appendix 2 – Details in relation to formal consultation to the proposals.

## **8. BACKGROUND PAPERS**

- 8.1 None.