

Cobtree Car Park Terms and Conditions

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| Final Decision-Maker | Cobtree Manor Estate Charity Committee |
| Lead Head of Service | John Foster - Head of Regeneration and Economic Development |
| Lead Officer and Report Author | Mike Evans – Leisure Manager |
| Classification | Public |
| Wards affected | Boxley |

Executive Summary

A report describing the current terms and conditions in force at the Cobtree Manor Park car park and making recommendations for their improvement.

Purpose of Report

The Cobtree Manor Estate Charity Committee is asked to make decisions on the terms and conditions it wishes to operate at its car park.

This report makes the following recommendations to this Committee:

1. That the Traffic Regulations Order is altered to introduce a maximum stay of six hours in the Cobtree Manor Park car park and to include a new all-day rate for people wanting to stay all day.
2. That the annual permit holder terms and conditions are altered to limit permit holders to 1 x six hour stay per day
3. That the Traffic Regulations Order continues to include provision for overnight parking being prohibited.
4. That the Traffic Regulations Order is altered to introduce a requirement for motorcycle riders to also pay to park their vehicles.

Timetable

| Meeting | Date |
|--|-------------------|
| Cobtree Manor Estate Charity Committee | 10 September 2020 |

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue | Implications | Sign-off |
|---------------------------------------|--|---|
| Impact on Corporate Priorities | <p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations will materially improve the Council's ability to achieve the safe, clean and green priority and the thriving place priority. We set out the reasons other choices will be less effective in section 3 available options.</p> | Mike Evans – Leisure Manager |
| Cross Cutting Objectives | <p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievement of all of the cross-cutting objectives by ensuring the future sustainability of Cobtree Manor Estate and ensuring the financial performance of the estate continues.</p> | Mike Evans – Leisure Manager |
| Risk Management | Refer to section 5 of the report | Mike Evans – Leisure Manager |
| Financial | <p>We expect accepting the recommendations will prevent future losses from being incurred. This is above amounts already accounted within the Council's financial planning and so should result in nett additional income to the Trust.</p> | Paul Holland, Senior Finance Manager (Client) |

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| Staffing | We will deliver the recommendations with our current staffing. | John Foster – Head of Regeneration and Economic Development |
| Legal | Acting on the recommendations is within the Council’s powers so long as the Traffic Regulations Orders procedures are followed. This will be done in conjunction with the Council’s parking services department. | Corporate Governance Team Leader |
| Privacy and Data Protection | Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules. | Policy and Information Manager |
| Equalities | The recommendations do not propose a change in service therefore will not require an equalities impact assessment | Policy and Information Manager |
| Public Health | There are no public health implications caused by these recommendations | Paul Clarke – Senior Public Health Officer |
| Crime and Disorder | There are no crime and disorder implications caused by these recommendations. | Mike Evans – Leisure Manager |
| Procurement | There are no procurement implications caused by these recommendations. | Mike Evans – Leisure Manager |

2. INTRODUCTION AND BACKGROUND

- 1.1 The car park at Cobtree Manor Park attracts around 50,000 paid vehicle visits per year. It has 185 parking spaces and 10 disabled parking spaces. It has a budgeted income of £90,000 per year from daily parking fees and £9,500 from its 190 annual parking permit holders. Visitors pay £2 to park for the whole day and an annual permit to park all day every day costs £50.
- 1.2 In the last 12 months park staff have observed an increasing number of permit holders using the car park as a commuter car park or as the car park of choice for workers in one of the nearby businesses. These commuters have valid permits and are not parking illegally or outside of the terms and conditions, however in peak times their vehicles parked all day do take up parking spaces that could be used by park visitors.

- 1.3 Data from MBC parking services calculates the value of each parking space at £10.81 per bay per day across the whole 12-month period. Seasonally this number changes to £13.58 per bay between April and September and £8.04 per bay from October to March.
- 1.4 The car park has been very busy in the last three months, since the car park re-opened in the middle of May. This has meant a good recovery in terms of car park income but on many days the car park becomes full by mid-morning and there are lots of visitors unable to find a parking space.
- 1.5 Park staff have been monitoring the car park in this time and recording the number of cars on site at 9am, 12pm and 3pm each day. At 9am each day there are on average 32 visitor cars in the car park. Daily monitoring of this has been able to distinguish between park visitors and commuters and approximately 12 of these daily cars are workers in the neighbouring businesses, depending on which day of the week it is.
- 1.6 In the winter months this issue has been workable because there are plenty of spaces, although we do receive a few complaints each autumn when the clocks change and the park closes before 5pm which does not suit commuter parking. In the summer months when the car park is very busy and each space can achieve £13.58 per day, having 12 of them occupied by commuters has a significant impact on the car park income. The cost to Cobtree is calculated at £814.80 per week or £21,184 over the 26-week spring and summer period.
- 1.7 The fullness of the car park is not caused solely by commuter parking but this type of parking is having an impact on the park. Daily ticket purchasers have one ticket option, and that is to buy an all-day ticket at a cost of £2. This is the only type of ticket on sale at Cobtree car park. Daily users also have the potential to occupy a parking space all day.
- 1.8 Officers have been looking at solutions to this problem that will deter over-occupation of parking spaces at the park without affecting people's use of the park and the enjoyment they get from their visits. Research has looked at the charges of similar car parks in the borough and also at the other nearby car parks in the Boxley and Aylesford area.

Comparable car park

- 1.9 Mote Park's car parks are the closest comparable car parks to Cobtree. These also primarily serve a large park and provide parking options for park visitors. The parking charges at Mote Park are in the table below:

| Ticket | 8am to 10am | Up to 6 hours after 10am | Over 6 hours |
|--------------------------------|--------------------|---------------------------------|---------------------|
| Daily ticket | Free | £2 | £12 |
| Residents Annual Season Ticket | -- | £50 | -- |

1.10 The annual permits at Mote Park entitle the holders to park for a maximum of six hours and also stipulate that they cannot return to the car park for two hours after a period of six hours is up. This ensures that permit holders can visit the park every day but cannot park there all day every day.

Nearby alternative car park options

1.11 Officers are mindful that altering the status quo has the potential to cause disruption to people who currently use the Cobtree car park and could result in negative feeling and publicity. For these reasons, research has also focused on alternative options that are available to people who may be affected by the recommendations in this report. These are shown in the table below:

| Name | Description | Price | Distance |
|------------------------------|--|---------------------------------------|-------------------------------|
| Aylesford Village Hall | Owned by the parish. 38 spaces. Plus 3 spaces for disabled users. | No charges | 1200m from Cobtree Manor Park |
| Aylesford Bailey Bridge East | Owned by Tonbridge & Malling Borough Council. 50 spaces. | No charges. Maximum stay 23 hours. | 1200m from Cobtree Manor Park |
| Aylesford Bailey Bridge West | Owned by Tonbridge & Malling Borough Council. 69 spaces. Plus 4 spaces for disabled users. | No charges. Maximum stay 23 hours. | 1200m from Cobtree Manor Park |
| Travis Perkins | Private area used for public parking. No marked bays. 36 spaces. | No charges. | 100m from Cobtree Manor Park |

3. AVAILABLE OPTIONS

3.1 Do nothing

CMEC could choose to do nothing and to allow the status quo to continue. This option could lead to unmanageable situation where the car park is full of commuter cars each day. This would impact heavily on the annual car park revenue stream and on the availability of parking spaces for people to come and enjoy the park. With the permits purchased online this situation could escalate very quickly and become unmanageable in a very short space of time. **This option is not recommended**

3.2 Make the car park free of charge from 8am to 10am

This option would ensure that early park visitors can enjoy the park for an early morning visit free of charge but by delaying the paid-for period to a

10am start it could still give enough time each day for commuters to park at Cobtree by effectively giving a free two-hour period on top of the maximum stay that is also discussed in paragraphs 3.3, 3.4, 4.1 and 4.2. **This option is not recommended.**

3.3 Alter the Traffic Regulations Order to introduce a maximum stay of six hours in the Cobtree Manor Park car park and include a new all-day rate for people wanting to stay all day

CMEC could alter the order to limit the standard stay in the Cobtree car park to six hours. In addition to this CMEC could introduce a longer stay ticket option in the car park. This would not affect visitors who currently stay less than six hours in the park and would only impact on people wishing to park their car at the park for a whole day. **This option is recommended.**

3.4 Alter the annual permit holder terms and conditions to limit permit holders to 1 x six hour stay per day

CMEC could update the permit holder terms and conditions to include a six-hour limit. Currently permits entitle the holder to park their vehicle at the park all day every day. This could be aligned closer to the Mote Park terms and conditions to place a six-hour limit on the amount of time the permit holder can spend in the car park each day. It would still enable people to visit the park each day for the same annual fee, but it would limit the length of each visit to six hours. **This option is recommended.**

3.5 Ensure the Traffic Regulations Order continues to include provision for overnight parking being prohibited

Ensuring the timings of the order include this provision will make the leaving of cars in the car park overnight a violation of the car park's order for which a penalty charge notice can be issued. **This option is recommended.**

3.6 Alter the Traffic Regulations Order to introduce a requirement for motorcycle riders to also pay to park their vehicles.

At present the Traffic Regulations Order provides for motorcycles to park free of charge. The car park is being visited by more and more motorcycles whose riders do not have to pay anything to leave their vehicles in the car park. CMEC could opt to apply the parking charges to motorcycles in the same way that they apply to cars. **This option is recommended.**

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 The preferred options are for the Traffic Regulations Order to be altered to include:

- A maximum stay in the Cobtree Manor Park car park
- Standard charges for motorcycles as well as cars
- A no return period after the maximum stay has elapsed

And for the annual permit terms and conditions to be altered to include:

- A maximum stay in the Cobtree Manor car park
- A no return period after the maximum stay has elapsed

Maximum stay

- 4.2 It is recommended that the maximum stay is set at six hours, to ensure consistency with the council car park at Mote Park. Many residents are not aware of the distinction between Cobtree Manor Park and the other authority parks and so ensuring consistency where possible does prevent confusion.
- 4.3 The car park will also continue to have a prohibition on overnight parking or 24-hour parking, meaning people cannot choose to leave their vehicles in the car park overnight.

Impact on users

- 4.4 The vast majority of visitors to Cobtree Manor Park will not notice any difference to the parking regulations. For most visitors they will still pay a standard price of £2 for the duration of their visit, or the duration of their visit will be covered by their annual permit. The impact on those affected will be communicated and managed over a time period of approximately six months.

Communication and implementation

- 4.5 Once CMEC approves these recommendations the legal process to alter the Traffic Regulations Order can commence. This will take 10-12 weeks meaning it will be completed in December 2020. The changes can take effect in January 2021. The car park is less busy in January and the problem of all-day parking is not so severe because the park closes before 5pm each day.
- 4.6 For this reason communication with permit holders can continue through February and March 2021 and the new terms and conditions can take effect from 1 April 2021. In the meantime all renewals can include the new terms and conditions. By April 2021 three quarters of all current permit holders will have renewed their permits in line with the new terms and conditions. The remaining one quarter will have been consulted and communicated with. It is expected that the majority will not be affected by the change and only those who use the park for commuter parking will be impacted.
- 4.7 Paragraph 2.11 details the alternative options that are available to the affected permit holders.
- 4.8 The legal process contains a 21-day consultation period. Depending on the comments received changes may need to be made, a further report to Committee may be needed and a new TRO process may need to commence.

5. RISK

- 5.1 The risks associated with these recommendations, including the risks if the Council does not act as recommended, have been considered in line with

the Council's Risk Management Framework. That consideration is shown in this report at paragraphs 2.4, 2.5, 2.6, 2.11 and 4.4. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 These recommendations have been considered in consultation with Parking Services at the Council.
 - 6.2 Upon CMEC's agreement to these recommendations the Traffic Regulations Order process can commence. This process includes new signage in the car park informing the public of the changes and the 21-day consultation period provided for under the traffic regulations. Officers will also manage communications with the annual permit holders as described in paragraphs 4.4 and 4.6.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Upon agreement of these recommendations the Traffic Regulations Order process can commence. Communication with affected permit holders will commence in line with the change to the Regulations Order.
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8. REPORT APPENDICES

- None
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9. BACKGROUND PAPERS

- None