

Cabinet Member for Policing and Equalities

3 December 2020

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor A S Khan

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

Earlsdon

Title:

Introduction of Parking Charges at War Memorial Park – Consideration of Objections Following a Period of Consultation.

Is this a key decision?

No

Executive Summary:

The off-street car parks at the War Memorial Park namely those at Leamington Road, Coat of Arms Bridge Road and Kenilworth Road, are often used by persons who are not necessarily visiting the park for the purposes of recreational activities which is the basis upon which the park is held. This therefore often presents an issue for park users in relation to the availability of car parking spaces. In the best interest of the War Memorial Park and its users, parking charges are proposed to be introduced. The principle of introducing charges at the said car parks were approved at a meeting held on the 25th February 2020, where the City Council's Cabinet met as the trustees of the War Memorial Park, on behalf of the City Council.

A Notice of Proposals setting out the Council's intention was advertised from 8th October – 29th October 2020. 18 objections were received (1 withdrawn), 1 letter of support and 2 comment/questions. This report details the objections received for consideration by the Cabinet Member for Policing and Equalities.

Recommendations:

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the objections to the proposed introduction of parking charges.
2. Subject to Recommendation 1, approve the implementation of the charging structure at the War Memorial Park as detailed in Appendix 2 to this report, noting that this will be undertaken by making of the said variation Order

List of Appendices included:

Appendix A – Location Maps

Appendix B – Summary of proposal, charges, objections, questions and responses

Background Papers

None

Other useful documents: Cabinet Report

Cabinet acting as Charitable Trustees for War Memorial Park - dated 25th February 2020

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

1. Context (or background)

- 1.1 The off-street car parks at the War Memorial Park namely **Leamington Road, Coat of Arms Bridge Road** and **Kenilworth Road**, are often used by persons who are not necessarily visiting the park for the purposes of recreational activities which is the basis upon which the park is held. This often presents an issue for park users in relation to the availability of car parking spaces. In the best interest of the War Memorial Park and its users, parking charges are proposed to be introduced. The principle of introducing charges at the said car parks was approved at a Cabinet meeting held on the 25th February 2020. Delegated authority was granted to the Director of Streetscene and Regulatory Services following consultation with the Cabinet Member for Policing and Equalities to finalise the charging structure including undertaking the appropriate due diligence and completion of any necessary legal process.
- 1.2 Car parking charges will apply to all three car parks associated with the War Memorial Park. Pay and Display machines are to be installed at Coat of Arms Bridge Road and Leamington Road car parks. A barriered pay on foot solution will be installed at the Kenilworth Road car park. The payment terminals required at the car parks are proposed to be cashless payment. Location plans are included in **Appendix A**.
- 1.3 The parking charges proposed include a 3hr period of free parking for all users of the car parks, followed by hourly incremental charges up to a maximum of £5. The proposed charges include a discounted tariff of £1 for users of the Park and Ride facility who stay over the 3hr free period. The full proposed tariff is included in **Appendix B**.
- 1.4 The Council holds the legal title to the War Memorial Park by virtue of a Conveyance dated 27 January 1921. The land was transferred to the Council to be held and maintained by the Corporation and its successors as a public park for the people or for use for Agricultural Shows Flower Shows or similar purposes with a right to charge for admission'. The wording of this conveyance clearly settled the land (including the War Memorial Park) on charitable trust and as such the City Council is now the sole corporate trustee of the Trust.
- 1.5 Any income received from any agreement can only be used toward furthering the purpose upon which the charity was provided and cannot be used for the local authority's general purposes. Any income received from the asset must be kept separate from that of the Council and accounted for separately.
- 1.6 Any net consideration (once the costs of implementation and administration have been deducted) received for War Memorial Park car parking will enable the park to move towards being maintained on a financially self-sufficient basis and as such will contribute to long term enhancement of the park.
- 1.7 In order for the Council to impose charges and carry out necessary enforcement action the car parks need to be added to the OSPO by a variation order namely 'City of Coventry (Off-Street Parking Places) Order 2005 (War Memorial Park Car Parks)(Variation) Order 2020.
- 1.8 As part of the above procedures, the Notice of Proposals was advertised in the Coventry Telegraph on 8th October 2020 advising of the proposed variation order and setting out that any formal objections to the making of the order should be made in writing by 29th October 2020. Notices were also placed in all the car parks associated with this proposal and public notice boards throughout the park. A copy of the Notice, the Statement of Reasons, draft order and identifying plans were made available for inspection on the Council's website.

2. Options considered and recommended proposal

2.1 The number of objections received was 18 with 1 withdrawn. In addition, 1 response in support of proposals and 2 comments/questions were also received. The objections to the proposals, responses to the objections, details of support and recommendations from responders are summarised in the tables in **Appendix B**.

2.2 In considering the objections received, the options are to:

- i) Introduce the charges which is recommended
- ii) Not introduce the charges and continue with use of the facilities free of charge, however this will mean the car park will continue be utilised people not visiting the park to the detriment of genuine park users and is therefore not recommended.

3. Results of consultation undertaken

The Council carried out its annual budget consultation for 20/21 between December 2019 and 15 January 2020, when it was proposed to stop free parking at the War Memorial Park. However, the Local Authority received considerable feedback asking that park and recreational users were not penalised.

The Council altered its proposal and suggested a scheme where visitors could park for free for up to three hours parking. This was agreed by councillors at the Council's budget setting meeting on Tuesday 25 February

The Notice of Proposals was advertised in the Coventry Telegraph on 8th October 2020. Notices were also placed in all the car parks associated with this proposal and public notice boards throughout the War Memorial Park. A copy of the Notice, the Statement of Reasons, draft Order and identifying plans were made available for inspection on the Council's website.

3.1 The responses received were:

- 18 objections were received (1 objection was withdrawn).
- 1 response in support of proposals.
- 2 comments/questions.

Appendix B details a summary of the objections received and number of, including any letters of support or comments/questions also received, and a response to the objections raised. Copies of the content of the objections can be made available on request.

A copy of this report will be sent to all objectors and any further comments received in relation to the proposal will be reported verbally at the meeting.

4. Timetable for implementing this decision

4.1 Subject to approval It is proposed to proceed with the introduction of charging early 2021.

5. Comments from Director of Finance and Comments from the Director of Law and Governance

5.1 Financial implications

There are no financial implications arising from this Consultation exercise. The income raised will pay for the costs associated with the installation of the barriers and payment machines. It is also anticipated that c£120k pa (net) income will be achieved which will be used to enable the Park towards being maintained on a financially self-sufficient basis.

5.2 Legal implications:

Pursuant to sections 32 to 35 and 46A of the Road Traffic Regulation Act (RTRA) 1984, the Council has statutory powers to charge for the use of off-street parking places and can by Order regulate and charge for the use of these parking places. Off-street Parking facilities in Coventry are regulated by the City of Coventry (Off-Street Parking Places) Order 2005 (OSPO).

In order to impose charges and carry out necessary enforcement action the car parks must be added to the OSPO by variation order namely 'City of Coventry (Off-Street Parking Places) Order 2005 (War Memorial Park Car Parks) (Variation) Order 2020. Completion of the variation order and installation of the necessary equipment on site will see charging able to commence.

6. Other implications

6.1 How will this contribute to the Council Plan

The introduction of car parking charges will ensure that the War Memorial Car Parks remain available for park and recreational users. Net revenue raised will assist in making the War Memorial Park more financially self-sufficient, thereby protecting investment for the medium term.

6.2 How is risk being managed

None

6.3 What is the impact on the organisation

There are no identified impacts on the organisation as the introduction of car parking charges will generate income for the War Memorial Park which can be reinvested into the better enhanced use of the War Memorial Park by residents of the city

6.4 Equalities / EIA

An Equality Impact Assessment has been completed.

6.5 Implications for (or impact on) Climate Change and the Environment

None

6.6 Implications for partner organisations?

The City Council will work with the Friend of the War Memorial Park on the introduction of Car Parking charges.

Report author(s)

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Contributors:				
Suzanne Bennett	Governance Services Officer	Law and Governance	17/11/20	17/11/20
Cath Crosby	Lead Accountant – Business Partnering	Finance	12/11/20	12/11/20
Rob Parkes	Team Leader – Legal Services	Law and Governance	16/11/20	16/11/20
Graham Hood	Head of Streetpride and Greenspaces	Streetpride and Greenspaces	16/11/20	17/11/20
Names of approvers: (officers and members)				
Andrew Walster	Director of Streetscene and Regulatory Services	Streetscene and Regulatory Services	20/11/20	23/11/20
Graham Hood	Head of Streetpride and Greenspaces	Streetpride and Greenspaces	17/11/20	17/11/20
Cath Crosby	Lead Accountant – Business Partnering	Finance	18/11/20	18/11/20
Rob Parkes	Team Leader	Law and Governance	18/11/20	18/11/20
Councillor A S khan	Cabinet Member for Equalities and Policing		18/11/20	19/11/20

This report is published on the council's website: moderngov.coventry.gov.uk

Appendix A

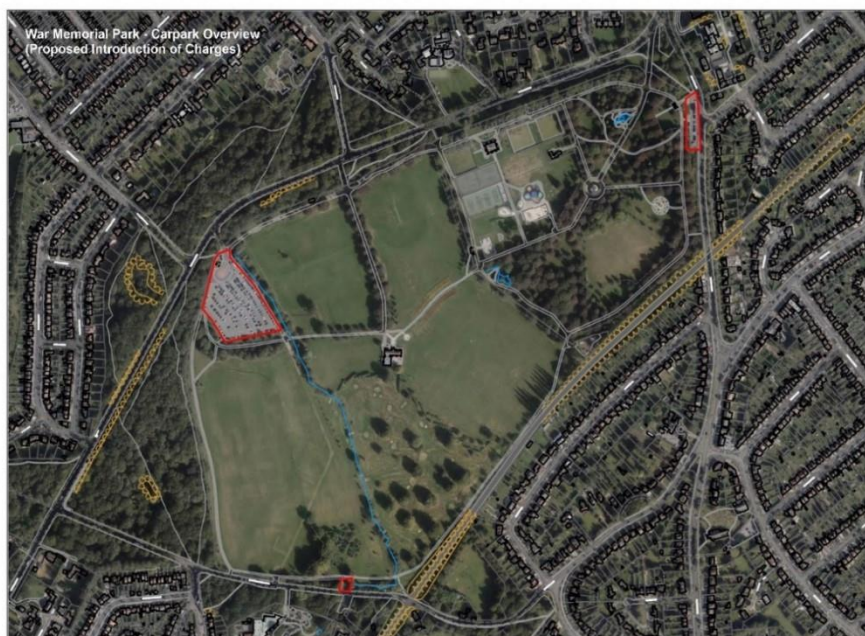


Appendix B

Objections to introduction of parking charges – War Memorial Park

Proposal

The proposal is to introduce the parking charges at the 3 locations referred to in this report which are edged red on the plan for identification purposes. Appendix A includes a plan of the individual locations. Leamington Road and Coat of Arms Bridge Road are intended as Pay and Display and the larger Kenilworth Road a barriered Pay on Foot system (end of visit).



The proposed tariff (applicable to all three facilities):

Up to 3 hours	Free
3 - 4 hours	£3.00
4 - 5 hours	£4.00
Over 5 hours	£5.00
Weekly Pass	£17.50
Park & Ride ** (Kenilworth Road)	£1.00

** Fare for travel on Park & Ride bus shall be payable in addition
The above rates apply to blue badge holders

<p>Objections</p>	<p>A total of (18) objections were received, one of which was withdrawn before the end of the notice of proposal period on the 29th October 2020. One letter of support was received.</p> <p>The objections received covered similar reasons, some multiple reasons. The objections have been categorised highlighting the main reasons for objecting to the proposal. The following are the category of the objections raised with the number of times a similar issue was raised.</p> <table border="1" data-bbox="387 342 1487 663"> <tr> <td>Against introduction of charges</td> <td>17</td> </tr> <tr> <td>Potential of Increased on street parking issues within streets near to the park</td> <td>6</td> </tr> <tr> <td>Introduction of charging for park and ride parking</td> <td>4</td> </tr> <tr> <td>Free period of parking (3hrs) insufficient</td> <td>2</td> </tr> <tr> <td>Question use of income raised from introduction of charging</td> <td>3</td> </tr> <tr> <td>Question reasoning for introduction of charges – availability of spaces/use of</td> <td>5</td> </tr> <tr> <td>Introduction of charges will deter visitors to the park and city centre</td> <td>8</td> </tr> <tr> <td>Detrimental consequences to health and wellbeing</td> <td>2</td> </tr> </table>	Against introduction of charges	17	Potential of Increased on street parking issues within streets near to the park	6	Introduction of charging for park and ride parking	4	Free period of parking (3hrs) insufficient	2	Question use of income raised from introduction of charging	3	Question reasoning for introduction of charges – availability of spaces/use of	5	Introduction of charges will deter visitors to the park and city centre	8	Detrimental consequences to health and wellbeing	2
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<p>Support</p>	<p>Agrees with the introduction of charges</p> <p style="text-align: right;">1</p>																
<p>Question emails received (2)</p>	<ul style="list-style-type: none"> • How does the Council plan to combat people who will start to park in the residential areas of the park? • Have you considered making the first 2 or 3 hours free at the memorial park? • Will blue badge holders be exempt from the proposed parking charges at the Memorial park please? 																
<p>Recommendations from objectors</p>	<ul style="list-style-type: none"> • Introduce parking permits – Woodside Avenue • Increased enforcement and fining for illegal parking • Introduce dedicated Motor Home parking to the city • Introduce restricted parking Earlsdon side of the park • Introduce a Park and Ride away from the park 																
<p>Response to objections</p>	<p>Local Councils are expected by national government to find ways to generate fair and effective income.</p> <p>The introduction of car parking charges at the War Memorial Park will ensure that park visitors continue to access free parking for up to three hours.</p> <p>Between December 2019 and 15 January 2020 as part of the Council's budget consultation, charging was proposed for all motorists <u>regardless of the length of their stay</u>. However, the Local Authority received considerable feedback asking that park and recreational users were not penalised.</p> <p>Therefore, a three-hour (free) period was put forward and agreed at the Council's budget setting meeting on Tuesday 25 February.</p> <p>This particularly recognised the fact that people (travelling by vehicle) using the park, for football, tennis, and many other sports and activities, would be able to enjoy the fabulous facilities and cafes, and complete their activities, without being charged.</p> <p>At the War Memorial Park grounds officers often found vehicle were being parked all day by owners working in the city centre, putting pressure on available spaces during busy periods - especially in the 42 space Leamington Road car park.</p> <p>This has been a cause of frustration for parks visitors, especially for people travelling from across the city to enjoy the venues facilities.</p> <p>Three hours free parking will be made available to all, ensuring that visitors have time to enjoy the park and any recreational activity they may participate in without charge. The option and choice to stay after the three hours remains completely a</p>																

matter for parks visitors who may choose to pay for any additional time spent at the venue.

However, we believe that the majority of visitors will still continue to use the park for less than three hours and therefore the visit will be free.

Charges after the free three-hour period are in line with charges already applied in both the City Centre long stay tariffs and those applied at Coombe Abbey Park e.g. £5 to park for the whole day.

Although at Coombe Abbey Country Park visitors are asked to pay £1 for an hour and £3 for one to two hours parking, this is not being considered at the War Memorial Park.

Motorists will also be able to purchase a weekly ticket again in line with charges at other long stay car parks.

In considering the rates for motorists who park at the War Memorial Park for more the 3hr free period and travel into the city centre or elsewhere by bus we believe a discounted tariff charge of £1 is a fair charge. This recognises the fact that, even though the venue is not a dedicated park and ride site, there are in the region of 14,000 people per year who use the site for onward bus travel and are already charged on average £3.10 for a return bus ticket.

This is a fair charge that compares fairly with costs for all day car parking tickets in the city centre.

Once the costs of implementation and administration of the car park charging scheme have been deducted the funds generated will enable the War Memorial Park to move towards being maintained on a **financially self-sufficient basis** and as such providing opportunities for a greater range of national funding bids being made that will contribute to the enhancement and ongoing improvements to the park

Installing Pay and Display machines at the smaller car parks at Leamington Road and Coat of Arms Bridge Road and a Pay on Foot barriered system at Kenilworth Road will offer visitors flexibility based on their visitor intentions. Cashless payment will also reduce the risk of potential vandalism to the payment machines and anti-social behaviour at the park. In addition, by removing the elements of cash handling this will reduce the operational costs.

The levels of any on street parking within neighbouring streets will be closely monitored following the introduction of charges.

In recent years visitor numbers to the park have grown, and in that time, new equipment and features such as the outdoor gym equipment has added to the vibrancy and appeal of the park.

It is widely acknowledged, that the outdoor physical and mental health benefits of parks is vitally important. This has never been truer at a time when the nation has been responding to the impact of the Covid-19 restrictions. Work will continue with our sports and culture colleagues to increase participation.