

Agenda Item No: 10
Report To: CABINET
Date of Meeting: 17 December 2020



Report Title: Review of Edinburgh Road car park

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Portfolio Holder Cllr. Feacey
Portfolio Holder for: Community Safety and Wellbeing

Summary: Edinburgh Road car park (ERCP) provides a large number of town centre parking bays, however it does not operate 24 hours a day and is closed in accordance with the operating hours.

Due to the changing nature of Ashford town centre; namely the increase in residential premises being developed and the change in shopper behaviour linked to Covid-19 a review of this asset is necessary to ensure it is being utilised to meet these demands.

The proposals in this report will support the town centre re-set. They will help to alleviate the parking needs linked to the increase in town centre's new housing developments, as these properties would not meet criteria for on-street resident's permits.

It will also ensure that ERCP is meeting the needs of its customers by allowing them to access local amenities whilst using a parking facility that is managed effectively, efficiently and safely, which will have a major impact on customer experience and encourage footfall.

Key Decision: YES

Significantly Affected Wards: Victoria Ward

Recommendations: The Cabinet is recommended to:-

- I. Agree the new operating hours of Edinburgh Road car park
- II. Agree bespoke charging tariff for Edinburgh Road car park

III. Agree the introduction of reduced fees for customers using RingGo

Policy Overview: The review of Edinburgh Road car park is required to ensure an effective, efficient and sustainable service delivery. The proposed approach will boost drivers' options in the town centre and help to alleviate the parking need linked to the increase in the town centre's new housing developments, as these properties would not meet criteria for on-street resident's permits.

Financial Implications: We anticipate an increase in revenue through extension of chargeable hours and the utilisation of floors 3 and 4 (167 spaces) for residential season ticket holders. The introduction of residential season tickets has the potential to earn up to £99k per year, based on an annual residential season ticket being priced at £594.

There may be some increase in the issuance of penalty charge notices (PCNs) as Civil Enforcement Officers will make more visits due to the increased opening hours to check compliance.

There are costs associated with extending the opening hours, such as initial alterations to tariffs, ongoing utility charges and increased cleaning regimes, alongside back office systems to support tariff changes. However, it is anticipated that these will be more than offset by the additional income arising from different streams of users.

Legal Implications: Legal implications relevant to amendments to Traffic Regulation Orders are addressed within the body of the report.

Equalities Impact Assessment: See Attached

Data Protection Impact Assessment: NA

Risk Assessment (Risk Appetite Statement): There is a low risk in relation to the fact that ERCP is an established facility and the proposals should encourage increased usage.

As ERCP is ageing, we run the risk that potential users may be put off as it does not meet expectations. Running in line with these recommendations, we must have a life-care plan for the car park. The life-care plan would entail inspections, maintenance and necessary repairs so safety is maintained. We are also seeking solutions for installation of CCTV within the stairwells.

Sustainability Implications:	<p>The extension of opening hours means that there will be an increase in use of electricity for lighting and power. A free lighting survey is being arranged to explore sustainable lighting options. Light plays an important role in providing safety in parking facilities and can dramatically reduce the number of luminaires required, thereby reducing both the carbon footprint and long-term management costs.</p>
Other Material Implications:	<p>We need to have a clear communication and signage system to run hand in hand with any associated town developments and to move users to desired car park locations. Failure in not coordinating accordingly will leave the car park below capacity and earning potential. This decision has relevance to the Town Centre Reset work as presented at Cabinet on 26 November 2020.</p> <p>There will be some operational implications on parking resource, as we move to monitor the usage of the car park in line with expectations of revenue. In addition, ensuring review of risk assessments and arrangements to be made for additional nightly security checks to the site by a contractor.</p>
Exempt from Publication:	NO
Background Papers:	None
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Report Title: Review of Edinburgh Road car park

Introduction and Background

1. Edinburgh Road car park (ERCP) is a multi-storey facility that provides a large number of town centre parking bays (289, inclusive of 24 disabled bays). The car park currently operates between 0630 and 2030 hours during the week and 0630 and 1930 hours at the weekend. The car park is closed outside of these operating hours.
2. The car park offers free parking from 1500 hours to closing on Monday to Saturday and free on Sundays and Bank Holidays. This incentive was instigated in 2015 to increase usage and encourage visitors to the town centre businesses. During the parking charging period, average occupancy is 75%.
3. The reduction in local authority income due to Covid-19 has been widely publicised during the pandemic and this has triggered the Council to reflect on the best use of their assets. It is constructive to explore the use of ERCP and how this can be used to best effect to support the town centre regeneration, and alleviate parking need.

Proposal

4. The proposals are to increase the opening of ERCP to 24 hours a day, implement a bespoke charging tariff for this car park and introduce reduced fees for customers using RingGo. The proposals are detailed in the paragraphs below and **Appendix A** details the changes in a table format.
5. Having ERCP open 24 hours a day will add value to local residents and ties in to a broader approach as Ashford Borough Council looks to regenerate the Town Centre. This proposal will provide an additional parking facility for those that use the town in the evening such as members of public accessing the night time economy, shift workers and night workers.
6. This will also offer new residents to Ashford the opportunity to be able to purchase a residential season ticket and provides them access to a secure overnight parking facility, supported by CCTV and security inspections.
7. The introduction of residential season tickets will be specifically for those that are in developments that are not eligible for on-street parking permits. The annual cost is £594 which equates to £1.62 a day. The previous solution for such residents is that they purchase an annual season ticket for town centre car parks which is priced at £836.
8. The on-street residential permit scheme has been approved by Kent County Council and the accompanying Traffic Regulation Order does not allow the issuance of more permits than available parking spaces in each zone. Therefore we can offer residents that are unable to obtain an on-street permit a solution with this option.

9. These users will be made to park on the top two floors, which will allow disabled users and short stay customers to use the lower floors with ease. This approach will also reduce the number of payment machines, which are already listed to be removed as part of the recent cashless paper.
10. The reduction in costs for the customer using RingGo provides an opportunity to incentivise cashless payments. Since Covid-19, there has been a change in customer behaviour, and cash has not been the preferred option for many outlets. Those with the technological ability to take advantage of a cashless society find that it's more convenient. As long as you have your card or phone, you can pay for your parking without touching or queuing at terminals. The financial incentive could encourage users to move to this payment option.
11. The free parking arrangements will continue, however an overnight charge will be introduced to prevent misuse of the facility. Users can be assured that the car park is monitored by the CCTV team and extra security visits will be made. The patrols of the car park will be random, cover vulnerable areas of the site and provide a highly consistent and visible presence.

Equalities Impact Assessment

12. Members are referred to the attached assessment. The key issue arising is the lack of lifts operating 24 hours a day. As this car park is not adjacent to resident flats, having lifts operating 24/7 is less relevant. If they operate 24/7 this may lead to an increase in anti-social behaviour, more maintenance issues, break downs and more frequent periods of lifts being out of order for longer period of times.
13. Given the age and condition of the lifts, they are becoming ever more unreliable. We have a duty of care to ensure the premises are safe and free from risks to health. Disabled users with blue badges tend to steer clear of parking overnight in multi-storey car parks specifically due to these facts and will err on the side of caution and use on-street parking for convenience.

Consultation Planned or Undertaken

14. The Traffic Regulation Order (TRO) will need to be amended in order to introduce the proposed arrangements. The public will have the opportunity of making representations before the orders are finalised.
15. The Council will have to give due weight to any objections and will have to balance the convenience of income generation on an asset to any likely increase in operating costs.
16. Ashford Access Group have been informed of the proposal and have been supportive of the measures as they are sensible and safe. If any concerns are raised, we would be review the position and make necessary adjustments. They have requested additional communication to the disabled groups making them aware, well in advance of what changes are being made to ERCP. This will form part of the overall communications plan.

Other Options Considered

17. Do nothing: As stated it is constructive to explore the use of ERCP and support the changing demands for parking within the town centre. Therefore it is not an option to do nothing as we would not be seeking solutions for the increasing demand for parking linked to increased residential developments within the town centre.
18. Immediate implementation: If this is implemented immediately, it will not allow the additional work to be completed on the car park to make it attractive to users and therefore may have a detrimental effect. We also need time to produce the relevant communications and publicise the changes to encourage interest and take up.

Reasons for Supporting Option Recommended

19. The recommendations as detailed above will bring benefit to the council and the users of our services in the following manner:
 - add value to local residents by offering different options to meet their needs
 - supports a broader approach to town centre regeneration
 - cost reductions in respect of coin processing
 - reduction in cost for machine provision and maintenance
 - staff time saved on financial reconciliation
 - modernisation of our services
 - lowers risk of virus transmission
 - increases safety of those using the car park
 - improvements and increased use will deter people committing anti-social behaviour

Next Steps in Process

20. It is anticipated that the recommendations would be implemented in accordance with the following timescale:

Edinburgh Road car park - phased implementation	
December 2020	Cabinet agreement
Phase 1 by spring 2021	Open the car park for 24/7 Introducing new options for customers such as the resident permits for the new developments for £594 per year.
Phase 2 by spring 2021	Introduction of bespoke charging tariff and RingGo initiatives
Phase 3 by summer of 2021	Introduce new options for customers such as the day passes as approved under suitable delegation by the Community Safety and Wellbeing (CSaW) Head of Service in consultation with the CSaW Portfolio Holder.

Conclusion

21. The Cabinet are asked to support the recommendations and allow the officers to work to the programme detailed above to increase the usage of the ERCP and support the changing parking need of the town centre. This underlines the council's commitment to making Ashford town centre an even more accessible and popular destination.

Portfolio Holder's Views

22. I support this report based on a phased programme of increasing the usage of Edinburgh Road car park and offering a variety of options for the residents and visitors to Ashford. This proposal will support the changing demands of parking within the town centre and I commend this report to the Cabinet.

Cllr Peter Feacey – Community Safety and Wellbeing

Contact and Email

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Appendix A

Currently	Proposed Changes		Considerations
Opening hours Monday to Friday – between 6am and 8.30pm Saturday and Sunday – between 6am and 7.30pm N.B. THIS CAR PARK IS LOCKED OVERNIGHT	ERCP is open and accessible 24 hours a day, seven days a week.		Amend Parking Order. Remove the need to pay for closing the car park, however more concentration on security and CCTV coverage out of normal office hours.
There is a £55 release fee for vehicles locked in the car park. The £55 release fee is paid by the motorist so no saving here.	N/A		Removed
Charging period 0700 am to 1500 pm	Charging period 24/7		Amend the tariffs charging period on all back office systems.
There are 289 bays in total which includes 24 disabled bays. Therefore there are 265 bays with only a charging period for 8 hours a day (2120 sessions)	Of the 265 paying bays, if charging for example is for 11 hours a day, this then gives (2915 sessions) a potential 28% uplift in income.		Increase revenue
Free parking	Retain		Retain
Ticket machines you can pay by cash, cards or use the cashless service, RingGo Monday to Saturday	Cheaper tariffs on offer- if driver uses Cashless - RingGo		Amend Tariffs
Tariff Hourly rate - £1.20, payable in 5p increments Minimum payment - 60p (30 minutes) Over 4 hours - £5.50 Free after 1500 pm	RingGo Hourly rate- £1.00 plus convenience fee Minimum payment - 1 hour Over 4 hours - £5.50 Overnight parking charge from 1800	P & D Hourly rate - £1.20, payable in 5p increments Minimum payment - 60p (30 minutes) Over 4 hours - £5.50 Overnight parking charge from	Incentive on Cashless Parking.

	through to 0700 £1.70. plus convenience fee (Total £2.00)	1800 through to 0700 £2.40 flat rate	
Season Tickets 1 Monthly £ 83 3 Monthly £236 6 Monthly £445 12 Monthly £836 All days	Introducing RingGo Season Tickets and Day Passes 5 day £17.50 10 day £35.00 15 day £50.00 20 day £65.00 25 day £80.00 includes convenience fee	Part of Virtual permits - Car park Vouchers £3.50 per day. Have to park on top 2 floors (There is a £2.50 which includes convenience fee and minimum vouchers is 10 vouchers, buying 10, 15 or 20 at a time).	Amend Parking Order.
No residential permits allowed	Introduce Resident Season Ticket Permits For all new housing developments which do not qualify for on street permits, £594.00 per annum. T & C's include 1 permit per household only to be used in this car park, and restricted to parking on top 2 floors only.		Amend Parking Order.

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (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 (ie tackling prejudice and promoting understanding between people from different groups).
3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions

and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Armed Forces Community

9. As part of the council's commitment to the Armed Forces Community made through the signing of the Armed Forces Covenant the council's Cabinet agreed in November 2017 that potential impacts on the Armed Forces Community should be considered as part of the Equality Impact Assessment process.

10. Accordingly, due regard should also be had throughout the decision making process to potential impacts on the groups covered by the Armed Forces Covenant:

- Current serving members of the Armed Forces (both Regular and Reserve)
- Former serving members of the Armed Forces (both Regular and Reserve)
- The families of current and former Armed Forces personnel.

Case law principles

11. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due

regard' to the equality duty and so EIA's must be attached to any relevant committee reports.

- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the

equality duty. [Equality Duty in decision-making](#)

Lead officer:	<p>Alison Oates Community Safety and Wellbeing Manager</p> <p>Mandy Cracknell Parking, Highways and Transportation Team Leader</p>
Decision maker:	<p>Cabinet</p>
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<p>To approve</p> <ul style="list-style-type: none"> • new operating hours of Edinburgh Road Car park • bespoke charging tariff for Edinburgh Road Car park • introduction of reduce fees for customers using RingGo
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	<p>17 December 2020</p>
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>This report covers three matters:</p> <ul style="list-style-type: none"> • Approve the new operating hours of Edinburgh Road Car park • Approve bespoke charging tariff for Edinburgh Road Car park • Approve the introduction of reduce fees for customers using RingGo <p>The report sets out the options for each of above.</p> <p>This report has been prepared for members to consider the aforementioned and consequential assistance this will provide in potentially reducing financial pressures by increasing some income streams, where car park is open longer, more hours charging for car parking and introducing a bespoke permit for residents of new developments who do not meet the criteria for on street parking. As well as incentives on payment options.</p> <p>The introduction of above will benefit to the customers as it will maximise convenience and satisfaction, through ease of use and access to local amenities, retail centres etc.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>Edinburgh Rd Car park 24/7</p> <p>Due to Covid-19 pandemic many local authorities now face significant financial challenges over the coming years.</p> <p>It is constructive to explore the use of Edinburgh Road Car Park (ERCP) and how this car park will support the town centre regeneration, and will help to alleviate the parking need.</p> <p>A review of this asset is necessary to ensure it is being utilised to meet the changing demands.</p>

	<p>By opening 24/7 we are tapping into the evening economy and rather than limiting charging hours, expanding for increase income generation</p> <p>Parking charges and incentives We have seen an increase in the use of contactless payments in our car parks since the pandemic and the introduction of RingGo. The users are taking advantage of the simple RingGo app to park with ease and confidence. Figures show that drivers in the borough have increasingly been using RingGo when parking in council-owned car parks and to reduce going payment machine costs, we potentially could reduce cashless payment charges to give motorists an incentive to use in favour of coin and card.</p> <p>Alongside this, we wish to provide the residents of new developments with parking options and offer them parking in the third and fourth floor of the car park, so the car park meets all requirements for both long term stay and for the bottom floors to cater for short term stays and turnaround.</p>
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<p>Consultation:</p> <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p><i>Please outline the nature of any consultation undertaken, the groups this was with and the protected characteristics represented.</i></p> <p><i>The results should be presented proportionately i.e. for larger consultations analysis of the results may be appropriate, whilst for small-scale consultations a commentary on the results may suffice.</i></p> <p>Ofcom – “Adults media use and attitudes report 2018” – www.ofcom.org.uk Action on Hearing Loss – www.actiononhearingloss.org.uk Ashford Borough Council Parking services knowledge Ashford Borough Council Finance service knowledge</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	Medium	Negative (minor)
Middle age	Low	Positive (minor)

Young adult	Low	Positive (minor)
Children	Low	Neutral
<u>DISABILITY</u>		
Physical	High	Negative (minor)
Mental	High	Negative (minor)
Sensory	High	Negative (minor)
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	Low	Positive (minor)
<u>RACE</u>	Low	Neutral
<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u>	None	Neutral
Men		
Women	None	positive
<u>SEXUAL ORIENTATION</u>	None	Neutral
<u>ARMED FORCES COMMUNITY</u>	None	Neutral
Regular/Reserve personnel		
Former service personnel	None	Neutral
Service families	None	Neutral

<p>Mitigating negative impact:</p> <p>Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>Elderly</p> <p>The lift operating times were be clearly displayed throughout the car park and on our website to ensure that customers are aware before they chose this as an option as they will not be operating 24 hrs a day.</p> <p>Disability</p> <p>Disabled users will not be able to use the Car park lifts out of normal lift times when they shut down, however disabled blue badge holders can still park on street.</p> <p>Security measures for late night users of car park</p> <p>To improve customer safety and vehicle security in our car parks, we are looking at a number of initiatives. Increased security measures will be in reviewed including consideration for</p>
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	<p>deployment of additional CCTV, improved lighting and security inspections.</p> <p>Thereafter, looking to be awarded with the 'Park Mark Award for safer parking.</p>
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<p>Is the decision relevant to the aims of the equality duty?</p> <p>Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	NA
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	NA
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	NA

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advice on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<ul style="list-style-type: none"> The due regard for equality has been considered throughout this report. The negative impacts have been mitigated as detailed above and the impact on protected characteristic will be reviewed throughout the process and if required further adaptations can be made. There is no unlawful discrimination arising from this report The proposals are not considered to have any impacts on equality and will provide customers with easier and safer payments options. The negative impacts have been mitigated as explained above. Monitoring will be completed through: <ul style="list-style-type: none"> analysis of usage data customer surveys attendance at relevant business / community forums during the implementation period monitoring of complaints and review of processes
EIA completion date:	24 November 2020