

**Agenda Item No:**

**Report To:** Cabinet

**Date of Meeting:** 27 July 2023

**Report Title:** Parking tariff review

**Report Author:** Alison Oates

**Job Title:** Safety and Wellbeing Manager

**Portfolio Holder:** Cllr. S Campkin

**Portfolio Holder for:** Climate, Environment and Transport



**Summary:**

Over the last few years, the Council has experienced a significant increase in its costs relating to car parking, mainly driven by increased utility costs. The Council has a policy to review parking charges on a triennial cycle, the last review was postponed and so it has been four years since the charges were reviewed, this has now got out of sync with the cost of the service.

The specific proposal is to increase all tariffs by an agreed percentage, approximately 10% (rounded to the nearest 10p) whereas CPI has increased by 20.18% since the last increase in charges. The proposed charges will still be lower than those of our competitors.

There is a need to review the Council's wider parking policy to make sure that whilst fitting within the budget envelope the Council's parking provision and charging policies deliver its corporate objectives, and the outcome of this review will be the production of a new parking strategy that will come forward to a future meeting of the Cabinet. The portfolio holder has established a working group to have an oversight of this review and to bring forward proposals later in the year.

**Key Decision:** YES

**Significantly Affected Wards:** All

**Recommendations:** The Cabinet is recommended to:-

- I. **Agree an increase in on-street and off-street parking tariffs, from 1 October 2023, across the borough by approximately 10% on current tariffs (e.g. £1.20 to £1.30, £2.40 to £2.60 etc.) and in accordance with the specific rates detailed within the report.**

**Policy Overview:** The review of parking tariffs is required to ensure effective, efficient, and sustainable service delivery including necessary enforcement activity. The proposed increases are to address the rising costs experienced by the service.

**Financial Implications:** The 2023/24 budget highlights a net increase of £173,640 in costs associated with the operation of our parking service. If tariffs are not increased this additional cost will fall upon the general fund and create future pressure. The proposed 10% increase will generate additional income of £194,000 from on street and off-street parking. This would address the increase in our running costs and reduce the impact on reserves.

It is important to note that there have been no increases since April 2020 and over the last three years CPI has increased by 20.18%.

There will be costs associated with changing the terminal parking software as a consequence of the tariff changes of approximately £250 per terminal. Based on current numbers this equals 36 terminals and therefore a total 'one off ' cost of £9,000. There will also be a cost of £500 to update the relevant signage and tariff boards.

**Legal Implications:** Section 32 of the Road Traffic Regulation Act 1984 (RTRA) is the relevant legislation that gives power to local authorities to provide parking places. The 1984 Act, together with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (LATOR), sets out the procedure which must be followed and allows for tariff changes and minor changes to the charging period to be made by a simple process by way of a Variation Order. This requires a notice in the car park that the tariff change relates to and in the local newspaper. The Local Authority must allow 21 days before the new fees come into effect.

*Text agreed by  
Principal Solicitor,  
Property and  
Planning on  
03/07/2023*

If cabinet agree to implement any changes, this will require a formal amendment to the Order. Doing this would be in accord with the general duty upon the council under section 122(1) of the 1984 Road Traffic Regulation Act (RTRA), to ensure the provision of suitable and adequate off-street parking facilities and "secure the expeditious, convenient and safe movement of traffic". Ashford Borough Council must also consult with the county council and other appropriate organisations including the Police.

The Council holds a number of car park leases. These permit the Council to make tariff changes.

**Equalities Impact Assessment:** Yes

<b>Data Protection Impact Assessment:</b>	Not required
<b>Risk Assessment (Risk Appetite Statement):</b>	<p>There is a financial risk as costs have increased dramatically over the last three years and if the proposed increases are not approved then additional pressure will be placed on the council's reserves. Any increase in parking costs could lead to a potential reduction in car park usage as well as any other economic factors beyond the control of the council. We do not believe this will be significant.</p> <p>The increases have been benchmarked and kept to a minimum in order to minimise impact on those using the car parks and parking bays.</p>
<b>Sustainability Implications:</b>	<p>The increase in parking tariffs could encourage greater use of public transport and active travel options with a positive environmental impact, particularly if the promotion of parking tariff increase is framed in this context.</p> <p>Providing additional cycling pods in car parks (at a discount to parking bay cost) could be an alternative income generator at these sites and will be considered as part of the climate action plan review.</p>
<b>Other Material Implications:</b>	There are no other material implications.
<b>Exempt from Publication:</b>	<b>NO</b>
<b>Background Papers:</b>	<b>N/A</b>
<b>Contact:</b>	Alison.oates@ashford.gov.uk – Tel: (01233) 330225

## Report Title: Parking tariffs review

### Introduction and Background

1. This report addresses car parking tariffs within the borough of Ashford with specific proposals set out concerning the increase in tariffs.
2. The council has an important role to play in ensuring there is suitable and sufficient parking available within its town centres. While price increases are never popular, significant investment has taken place in our parking services not only in terms of increasing the number of spaces available for car parking (Adleys Yard and Park Mall) but also in terms of utilising new technology to improve our customers' parking experience.
3. Over recent years, the Council has experienced a significant increase in its costs relating to car parking (26.8%), mainly driven by increased utility costs but also costs linked to card and cash collection charges, rents, and supplies. The table below details the expenditure and income since 2018. The table clearly shows the impact of the Covid pandemic on parking income through the middle three years and while income has increased broadly back to pre-pandemic levels, the costs have increased significantly and therefore the net contribution from parking has added a financial pressure on the organisation. The proposed increase in charges will increase the net income position by this will still be below pre pandemic levels.

	2018-19	2019-20	2020-21	2021-22	2022-23
EMPLOYEE COSTS	618,118	638,256	657,300	610,956	558,367
ELECTRICITY	58,496	62,524	40,445	59,345	219,784
BUSINESS RATES	278,894	336,250	335,918	360,191	408,897
RENT, SERVICE CHARGE & OTHER PREMISE COSTS	143,249	204,433	147,092	194,731	309,945
SUPPLIES, SOFTWARE & SERVICES	214,302	208,230	166,494	197,205	224,910
CARD AND CASH COLLECTION	87,939	66,687	62,669	131,938	202,353
SUPPORT SERVICES	550,382	605,291	546,092	504,976	434,271
FEE, FINE AND OTHER PARKING INCOME	(2,682,489)	(2,654,341)	(1,111,258)	(2,222,329)	(2,751,040)
<b>NET (SURPLUS)/PRESSURE</b>	<b>(731,110)</b>	<b>(532,668)</b>	<b>844,752</b>	<b>(162,987)</b>	<b>(392,512)</b>

4. There is a need to review the parking tariff charges in line with the policy that was agreed by the cabinet in 2016 (reference CA 090616 minutes number 25). By reviewing tariffs, we ensure that the council's arrangements are fit for purpose, reflect costs associated with operating the service and are supportive of wider corporate objectives.
5. The British Parking Association produced a report in December 2020 entitled "Public Perception of Parking" and this report details that the public consider a number of factors when selecting a location to park. The public favours parking

which is convenient and in close proximity to their location. The report states “Whilst important, cost is not the single most important driver”.<sup>1</sup>

6. Benchmarking has been undertaken to ensure that the proposed parking charges are in line with charges applied elsewhere. This benchmarking has been undertaken against comparable town and city centres locally within the county. It is important to note that tariffs for parking are not a straight competitive exercise between towns, benchmarking only allows for a considered review of current and proposed tariffs. There are many other factors which determine how tariffs are set locally such as availability of (and demand for) parking, the impact that town/city centre parking has on the area, and alternative options to private car use that could otherwise be used. A benchmarking table is located in **Appendix A**. This shows that the proposed charges are either the lowest or second lowest in the sample, maintaining the competitiveness of the charging structure within the town and surrounding towns.

## Proposal

### ***Recommendation (i) to increase parking charges across the borough by approximately 10% on each tariff***

7. Specific recommendations for car parks are as follows:

Current tariffs in short stay car parks to be increased as follows:

<b>Current</b>	<b>Proposed</b>
£1.20 up to 1 hour	£1.30 up to 1 hour
£2.40 up to 2 hours	£2.60 up to 2 hours
£3.60 up to 3 hours	£4.00 up to 3 hours
£4.80 up to 4 hours	£5.30 up to 4 hours
£12.00 over 4 hours	£13.20 over 4 hours

8. Current tariffs in long stay car parks are as above with the only exception being as follows:

<b>Current</b>	<b>Proposed</b>
£5.50 over 4 hours	£6.00 over 4 hours

9. On-street tariffs to be increased in line with the above tariffs i.e. 10p per hour (i.e. an hourly charge will be increased to £1.30).
10. The proposed 10% increase is projected to generate additional income of £194,000 per annum.
11. The generated income will be used to fund the increased costs as detailed in the report.

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<sup>1</sup> [Public Perceptions of Parking BPA Dec2020.pdf \(britishparking.co.uk\)](#)

## **Equalities Impact Assessment**

12. Members are referred to the attached assessment. The increase in tariffs is being applied across the borough and has an equitable impact, they are not discriminatory to any individual protected group.
13. Blue badge holders will still be entitled to three hours free parking within our car parks.

## **Consultation Planned or Undertaken**

14. The proposed changes for our car parks and on-street will require us to produce a notice of variation. This notice will be displayed in the parking places and must be displayed for a minimum of three weeks. The notice will detail the date when the charges are due to come into force and what they are. This notice to raise charges is not a consultation.
15. The leases of land currently used for car parking contractually allows the Council to set the charges consistently across the borough. The same is naturally true of those car parks solely owned by the Council.
16. A communications plan will be delivered to ensure the residents, workers and visitors of the borough are informed of the changes.
17. There are refund arrangements in place with Freedom Leisure Trust, and they have been advised on the proposed increases.
18. It is stressed that the off-street car parking proposals only relate to council run car parks. The Council does not set the tariffs in car parks run by other operators or private car parks.

## **Other Options Considered**

19. Do nothing: As stated it is constructive to explore the increase of parking tariffs to fund the increased costs of running the parking service and reduce the pressure on the reserve budget. Therefore, it is not a viable option to do nothing as the costs would have to be covered by the general council taxpayer as opposed to the user of the service.

## **Reasons for Supporting Option Recommended**

20. The recommendation to review the tariffs is in accordance with the policy agreed in 2016. The proposed increases are in line with the increased costs of maintaining our car parks and providing suitable on-street provision. The increased charges will support the council's ongoing desire to expand and modernise its parking offer for customers.

## **Next Steps in Process**

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

- The proposed changes will require amendment to Traffic Regulation Orders and this will take place in accordance with statutory procedures.
  - Increase tariffs on parking charges as detailed within the report with effect from 1st October 2023.
22. A wider review of our parking offer will take place over the current financial year. This review will reflect environmental, economic and social factors. This is an opportunity to reflect on the introduction of overnight charges, removal of “Free after 3pm”, ANPR and other related parking policies. The outcome of this review will be the production of a parking strategy and would come forward to a future meeting of the Cabinet. The parking strategy will consider aspects such as supporting economic development/regeneration and sustainable transport. A task and finish group has been set up to manage this change and will include Member representation.

## **Conclusion**

23. The proposed increase in parking tariffs is necessary and has been set at a level to recover operating costs.
24. The Cabinet are recommended to agree an increase in on-street and off-street parking tariffs, from 1 October 2023, across the borough by approximately 10% on current tariffs (e.g. £1.20 to £1.30, £2.40 to £2.60 etc.) and in accordance with the specific rates detailed within the report.

## **Portfolio Holder’s Views**

25. This represents the first increase in parking charges since April 2020. A 10% increase is entirely reasonable in consideration of this. No one wants to see prices rise, but Ashford's parking charges have been static for some time and inflation alone outstrips the rises proposed. I commend this report and its recommendations to the Cabinet.

**Cllr S Campkin – Cabinet Member for Climate, Environment and Transport**

## **Contact and Email**

26. [Alison.oates@ashford.gov.uk](mailto:Alison.oates@ashford.gov.uk)

## Appendix A

### Parking tariff benchmarking document – car parks

All towns surveyed had varying tariffs and varying incentives, below represents a typical parking session.

Town	Up to 1 hr	Up to 2 hrs	Up to 3 hrs	Up to 4 hrs	Over 4 hrs short stay	Over 4 hrs Long stay	Overnight charge	Notes
Ashford (proposed new charges)	1.30	2.60	4.00	5.30	13.20	6.00	NA	
Ashford County Square NCP	1.95	3.95	5.85	7.80	NA	11.95	NA	Have a variety of offers such as early bird entry and reduction if using their app
Ashford Train Station	2.30				6.00 (1 to 5 hrs)	8.70	NA	
Folkestone	1.60	3.20	4.80	6.40	NA	9.60	NA	
Dover	1.60	3.20	4.80	6.40	NA	9.60	NA	
Maidstone	1.35	2.70	4.05	5.40	NA	7.30	2.00	
Canterbury	2.50	5.00	7.50	10.00	20		2.00	

All prices taken from the operator's on-line website pages, June 2022



# Equality Impact Assessment

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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](#)

<b>Lead officer:</b>	Alison Oates Safety and Wellbeing Manager
<b>Decision maker:</b>	Cabinet
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>	<p>The report addresses car parking charges within the Borough.</p> <p>The specific proposals is to increase to all tariffs by an agreed percentage, approximately 10% (rounded to nearest 10p).</p>
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	27 July 2023
<b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	To agree an increase in parking charges in operation for our car parks and on-street parking bays to reflect the increased running costs brought about by general inflation, maintenance and repair costs. In particular, there is a need to reflect the large increases in electricity charges
<b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>	<p>The review of parking charges is required to ensure an effective, efficient and sustainably service delivery including necessary enforcement activity. The proposed increases take into account rising costs experienced by the service.</p> <p>The new proposed parking charges will support the promotion of other sustainable modes of travel, where by encouraging a reduction in private car use into town and city centres this will reduce emissions, improve air quality and reduce congestion.</p>
<b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect</li> </ul>	<p>The Traffic Regulation Orders (TROs) 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 and the council will have to give due weight to any objections.</p> <p>It is stressed that the off-street car parking proposals only relate to council run car parks. The Council does not set the charges in car parks run by other operators or private car parks.</p>

people with different protected characteristics?	
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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.

<b>Protected characteristic</b>	<b>Relevance to Decision High/Medium/Low/None</b>	<b>Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral</b>
<u>AGE</u> Elderly	Low	Neutral
Middle age	Low	Neutral
Young adult	Low	Neutral
Children	Low	Neutral
<u>DISABILITY</u> Physical	Low	Neutral
Mental	Low	Neutral
Sensory	Low	Neutral
<u>GENDER RE-ASSIGNMENT</u>	Low	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	Low	Neutral
<u>PREGNANCY/MATERNITY</u>	Low	Neutral
<u>RACE</u>	Low	Neutral
<u>RELIGION OR BELIEF</u>	Low	Neutral

<u>SEX</u> Men	Low	Neutral
Women	Low	Neutral
<u>SEXUAL ORIENTATION</u>	Low	Neutral
<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	Low	Neutral
Former service personnel	Low	Neutral
Service families	Low	Neutral

<b>Mitigating negative impact:</b> Where any negative impact has been identified, outline the measures taken to mitigate against it.	The increase in charges are being applied across the borough and are have an equitable impact, they are not discriminatory to any individual protected group.
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<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC's <a href="#">Essential Guide</a> , alongside fuller <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes / No / N/A</b>
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

<b>Conclusion:</b>	
<ul style="list-style-type: none"> <li>Consider how due regard has been had to the equality duty, from start to finish.</li> </ul>	<ul style="list-style-type: none"> <li>The due regard for equality has been considered throughout this report. However due to the nature of the report there are no negative impacts.</li> </ul>

<ul style="list-style-type: none"> <li>• There should be no unlawful discrimination arising from the decision (see guidance above ).</li> <li>• Advise 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.</li> <li>• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul>	<ul style="list-style-type: none"> <li>• There is no unlawful discrimination arising from this report</li> <li>• The proposals are not considered to have any impacts on equality and will provide reassurance that we have a policy in place to support our critical functions during an incident.</li> <li>• Monitoring will be completed through: <ul style="list-style-type: none"> <li>• analysis of car park usage</li> <li>• customer surveys</li> <li>• attendance at relevant business forum meetings</li> </ul> </li> </ul>
<p><b>EIA completion date:</b></p>	<p>27 June 2023</p>