



**Author/Lead Officer of Report:** Lisa Firth, Head of Parks & Countryside

**Tel:** 07867 158407

**Report of:** Executive Director, Place

**Report to:** Councillor Mary Lea, Cabinet Member for Culture, Parks & Leisure

**Date of Decision:** TBC

**Subject:** Parking Fees in Parks

Is this a Key Decision? If Yes, reason Key Decision:- Yes ☒ No ☐

- Expenditure and/or savings over £500,000 ☐

- Affects 2 or more Wards ☒

Which Cabinet Member Portfolio does this relate to? Culture, Parks & Leisure

Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing Scrutiny and Policy Development Committee

Has an Equality Impact Assessment (EIA) been undertaken? Yes ☒ No ☐

If YES, what EIA reference number has it been given? 413

Does the report contain confidential or exempt information? Yes ☐ No ☒

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

*"The (**report/appendix**) is not for publication because it contains exempt information under Paragraph (**insert relevant paragraph number**) of Schedule 12A of the Local Government Act 1972 (as amended)."*

### Purpose of Report:

This report reviews the charges for parking in destination parks in the city, namely;

- Hillsborough
- Millhouses
- Graves
- Endcliffe

The proposed changes will bring the charging rates in parks in line with those on-street (outside the city centre) and will help to better manage parking demand and contribute to wider traffic management and environmental objectives.

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### Recommendations:

It is therefore recommended that:

- Pay & Display tariffs in these parks are increased from 50p per hour to 70p per hour (matching the on-street rate outside the city centre).
- The charging period is extended to begin at 9.00 instead of the current start time of 09:30.
- The Director of Culture & Environment has authority, in consultation with the Cabinet Member for Culture, Parks & Leisure to make future changes to pay & display tariffs in parks, where this supports effective management of demand for parking and contributes to wider traffic management objectives (provided they are not increased by an amount greater than the rate of Retail Price Index plus 1% from the date they were last increased).

### Background Papers:

*(Insert details of any background papers used in the compilation of the report.)*

**Sheffield Clean Air Strategy – December 2017**

**Sheffield Parking Strategy – January 2018**

**Sheffield Transport Strategy – July 2018**

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Janinne Scarborough
		Legal: David Hollis
		Equalities: Annemarie Johnston
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	<b>EMT member who approved submission:</b>	Laraine Manley
3	<b>Cabinet Member consulted:</b>	Councillor Mary Lea

4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	<b>Lead Officer (s) Name:</b> Lisa Firth	<b>Job Title:</b> Head of Parks & Countryside
	<b>Date:</b> 4 <sup>th</sup> March 2019	

## 1.0 **Background**

- 1.1 Managing the supply of, and charging for, parking is a well-established method of influencing the operation, efficiency and demand for parking that is utilised by most local highway authorities who control on or off street parking.
- 1.2 Car Parking charges were introduced in to parks in January 2013 with the installation of pay and display machines at three car parks located in parks (Hillsbrough, Graves and Millhouses). In 2018/19 this generated income of £110k (exc. maintenance costs).
- 1.3 Parking services increased on-street fees outside the city centre to 70p in September 2017 but no increase was made in parks. This approach will bring parks in line with parking services charging structure.
- 1.4 Approval was given in July 2018 (by Cabinet as Trustee) to introduce parking charges in Endcliffe park. The proposal is to charge the same fee in Endcliffe park as in Hillsborough, Graves and Millhouses parks.

## 2. **Proposal**

- 2.1 **To increase the parking fees in parks to match those on-street outside the city centre:**
  - 2.1.1 Fees will increase from 50p per hour to 70p per hour.
  - 2.1.2 The charging period will be extended from 09:30 - 18:00 to 09:00 – 18:00 7 days per week.
  - 2.1.3 Enforcement will continue to be provided by Parking Services in line with the current service level agreement.
  - 2.1.4 The Director of Culture & Environment has authority, in consultation with the Cabinet Member for Culture, Parks & Leisure to make future changes to pay & display tariffs in parks, where this supports effective management of demand for parking and contributes to wider traffic management objectives (provided they are not increased by an amount greater than the rate of Retail Price Index plus 1% from the date they were last increased).

### **3      How does this decision contribute?**

- 3.1      Establishing car-parking charges is considered to support Parks and Countryside and Sheffield City Council objectives concerning carbon reduction, as part of our commitment to climate change abatement and healthier lifestyles.
- 3.2      Provide income to support P&C Service ongoing revenue budget (revenue generation from charitable sites would need to be retained for those sites). Increase income for the continual improvement and the sustaining of Parks and Countryside service levels and standards
- 3.3      Help reduce the number of short duration vehicle journeys to selected sites - it is hoped that this will encourage alternative methods of accessing Parks and Countryside sites (including cycling, walking or use of public transport). Establishing car-parking charges is considered to support Parks and Countryside and Sheffield City Council objectives concerning carbon reduction, as part of our commitment to climate change abatement and healthier lifestyles.

### **4      Has there been any consultation?**

- 4.1      The Council is not required to consult on straightforward tariff changes, but a legal notice will be published in the local newspaper giving at least 21 days' notice of the changes being implemented. Copies of the legal notice will also be posted in the car parks covered by the new tariffs.

### **5      Equality of opportunity implications**

- 5.1      As a Public Authority, the Council have legal requirements under Section 149 of the Equality Act 2010. These are often collectively referred to as the 'general duties to promote equality' with particular regard to persons sharing the relevant protected characteristics-age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It is considered that the proposals comply with this duty as overall there are no significant differential equality impacts, positive or negative, from their implementation."
- 5.2      EIA 413 - Increase car parking fees in major 'Destination Parks' Increase in Overall there are no significant differential, positive or negative, equality impacts from this proposal. .
- 5.3      There is no impact on blue disabled parking badge holders as they can continue to use council pay and display parking spaces free of charge and the proposals have no impact on the number of disabled parking spaces

available to drivers.

## **6      Financial and Commercial implications**

- 6.1      Any costs of making the necessary changes to tariffs will be met from the Parks & Countryside budget and it is anticipated that increased income from the tariff changes will cover any associated costs.
- 6.2      All fees generated from parking charges in parks will be reinvested directly into the park where it is a charitable site (Hillsborough, Graves and Endcliffe) and will contribute to the wider upkeep and development of parks where the site is not charitable (Millhouses).

## **7      Legal implications**

- 7.1      Under section 35 of the Road Traffic Regulation Act 1984 (“the Act”) Local Authority’s may provide off street parking places and charge for the use of them. Further under section 45 of the Act, Local Authority’s may designate parking places on a highway and charge for the use of them including the issuing of parking permits. In addition a Local Authority under regulations 3 and 4 of the Local Authority (Transport Charges) Regulations 1998, where it has designated a parking place under section 45, may upon request suspend the parking place and charge for the provision of this service. Also under the 1998 Regulations, where a Local Authority has made a traffic regulation order for the regulation of traffic, it may impose a charge for the consideration of any application to suspend parking restrictions under the order. It is for the Local Authority to decide the appropriate charge and should have regard to the cost to them of providing the service but is not bound to set the charges at cost recovery only. The Council therefore has the authority to impose parking charges in connection with the provision of on street parking and off street parking. It may also impose charges connected with the suspension of parking bays and the dispensation of parking restrictions.  
It therefore has the authority to make the proposed amendments to those charges as detailed in this report.
- 7.2      Section 122 of the Act imposes a general duty on Local Authorities to exercise their functions under the Act to “secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway”. Collectively, these criteria may be referred to as “traffic management purposes”. In exercising these functions a Local Authority

should have regard to, amongst other things, any other matters appearing to them to be relevant. Therefor the Council when exercising the function of setting parking charges is required to have regard to the traffic management purposes. The purposes, as set out in this report for the proposed amendments to the parking charges, satisfy this requirement.

- 7.3 In addition, the decision in *R. (on the application of Attfield) v Barnet LBC* confirmed that although the powers enabling local authorities to charge for the services provided under the Act must not be used for the purpose of raising revenue, the authority is not bound, when setting the charge to reflect only the costs of providing the service. Further that in connection with traffic management purposes the charge may be set to achieve the desired effect, Therefore the Council in setting the proposed amended charges, is not restricted to the cost of providing the service, but may set them with the aim of achieving the purposes set out in this report.
- 7.4 Section 55 of the Act requires the Council to keep an account of their income and expenditure in respect of designated parking places including the parking charges discussed above. In line with this requirement the Council maintains a ring-fenced account in respect of the designated parking places. Section 55(4) of the Act sets out the purposes for which any surplus income in respect of designated parking places can be used. Therefore any surplus in income in respect of designated parking places must be used for these purposes, which include:
- Provision and maintenance of off street parking
  - Meeting costs incurred in the provision or operation of public transport
  - Highway and road improvements and maintenance
  - Reducing environmental pollution
  - Improving public open spaces.

All of these functions are carried out by the Council's Place Portfolio, which includes Strategic Transport and Infrastructure, Parking Services and the Highways Maintenance Divisions. Any surplus in income in respect of designated parking places is currently utilised in accordance with Section 55(4) of the Act to underpin the activities of these two service areas

- 7.5 Under the Leader's Scheme of Delegations, where an Individual Cabinet Member approves policy relating to Council fees and charges they are required to consult with the Leader, and be satisfied that the policy is in line with the medium term financial strategy and any policies in respect of fees and charges agreed by Cabinet or the Leader. The Cabinet Member for Culture, Parks & Leisure has consulted with the Leader on these proposals and is satisfied that they are in line with the medium term financial strategy and any policies in respect of fees and charges agreed by Cabinet or the Leader. The Cabinet Member therefore has authority to approve the proposals set out in this report.

## 8 **Alternative options considered**

- 8.1 The Council could maintain its current tariffs. This would not allow additional investment in to parks, nor enable other positive outcomes that may arise, such as better air quality.

9 **Reasons for recommendations**

- 9.1 It is anticipated that the proposed tariff and fee changes set out in this report will help by better managing parking demand in areas and at times when demand is regularly and demonstrably outstripping supply.

- 9.2 It is therefore recommended that:

- Pay & Display tariffs in these parks are increased from 50p per hour to 70p per hour (matching the on-street rate outside the city centre).
- The charging period is extended to begin at 9.00 instead of the current start time of 09:30.
- The Director of Culture & Environment has authority, in consultation with the Cabinet Member for Culture, Parks & Leisure to make future changes to pay & display tariffs in parks, where this supports effective management of demand for parking and contributes to wider traffic management objectives (provided they are not increased by an amount greater than the rate of Retail Price Index plus 1% from the date they were last increased).