

## BABERGH DISTRICT COUNCIL

<b>From: Head Of Contract And Asset Management</b>	<b>Report Number: L39</b>
<b>To: STRATEGY COMMITTEE</b>	<b>Date of Meeting: 7 July 2011</b>

### **THE BABERGH DISTRICT COUNCIL (OFF STREET PARKING PLACES) ORDER 2008 AMENDMENT NO.3 ORDER 2011**

#### **1. Purpose of Report**

- 1.1 To seek approval to three amendments to the Order following (a) the Council's decision to increase the amount of the Charge Notice and (b) a review of the operation of long stay car parking charges in Sudbury and Hadleigh by the Overview and Scrutiny (Community Services) Committee.

#### **2. Recommendations**

- 2.1 That, in exercise of its power under Section 35 of the Road Traffic Regulations Act 1984, the Council makes a draft Order (as shown in the appendix to this report), and that it be referred for formal consultation with Suffolk County Council (as the Highway Authority) and Suffolk Police, and any other person or body required to be consulted.
- 2.2 That upon completion of the consultations referred to in 2.1 above, and providing that no material objections have been received and the Highway Authority gives its consent in accordance with Section 39 of the Road Traffic Regulations Act 1984, proposals to make The Babergh District Council (Off Street Parking Places) Order 2008, Amendment No.3 Order 2011 be published in accordance with statutory procedures.
- 2.3 That the Solicitor to the Council be authorised to determine the date for the Order to come into effect following completion of the consultation procedures referred to in 2.1 above.

#### **3. Financial Implications**

- 3.1 The increase in charge notices (issued where vehicles park beyond the period displayed on the ticket and for other breaches of the Order) from £45 to £55 (£15 to £25 if paid within 14 days) was approved as part of the budget setting process for 2011/12.
- 3.2 There may be a modest increase in income as a result of vehicles being allowed to park for up to 72 hours.

#### 4. Risk Management

##### 4.1 Risk table:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
Objections to the Order are received from consultees or the public.	Low	Negligible	Two of the proposals have been requested by users. Charge Notices affect a very small number of users. The reason for the increase would need to be explained to objectors.

#### 5. Consultations

- 5.1 Extensive consultation was undertaken as part of the review of long stay car parking charges. Two of the proposals emanate from this review.
- 5.2 Consultation on the Order will be done formally as part of the process and any representations duly considered.

#### 6. Equality and Diversity Impact

- 6.1 Equality Impact Assessments are part of the legal duties set out in the Race Relations Amendment Act and are also included under the new Disability Equality duty and Gender Equality duty. An Impact Assessment is a pro-active step to ensure wherever possible preventative measures are taken to avoid discrimination or unfairness on any grounds before it occurs.
- 6.2 An Equality Impact Screening was undertaken to assess if the policy to introduce long stay car parking charges, including how it is delivered or implemented, could result in less favourable treatment of some groups, and how this could be mitigated. It was found that the policy has a low negative impact on the social-economic target groups as there is a potential impact on low income families, specifically those accessing local employment in Hadleigh and Sudbury from rural areas that are not well served by public transport. However, this impact is mitigated by the parking permit scheme which offers discounts and the proposed daily fee which is modest based on comparable market towns.
- 6.3 It is not considered the proposed charges will have any further impact.

#### 7. Shared Service/Partnership Implications

- 7.1 There are no implications from this proposal.

#### 8. Key Information

- 8.1 As part of the budget process for 2011/12 Council agreed to increase charge notices, which are issued for breaches of the Order, from £45 to £55 (£25 if paid within 14 days). This requires a change to the Order. This change was delayed so that any other changes to the Order, following a review of the first six months operation of long stay charging by Overview and Scrutiny (Community Services) Committee, could be incorporated into the same Order.

8.2 As a result of the review Overview and Scrutiny (Community Services) Committee asked that the following changes be made:-

- i) The current restriction on parking for only 24 hours be extended to 72 hours, and amendments made to ticket issue accordingly.
- ii) Parking permits to be transferrable within the long stay car parks.

8.3 The proposal to increase the parking period to 72 hours will help commuters at Sudbury whose circumstances (usually business) require them to stay away overnight. The second proposal is in response to a request from permit holders to give them more flexibility as the Sudbury car parks are adjacent to each other.

8.4 The draft Order attached incorporates the above changes.

## 9. Appendices

Title	Location
(a) Draft Car Parking Order	Attached

## 10. Background Documents

10.1 None

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Appendix (a)

DATED

2011

THE BABERGH DISTRICT COUNCIL  
(OFF STREET PARKING PLACES) ORDER 2008  
AMENDMENT No 3 ORDER 2011

**THE BABERGH DISTRICT COUNCIL (OFF STREET PARKING PLACES) ORDER**  
**2008 AMENDMENT No 3 ORDER 2011**

The Babergh District Council (“the Council”) in exercise of its powers under section 35 of the Road Traffic Regulation Act 1984 (as amended) (“the 1984 Act”) and Part IV of Schedule 9 to the 1984 Act and of all other enabling powers, with the consent of the Suffolk County Council in accordance with section 39(3) of the 1984 Act and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

- 1 This Order shall come into effect on the [ ]th day of [ ] 2011 and may be cited as “The Babergh District Council (Off Street Parking Places) Order 2008 Amendment No 3 Order 2011”.
- 2 The amount of the Standard Charge which appears at Clause 3(n) and at point (i) of the Second Schedule of the Babergh District Council (Off Street Parking Places) Order 2008 (“the 2008 Order”) shall hereby be changed from £45.00 to £55.00.
- 3 The amount of the Reduced Charge which appears at Clause 3(n) as a defined term and at point (ii) of the Second Schedule of the 2008 Order shall hereby be changed from £15.00 to £25.00.
- 4 In respect of the Parking Places known as Station Road, Sudbury; The Station, Sudbury and Magdalen Road Long Stay, Hadleigh only the Maximum Waiting Period appearing in Column 6 of the First Schedule to the 2008 Order (as amended) shall be rescinded and replaced with the following:
  - **If a ticket is purchased from a machine:** 72 hours consecutive
  - **If a ticket is obtained free of charge from a machine:** 3 hours during Ticketing Hours, otherwise 24 hours (including up to a maximum of 3 Ticketing Hours)
  - **If a Parking Permit is displayed:** 72 hours consecutive
- 5 Permits purchased in respect of the Parking Places known as Station Road, Sudbury; The Station, Sudbury and Magdalen Road Long Stay, Hadleigh shall be interchangeable between the three aforementioned Parking Places.

**THE COMMON SEAL of the  
BABERGH DISTRICT COUNCIL was hereunto  
affixed in the presence of:**

**Solicitor to the Council**

**Date.....**