

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 25 February 2019	<b>Decision maker:</b> Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities
<b>Report title:</b>		Car parking charges in parks	
<b>Ward(s) or groups affected:</b>		All residents and non-residents seeking to park a motor vehicle in the following parks: Burgess Park, Belair Park, Dulwich Park, Honor Oak Recreational Ground, Peckham Rye and Southwark Park	
<b>From:</b>		Fiona Dean, Director of Leisure	

## RECOMMENDATION

1. That the deputy leader and cabinet member for culture, leisure, equalities and communities gives approval, subject to the outcome of any necessary statutory procedures to the introduction and amendment of existing of parking control measures to enforce the agreed new car park charges in existing park carparks, as listed below:
  - Belair Park
  - Burgess Park
  - Dulwich Park
  - Honor Oak Recreational Ground
  - Peckham Rye
  - Southwark Park

## BACKGROUND INFORMATION

2. In February 2019, Cabinet approved the introduction of car parking charges in parks for implementation from 1 April 2019.
3. The council is responsible for the management and maintenance of 39 parks in the borough of which six have existing off-street carparks within their boundary. The carparks vary in size and some have existing traffic orders that enable the enforcement of certain conditions, as detailed in Table 1.

Name of park carpark	No. spaces	Effect of existing traffic order
Belair	98	n/a
Burgess	23	4hr max stay Vehicles must park within designated bays Designated Blue Badge parking spaces
Dulwich	88	Vehicles must park within designated bays Designated Blue Badge parking spaces
Honor Oak Rec.	30	n/a
Peckham Rye	55	n/a
Southwark Park	90	4hr max stay Vehicles must park within designated bays

		Designated Blue Badge parking spaces
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Table 1 – car parks

4. Responsibility for the management and maintenance of these car parks rests with the Environment and Leisure Department. The maintenance costs are included within the Grounds Maintenance contract and cannot be specifically identified. However, for the purposes of this report, an assessment has been carried out which estimates that the total cost of the car parks is £42,000 per annum.

## KEY ISSUES FOR CONSIDERATION

### Rationale for introducing parking control measures

5. Off-street car parking within our parks provides a small but appreciated service to the low proportion of visitors who choose to drive by car to our parks. However, the provision of that service has a cost that is met by the wider public, irrespective of how they travel to our parks.
6. In the case of Southwark's parks those costs include sweeping, maintenance of roads and car park surfaces, signing and lining and the deployment of Civil Enforcement Officers to deter dangerous or obstructive parking to manage parking when demand for space exceeds supply.
7. Those costs need to be met by someone and this report recommends that someone should be the user of the carpark. Whilst many motorists expect car parking to be free, the limits on space, costs involved and demand for spaces means that car parking needs to be managed properly. Often the most effective way to do this is by the introduction of parking control measures and charging for parking which recognises:
  - the value of a car parking space
  - the needs of other users of the facility
  - the environmental impact of driving and,
  - the need to maintain and improve car parks by reinvesting income
8. It is noted that the provision of parking within these six parks is a historical one from an era when the negative impacts of car ownership (health, congestion, pollution) were not understood. If these parks were built today, in inner London, they would undoubtedly provide for blue badge (disabled) parking but they would not have general use parking bays installed - in recognition that green space within a park is far more valuable than car parking space. This is demonstrated in the recently completed Burgess Park West project which has delivered the successful removal of New Church Road in favour of increased green space.
9. As well as providing a fairer funding arrangement, the introduction of parking control measures and parking charges will offer additional benefits:
  - the new controls will help ensure fair access to parking spaces for visitors to the parks, by discouraging commuter and non-leisure users who make it difficult for people who need to use cars to get there.
  - it will trigger an improved turnover of parking spaces by motorists visiting the public parks (i.e. regulation of parking spaces providing more spaces per day for more visitors).
  - it will reduce abuse of disabled parking spaces, by making sure spaces are

enforced and available for genuine Blue Badge holders  
it will likely cause an increase in visitors arriving by more sustainable modes of transport leading to less congestion and cleaner streets and parks

- it will help ensure self-sustaining costs of car parking provision (including enforcement) and maintenance, such as repair of car park area within the public parks.
- revenue made from the introduced parking charges can be re-invested to improve the parking facilities in road safety, Highways maintenance and road improvements projects.

### Benchmarking of parking charges in parks

10. For historical and practical reasons off-street carparks within parks are uncommon in London but where charging charges apply they are detailed in the Table 2.

11. In Southwark, where Paybyphone parking exists the charge is £2.75 per hour.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Blue badge holders
Battersea Park (Wandsworth)	£2.70 / hr 6+ hours £25					0-3 hours £2.70 3+ hours £5.40		Free
Hyde Park (Royal Park)	£2.40 / hr						£1.40 / hr	Free
Regent's Park (Royal Park)	£2.40 / hr						£1.40	Free
Greenwich Park (Royal Park)	£1.20 / hr							Free
Brockwell Park (Lambeth)	£3.80 / hr							Free
Hampstead Heath (City of London)	0-2 hours £3.60 2-4 hours £7.20 Each additional hour £6.50							

Table 2 – benchmarked costs

### Summary of design and enforcement principles

12. The following design principles have been applied:

- Controls and charges apply at all times the park and its respective car park is open.
- A flat rate of £2 per hour via pay by phone which can be easily accessed by app, phone, and text services. This option is already available and widely used by motorists at various car parks and in all parking zones in the borough. On-street, 95% of all transactions are Paybyphone and in our newer parking zones it is 100% as there is no other alternative. The council's policy is to move to digital by default.
- Free parking for blue badge holders.
- No maximum stay period (the existing 4-hour maximum stay in Burgess and Southwark Park will be removed) though long-stay motorists will be discouraged by way of the cost.
- Enforcement will be Civil Enforcement Officers who will issue Penalty Charges Notices for vehicles in contravention (e.g. not in marked bays or without paying).

The independent appeals process will apply to those wishing to challenge the issue of a PCN.

- Parking signs and road markings will be kept to absolute minimum to reduce impact on environment and minimise clutter in the park.

### **Policy implications**

13. The recommendation contained within this report is consistent with the policies of the Transport Plan 2011:
  - Policy 4.2 – Create places that people can enjoy.
  - Policy 6.5 - Provide essential parking for residents with mobility difficulties.
  - Policy 7.5 - Enforce parking regulations firmly but fairly.

### **Community impact statement**

14. The recommendations for car parks are area based and therefore will have greatest affect upon those people who use the parks where the proposals are made or commuters who have been taking advantage of unregulated parking at the parks.
15. Running and managing the existing car parks costs money which is currently met from a parks revenue budget and therefore that cost is diverted away from wider parks improvements which is a disadvantage to the community. By having the proposed car park charge in place, this problem is alleviated and could potentially serve as an addition stream of revenue for use for the betterment of the parks.
16. The implementation of any transport project creates a range of community impacts. All transport schemes aim to improve the safety and security of vulnerable groups and support economic development by improving the overall transport system and access to it.
17. The introduction of designated parking bays and restricted areas gives benefit to all road users through the improvement of inter-visibility and road safety.
18. There is a risk that new restrictions may cause parking to be displaced and, indirectly, have an adverse impact upon road users and neighbouring properties at that location. However this cannot be entirely pre-empted until the recommendations have been implemented and observed.
19. The recommendations will have a positive impact upon disabled people who have severe mobility problems. Blue badge holders will be permitted to park free of charge and without time limit in any bay within the carparks. Dedicated, enforceable, blue badge parking bays will also be provided. It is noted that free parking is general concession of the national Blue Badge scheme<sup>1</sup> in on-street locations however it has been recommended that this concession is voluntarily extended to off-street park carparks.
20. With the exception of those benefits and risks identified above, the recommendations are not considered to have a disproportionate effect on any particular community group.

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<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/197719/can-i-get-a-blue-badge.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/197719/can-i-get-a-blue-badge.pdf)

21. The recommendations support the council's equalities and human rights policies and promote social inclusion by:
22. Providing improved access for key services such as emergency and refuge vehicles
23. Improving road safety, in particular for vulnerable road users
24. The council believes the scheme (having regard to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of the locality affected and the importance of facilitating the passage of public service vehicles) contributes towards 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.

### Financial implications

25. Fees and Charges for parking in parks are set through the annual fee setting process and was approved by cabinet in February 2019.
26. The charges have been set at an appropriate level to discourage commuter use and prioritise park users. Sections 6 -10 of this report detail the traffic management and environmental reasons for the introduction of parking control measures.
27. A broad assessment of usage suggests that there is sufficient activity at the parks for the income generated from parking charges to cover the initial investment, including paying back the improvements to the infrastructure and running costs and to contribute towards the provision and maintenance of facilities at the sites.
28. The estimated cost of implementing this project is £50,500, as set out in table 3. This will be funded through capital funding already secured and available for improvements to the infrastructure within our parks.

Item	Location(s)	Cost	Note
Signs, lines and physical works	Belair	£7,500	Includes allowance for introduction of disabled parking and reshaping of Gallery Road end to formalise circulation
	Burgess	£1,000	
	Dulwich	£3,000	
	Honor Oak Rec.	£1,500	
	Peckham Rye	£1,500	
	Southwark Park	£28,000	Includes 26k allowance for resurfacing and drainage
IDM, engagement and TMO	All	£9,000	
<b>Total</b>		<b>£50,500</b>	

Table 3 - Implementation costs

29. The estimated annual parking charge income for 2019-20 is necessarily an estimate and past experience has shown that the figure could change based on external variables that the council cannot control. The surplus planned is modest and allows for a margin of an error so that if the income is less than anticipated it will not result in a net deficit.
30. It is estimated that this exercise will generate at least £200k of net income in Parks and Leisure Division and this is being incorporated in the council's budget setting process for 2019/20.
31. Staffing and any other future maintenance costs connected with of the car parks parking will be contained within existing Parks and Leisure Division revenue budgets.

### Consultation

32. Before the recommendations made in this report can be implemented the council is required to make a traffic management order. The procedures for making a traffic order are defined by national Regulations<sup>2</sup> which include statutory consultation and the consideration of any arising objections.
33. In addition to the statutory consultation process the following stakeholders will be advised of the proposals and their comments will be sought.

Park Name	Consultees
Belair Park	Friends of Belair Park Dulwich Estate Concessions/leaseholders in parks Council Events team
Burgess	Friends of Burgess Park Concessions/leaseholders in parks Council Events team Fields in Trust
Dulwich	Dulwich Park Friends Concessions/leaseholders in parks Council Events team Fields in Trust Heritage Lottery Fund London
Honor Oak Rec.	Friends of Honor Oak Recreation Ground Council Events team
Peckham Rye	Friends of Peckham Rye Park and Common Concessions/leaseholders in parks Council Events team Fields in Trust Heritage Lottery Fund London
Southwark Park	Friends of Southwark Park Concessions/leaseholders in parks Council Events team Fields in Trust Heritage Lottery Fund London

<sup>2</sup> <http://www.legislation.gov.uk/uksi/1996/2489/contents/made>

34. Should the recommendations be approved the council must follow the procedures contained with Part II and III of the regulation which are supplemented by the council's own processes. This process is summarised as:
- a) publication of a proposal notice in a local newspaper (Southwark News)
  - b) publication of a proposal notice in the London Gazette
  - c) display of notices in parks affected by the orders
  - d) consultation with statutory authorities
  - e) making available for public inspection any associated documents (e.g. plans, draft orders, statement of reasons) via the council's website<sup>3</sup> or by appointment at 160 Tooley Street, SE1
  - f) a 21-day consultation period during which time any person may comment upon or object to the proposed order.
35. Following publication of the proposal notice, any person wanting to object must make their objection in writing, state the grounds on which it is made and send to the address specified on the notice.
36. Should an objection be made that officers are unable to resolve so that it is withdrawn, it will be reported to the decision maker for determination. The decision maker will then consider whether to modify the proposal, accede to or reject the objection. The council will subsequently notify all objectors of the final decision.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

37. This report seeks approval of the introduction and amendment of existing parking control measures to enforce the agreed new car park charges in all existing park carparks, as listed in the table at paragraph 4.
38. Approval of the report recommendation set out in paragraph 1 is one of a number of matters for which decision is expressly reserved to the relevant cabinet member under Part 3D of the council Constitution.
39. The report notes from paragraph 33 that the council will be required to make a traffic management order for the purposes of the proposal in the report recommendation, which involves a prescribed statutory process including detailed consultation.
40. The cabinet member's attention is drawn to the Public Sector Equality Duty contained within section 149 of the Equality Act 2010, which requires that, in exercising its functions (and in its decision making processes) the council must have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation or other prohibited conduct;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
  - (c) foster good relations between person who share a relevant protected characteristic and those who do not share it.
41. The relevant protected characteristics are age, disability, gender reassignment,

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<sup>3</sup> <http://www.southwark.gov.uk/trafficorders>

pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are protected in relation to (a) only.

42. The community impact statement which is set out within paragraphs 15 to 25 explains how officers have considered the likely impact of the proposal on the community as well as the benefits and risks associated with it.

#### **Strategic Director of Finance and Governance**

43. This report is requesting approval from the deputy leader and cabinet member for culture, leisure, equalities and communities to introduce and amend the existing parking control measures to enforce the agreed new car park charges in existing park carparks, as listed in the paragraph 1, subject to the outcome of any necessary statutory procedures.
44. The rationale for the proposal, together with the details of the proposed charges is contained within the main body of the report. The report also confirms that there are adequate budgets within the departmental capital programme to fund the works required to implement the proposals.
45. The strategic director of finance and governance notes that the net income expected from this proposals are being incorporated into the council's budget setting process for 2019-20.
46. It is also noted that staffing, maintenance and any other costs related to this proposal will be contained within existing departmental revenue budgets.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Proposed car park designs	3 <sup>rd</sup> Floor, 160 Tooley Street	Emily Xi 020 7525 0331

#### **APPENDICES**

<b>No</b>	<b>Title</b>



## AUDIT TRAIL

<b>Lead Officer</b>	Rebecca Towers, Head of Parks and Leisure	
<b>Report Author</b>	Emily Xi, Programme Management Officer	
<b>Version</b>	Final	
<b>Dated</b>	22 February 2019	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		