

Committee: Cabinet

Date of meeting: 18 September 2019

Subject:	Parking Consolidation Order 2019
Lead Officer:	Head of Environmental Services
Portfolio Holder:	Transport – Cllr Andrew Davis
Link to Council Priorities:	Quality Services
Exempt information:	None
Delegated status:	For Decision
Key decision:	No

Executive Summary:

Changes in parking technologies and systems require minor modifications to the Council's parking order to allow for the operation of systems such as barrier controls, and the requirement to pay before leaving the car park. To continue to provide free parking to Blue Badge holders Cabinet is asked to offer a free parking permit.

Recommendation: Cabinet is asked to agree:

- (a) to the making of an Elmbridge Borough Council (Off-Street Parking Places) Consolidation Order 2019 to update the current Order to allow for operation of pay-on-exit barrier parking and paperless parking permits, and**
- (b) to the provision of a parking permit free of charge to holders of a valid Disabled Persons Badge for use in the Council's pay-on-exit car park(s), for the reasons set out in paragraph 6.**

REPORT:

1. Parking in the Council's off-street car parks is regulated by the Elmbridge Borough Council (Off-Street Parking Places) Order 2014. The Order sets out the various provisions under which parking is managed in the car parks and the circumstances where a parking penalty can be issued. The Order also includes a schedule of charges which may be varied to accord with the charges as may be agreed by Council.
2. Regulations allow the Council to make minor changes to the provisions in a Parking Order in specific circumstances. This enables an Order to be kept up-to-date without the requirement to make an entirely new Order. The associated process includes the revoking of the (original) Order that is then replaced by an updated Consolidation Order.
3. Because the new Consolidation Order is largely unchanged from the original, except for the changes permitted by regulation, there is no requirement to consult on the changes. However, when making a Consolidation Order there is a requirement to advertise it in the local press etc.

4. Cabinet will recall a pay-on-exit parking scheme is being introduced in the Hollyhedge Road car park, Cobham following the completion of the comprehensive resurfacing works to the car park. Therefore, the changes proposed to the current Order are intended to allow for the smooth and effective operation of a pay-on-exit parking regime in the Council's car parks in addition to the existing pay-and-display parking.
5. Cabinet is asked to agree to the making of a new Elmbridge Borough Council (Off-Street Parking Places) Consolidation Order 2019 to allow for the following provisions in the current Elmbridge Borough Council (Off-Street Parking Places) Order 2014:
 - i. The use of barrier controls where payment is required on return to the car park immediately prior to leaving the car park.
 - ii. The inclusion of virtual permits (paperless) in addition to the display of paper parking permits.
 - iii. Other minor drafting changes that have no effect.
6. Cabinet will note that the provision that vehicles displaying a valid Disabled Persons Badge are exempt from the requirement to purchase and display a parking ticket in pay and display car parks, is unchanged. However, where pay-on-exit parking is in effect this provision would not apply. Therefore, to allow for disabled persons to similarly use the Council's pay-on-exit car park(s) without payment, a free parking Permit would be made available to Badge holders that would be registered to their usual vehicle (which can be amended when traveling in another vehicle).
7. In the event that Cabinet agrees to the changes set out in paragraph 5 above, a Consolidation Order will be drafted and agreed with the Head of Legal Services and published on our website and advertised in accordance with the legislation.
8. Should Cabinet agree to the proposal set out in paragraph 6, to allow for the use without payment of the Council's pay-on-exit car parks by holders of a valid Disabled Persons Badge, the provision will be included in the eligibility of parking Permits in the relevant car park(s).

Financial implications:

None for the purpose of this report.

Environmental/Sustainability Implications:

None for the purpose of this report.

Legal implications:

In accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, within 14 days of making the Consolidation Order, the Council is required to publish details in a local newspaper, and make the documents available for public inspection for a period of 6 weeks.

Equality Implications:

As set out in the report.

Risk Implications:

None for the purpose of this report.

Community Safety Implications:

None for the purpose of this report.

Principal Consultees:

Head of Legal Services.

Background papers:

None.

Enclosures/Appendices:

None.

Contact details:

Head of Environmental Services.