

Agenda



Delegated Decisions - Joint Cabinet Member

Date: Thursday, 22 August 2019

To: Councillors Jeavons and Harvey

Item	Wards Affected
1	<u>Tredegar Park and Fourteen Locks Off-Street Parking Pay and Display Order 2019</u> (Pages 3 - 10)

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Report

Cabinet Member for Streetscene and Cabinet Member for Culture and Leisure

Part 1

Date: 22 August 2019

Subject **TREDEGAR PARK AND FOURTEEN LOCKS OFF-STREET PARKING PAY AND DISPLAY ORDER 2019**

Purpose To advise the Cabinet Members for Streetscene and Culture and Leisure (Business Manager) of objections received as a consequence of the advertisement of proposed implementation of an off-street parking pay and display order in Tredegar Park and Fourteen Locks car parks. Furthermore after consideration of the objections received to decide upon the most appropriate option of those offered.

Following the consideration of all objections to make a decision to either approve or reject the implementation of the order

Author Environment and Leisure Service Manager

Ward Rogerstone and Gaer Wards

Summary In December 2017 a Medium Term Financial Plan (MTFP) proposal was put forward to implement parking charges in city parks beginning with Belle Vue and extending to Tredegar Park and Fourteen Locks. The aim is to increase revenue that will offset savings required due to central budget cuts. These charges will enable the service area to maintain the city parks to their current high standards and improve the visitor experience. The proposal included the capital-funding bid for the installation of pay and display machines, thermoplastic line marking and signage.

Council approved the budget proposals, which included this MTFP proposal, in 2018 and the Belle Vue parking charges were implemented. In December 2018, council budget proposals included the extension of the proposal to Tredegar Park and Fourteen Locks and these budget proposals were approved in February 2019.

Following approval to proceed, the council advertised an off- street parking pay and display order. The statutory advertisement of the order returned three hundred and twenty one written objections. The Cabinet Member for Streetscene and the Cabinet Member for Culture and Leisure (Business manager) are required to consider the objections received and decide upon a resolution.

Proposal That the Cabinet Member for Streetscene and Cabinet Member for Culture and Leisure (Business manager) consider the options provided below and decides upon the most appropriate option.

Action by Head of City Services

Timetable Immediate

This report was prepared after consultation with:

- Head of Law and Regulations – Monitoring Officer
- Head of People & Business Change
- Head of Finance – Chief Finance Officer
- Environment & Leisure Service Manager
- Senior Strategy Manager
- Parks & Cemeteries Team Manager
- Project Officer – City Services
- Senior Traffic Transport & Road Safety Officer
- Parks Ranger supervisor
- Access Development and Public Rights of Way Officer
- Countryside Warden (WCP & PROW)
- Senior Solicitor – Planning & Land
- Senior Legal Assistant – Conveyancing
- Strategic Finance Business Partner
- Tredegar Park Land Agent – Newbridge Estates Ltd
- Monmouth, Brecon and Abergavenny Canal Trust
- Countryside and Conservation Volunteers
- Woodies Ice Creams & C.C Catering

Signed

Background

Tredegar Park is a well-used Newport Park which can attract over 2000 visitors a day during the summer. It has an on site car park that will accommodate up to one hundred (100) cars and it is located less than a quarter of a mile from Junction 28 of the M4 motorway. The park is leased on a 99-year lease agreement managed by the Newbridge Estates Ltd and there is approximately 43 years remaining on the lease agreement.

Fourteen Locks Canal Centre is located at the top of the Cefn Flight of Locks, which is recognised as an engineering wonder of the Industrial Revolution, rising 160 feet in just half a mile. Located on the urban fringe it provides an excellent base for walks along the Monmouthshire-Brecon canal towpath and wider footpath network. The centre is the starting point for the Fourteen Locks Circular walk, which is one of Newport's popular "Lets Walk Newport" leafleted walks. The site is also a key access point to Alt-yr-yn Local Nature Reserve and is managed by City Services Countryside Team in association with the Canal Trust.

Following the successful introduction of car parking charges at Belle Vue Park, a budget saving was put forward in December 2018, identifying potential income opportunities from the introduction of car-parking charges at Tredegar Park and Fourteen Locks. The use of both of these sites is variable and weather dependant so potential income calculations were based on numbers of spaces and observational evidence in the parks. This led to an estimate of 50% usage for the 100 (Tredegar Park) and 51 (Fourteen Locks) bays each day

The cost for implementing the car parking pay and display machines, thermoplastic line marking and signage, has already been agreed and approved as part of the budget and will be met by the capital investment of £12k, funded from the Council's Invest to Save

Following consultation with the Fourteen Locks Canal Trust staff and volunteers, City Services agreed to provide six designated car parking spaces for use of Canal Trust and Café staff plus volunteer car parking permits, to be used on a Thursday for the Countryside Volunteers.

On 14th March 2019, the Authority formally advertised for the proposals, under sections 32 and 35 of the Road Traffic Regulation Act 1984 for the implementation of a car parking enforcement order to take effect from between the hours of 6.30 hours and 16:00 hours seven days a week. The charges for Tredegar Park will be £1 for up to 2 hours, £3 for up to 5 hours, and £5 for over 5 hours. The Charges for Fourteen Locks will be £1.00 up to 4 hours, £3.00 up to 5 hours and £5.00 over 5 hours

RECIEVED OBJECTIONS

The proposals have been statutorily advertised and consulted upon and we have received a total of three hundred and twenty one objections from residents across the City. (The majority of these where facsimiles of the same objection). Four of which are specifically about Fourteen Locks, a further five were joint letters regarding both Fourteen Locks and Tredegar Park and the remainder three hundred and thirteen letters were specifically for Tredegar Park. A summary of each objection is detailed below. Copies of all objections are attached in appendices 1.

All objectors have indicated that car parking should either be provided free of charge, in order to support those on limited incomes who want to use the leisure facilities and to promote health and wellbeing. All objectors have indicated that the proposal is a disadvantage to the genuine park users.

The various issues raised by the objectors concerning Fourteen Locks and Tredegar Park:

1. *Parking charges will encourage people to park on Brunel Avenue, which has a blind bend and no pavement, which could pose a risk to pedestrians.* Emergency vehicles will have difficulty in accessing the estate with increased street parking.

Brunel Avenue has on street parking which is already being used by people visiting the Fourteen Locks Centre. The associated works to implement the car parking charges will see an increase in parking space from 45 to 51. Whilst there is no formal pedestrian footpath from Brunel Avenue to Fourteen Locks, arrangements have been made for an Inspector to visit the Highways and serve notices to local land/property owners to cut back any vegetation, which may be obstructing the visibility on the highway.

We have reviewed the data that is available and can confirm that there are no recorded road traffic incidents resulting in injury in or around Brunel Avenue. Following the implementation of the car parking charges at Fourteen Locks we will continue to monitor all road traffic incidents and respond if applicable to do so.

2. There was no public consultation regarding the implementation of the car parking charges.

The original MTFP Business Case was consulted upon in December 2017. This proposal clearly stated that car parking charges would be rolled out to other sites within the authority, including Fourteen Locks, depending upon the success of the scheme at Belle Vue Park. Further consultation was undertaken as part of the 2019/20 budget proposals including drop in sessions at the City Contact Centre and an organised meeting between officers and the public at Fourteen Locks

3. The Canal Trust and Catering provider must be issued with free car parking permits. Car parking charges will discourage volunteers who work at Fourteen Locks.

On the 24th January 2019, a meeting took place with the Canal Trust, Café provider and the volunteers it was agreed that the Council would designate six car parking spaces for use of the Canal Trust staff and their café concession holders. Volunteer car parking would be free of charge for those undertaking Thursday volunteer tasks and the NCC Countryside Warden who is responsible for overseeing the volunteers will be tasked with issuing and collecting the volunteer car parking passes.

4. Proposals will impact the viability of the café at Fourteen Locks.

Fourteen Locks is well served by bus, cycling and walking routes. There are already many people using the café who do travel sustainably to this destination.

5. Car parking charges will reduced footfall to leisure facilities.

The costs for parking any car for the first four hours has been set at a low value of £1.00 up to 4 hours, £3.00 up to 5 hours and £5.00 over 5 hours. Charges are only applicable from 6:30 – 16:00 hours.

6. Residents pay Council Taxes, which should mean free access to leisure facilities.

Whilst there is a risk that the implementation of car parking charges may deter people from visiting Fourteen Locks, the car park will be made available free to the public after 16:00 hours. The costs for parking any car for the first four hours has been set a low value of £1.00, which we feel is the lowest charge which can be applied.

7. Car parking charges will impact upon the health and wellbeing of residents, which will affect the NHS.

Car parking charges will not effect upon the health and wellbeing of residents, as the leisure provision will remain free to public access.

The issues raised by objectors specifically for Tredegar Park are:

8. *The safest way to access, Tredegar Park is by car because of the busy roads. Children's safety would be compromised.*

Whilst Tredegar Park is located near to a busy road, there are already existing active travel routes linking to the Park using pedestrian crossing points. City Services are also looking at plans to further enhance the existing active travel network, and provide off road network improvements which will help to improve road safety.

9. *Personal health reasons prevent people from being able to walk to the park and therefore they rely on driving their cars to the park.*

For those visitors who wish not to pay and park their cars in order to access the onsite leisure facilities, there is a regular bus service, which stops outside of the park gates. In addition, access to the site car parking will be made available free of charge after 16:00 hours.

10. *Disabled people will have to pay to park their cars.*

Vehicle owners who are in receipt of a Blue Badge will be able to park free of charge providing they appropriately display their parking badges and abide by the parking restrictions.

11. *Car parking charges will inevitably minimise and deter visitors.*
12. *Parking charges should only apply three hours after you park, which would allow sporting activities and families to visit the park for take part in physical activity.*
13. *Car parking charges will affect those using the park for sporting activities.*
14. *Car parking charges will prevent some of the poorest families from visiting the park.*
15. *Tredegar Park is located in one of the most deprived areas of Newport.*
16. *Taking children to the park is a free opportunity in times of austerity, child obesity and mental health issues will be impacted upon.*

Whilst there is a risk that the implementation of car parking charges may deter people from visiting the park, the car park will be made available to the public free of charge after 16:00 hours. The costs for parking any car for the first two hours has been set at a low value of £1.00, which we feel is the lowest charge that can be applied.

All other onsite Leisure facilities will remain free of charge except access to the crazy golf facility, which is operated as a franchise and the formal use of sports pitches, for which there is a fees and charge hire policy already in place. Many recreational users book the pitches for evening use in the summer and therefore will not be affected by these parking charges.

17. *Parking should be free of charge because Lord Tredegar gifted the Park to the people of Newport.*

It is incorrect that Lord Tredegar gifted Tredegar Park to the people of Newport, the park is leased to Newport City Council and there is approximately 43 years remaining on the lease agreement.

18. *Displaced cars will impact upon the businesses operating in Maesglas.*
19. *There already is significant traffic congestion on the Maesglas estate, people will park their cars on the estate and walk to the park.*

The distance from the Maesglas estate to Tredegar Park is 0.6 miles, which will take the average person 12 minutes to walk to the park, which we believe, will deter most people. With the proposed

100 designated car parking spaces at Tredegar Park and free parking after 16:00 hours, we do not foresee there being an impact upon the local estate and the availability of residential parking space.

20. Increased car parking congestions around St David's school will affect local residents and affect the safety of children attending the School.

Car parking congestions is a problem around St David's School particularly when children are being dropped off or collected from school. A designated school drop off zone will be allocated within the car park of Tredegar Park, near to the pedestrian entrance. This drop off zone will be available for those taking their children to and from school, free of charge between the hours of 8:00 – 9:00 and 15:00 – 16:00 hours. All car-parking charges will stop after 16:00 hours, which will encourage families to remain on site and enjoy the leisure facilities at no additional costs.

We confirm that there are no recorded road traffic incidents resulting in injury in or around St David's Crescent. Following the implementation of the car parking charges at Tredegar Park we will continue to monitor all road traffic incidents and respond if applicable to do so.

Links to Council Policies and Priorities

The introduction of Civil Parking Enforcement on July 1st 2019 may affect this site. From this date, it will be very difficult for people to park illegally throughout the city without incurring a Fixed Penalty Notice from the enforcement officers. As a result 'free' sites may see increased parking activities from commuter parking which may in turn affect the legitimate users of the city leisure facilities. The implementation of car parking charges in parks will help to deter this use as a regular activity.

Options Available and considered

- Option 1: Note the objections received proceed with the introduction of off street parking charges at Tredegar Park and Fourteen Locks.
- Option 2: Do not proceed with the introduction of street parking at Tredegar Park and Fourteen Locks.

Preferred Option and Why

To proceed with the introduction of the off street parking Pay and Display order as previously agreed. The objections raised have been answered and none of them justify not proceeding.

Comments of Chief Financial Officer

This proposal was considered and agreed at Cabinet when setting the 2019/20 budget, after consultation. If these parking charges are not introduced then this would create an in-year budget overspend in this area which would need to be mitigated elsewhere initially and then 'reversed' in the 2020/21 budget, creating a further budget pressure of £31k for that year.

Comments of Monitoring Officer

The proposed action is in accordance with the Council's statutory powers under the Road Traffic Regulation Act 1984 to provide off-street parking places and to impose charges for the use of those car parks. In order to implement this proposal, the Council is required to make a statutory Order formally designating the parking areas in Tredegar Park and Fourteen Locks as off-street car parks and to specify the level of parking charges payable for their use. In accordance with the statutory procedure for making these car parking Orders, the proposed orders have been advertised and the public have been given the opportunity to object. Those objections received to the proposed Orders and officer responses to the objections are set out in the Report. The Cabinet Member is now required to consider those objections and decide whether or not to proceed with the Car Parking Orders. It should be noted that the rationale

for making the orders and the impact of the proposed parking charges was the subject of previous public consultation as part of the budget-making process. Therefore, any statutory objections at this stage should relate to the traffic management reasons for making the Orders and any parking implications, rather than the fairness or otherwise of imposing the charges. Only one of the objections raises specific issues relating to potential on-street parking at Brunel Avenue and officers are satisfied that this should not cause any road safety problems. All of the other objections are largely related to the fairness of the parking charges. Therefore, there are no valid legal grounds for objection to the Orders.

Comments of Head of People and Business Change

These proposals have been subject to public consultation as part of the Medium Term Financial Plan and detailed discussions have been held with key stakeholders at the two sites. This report sets out the City Services' response to the main questions that were raised. The income raised through parking charges will be reinvested in City Services assets enabling future improvement works to take place and helping to ensure their sustainability. It is noted that the proposed parking charges at these sites should help to mitigate against the misuse of these previously free to use parking facilities following the recent introduction of Civil Parking Enforcement in the City.

There are no direct human resources implications in this report.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

We do not anticipate that this proposal will have a negative impact on protected characteristics

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

Report writes need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: The introduction of civil enforcement orders and car parking charges within Parks and Countryside Facilities, brings Newport City Councils (NCC) provisions in line with other neighbouring Local Authorities. The income generated from each individual facility will be re-invested within the City services area enabling future improvement works to take place.

- **Prevention:** The car parking civil enforcement orders and fees and charges have been set at a low and affordable rate which will take effect from between the hours of 6.30 hours and 16:00 hours seven days a week. The charges for Tredegar Park will be £1 for up to 2 hours, and the Charges for Fourteen Locks will be £1.00 up to 4 hours. All other leisure facilities at both sites will remain free of charge except the provisions of the onsite catering and the formal hire of sports pitches and changing room facilities. Car parking charges will not be enforced after 16:00 hours daily and those who display a blue car parking badge will be able to park free of charge. NCC will continue to work with other stakeholders such as Newport Live to continue to deliver free sporting activities, after 16:00 hours thus allowing those who are on low or fixed incomes to still participate in physical activities and outreach opportunities.
- **Integration:** It is imperative that the councils Parks & Outdoor Recreation and Countryside Services, and infrastructure is of the highest standard, to continue to provide physical activity and education opportunities, along with partnership working with key stakeholders such as Newport Live, Keep Wales Tidy, Gwent Wildlife Trust, RSPB and volunteers and friends groups. This can only be achieved if there is continued and planned investment into city service assets.
- **Collaboration:** In compiling the fees and charges and civil enforcement charges for Park & Outdoor Recreation and Countryside Facilities, we have measured our approach against other neighbouring local authorities of a similar size and demographic. We believe that this is fundamental to our tourism economy, as well as contributing to the education, health and well-being of our residents.
- **Involvement:** We have undertaken a number of formal consultations and entered into direct discussions with representatives of the Fourteen Locks Canal Trust, the Land Agent Newbridge Estates Ltd and Woodies Ice creams the concession holder at Tredegar Park. In addition, there was a period of public consultation regarding the Civil Enforcement Orders which were advertised in the South Wales Argus, objectors were encouraged to submit their objections in writing which have been considered as part of this Cabinet Report. We have also looked at the demographics of our City to ensure that our charges are pitched to a level that will continue to promote Newport as a suitable venue for physical activity and outdoor education, without discouraging those who are on fixed or low waged incomes.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

Dated: 22 August 2019