



**REPORT TO: ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES
COMMITTEE ON 10 SEPTEMBER 2019**

SUBJECT: STAFF CAR PARKING

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING & INFRASTRUCTURE**

1. REASON FOR REPORT

- 1.1 To inform the Committee of the outcome of the consultation on the proposed amendments to the Car Park order.
- 1.2 This report is submitted to Committee in terms of Section III (F) (20) of the Council's Scheme of Administration relating to making traffic regulation orders.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) **considers the responses to the statutory advertisement of the Car Park Order Amendment; and**
- (ii) **approves implementation of the Order as advertised.**

3. BACKGROUND

- 3.1 The Council operates 40 car parks regulated by the Grampian Regional Council (Off Street Car Parks) Order 1989. Greyfriars Street and The Annexe. Car Parks are restricted to council staff only Monday to Friday 0800h – 1800h.
- 3.2 On 26 September 2018 Council made a budget decision to introduce charges for staff parking at the Elgin HQ Campus by the introduction of parking permits for council staff (para 6 of the minute refers). This decision was purely a financial one, and any introduction of charges still has to follow the correct statutory process. The charging mechanism must be detailed in that process and this followed the approach agreed as part of the budget report of 26 September 2018.

- 3.3 The statutory process was duly followed with a consultation on an Amendment to the Car Park Order to allow the Council to charge staff for parking by means of a permit system. The findings of the consultation were taken to a meeting of this Committee on 11 June 2019 (para 6 of the draft minute refers), and subsequently referred on to a meeting of the Council on 27 June 2019.
- 3.4 The decision of the Council was to consult on an amendment to the Car Park Order to introduce charging at £1 per day by pay & display (para 13 of the minute refers).
- 3.5 The consultation on the proposed amendment to the Car Park Order duly commenced on 19 July 2019 through an advert in the Northern Scot and also on tellmesotland.org.uk and concluded on 16 August 2019. As objections have been received to the proposed amendment, the matter is now duly brought to this Committee as it is the committee responsible for considering the objections. However, given the standing budget decision, should the Committee wish to make a decision that does not deliver the agreed budget savings then the matter would need to be referred to the Council to consider the financial implications.

4. CONSULTATION RESPONSES

- 4.1 A total of 17 responses were received. One of these responses was a joint response from 10 members of staff.
- 4.2 In summary:
- One respondent was wholly in favour of the proposal
 - Three respondents were happy with the level and means of charging, but not that it only applied to Greyfriars Street and the Annexe car parks
 - 13 responses were objections
- 4.3 The objections can be summarised as follows:
- 4.3.1 The charges only apply to Greyfriars Street and the Annexe car parks – this was the most common objection in the responses received. The proposal reflects the central location of these car parks, and the fact that there are only 190 spaces for 845 employees so currently no staff are guaranteed a space. For the HQ campus, the majority of employees already make other travel or parking arrangements. There are other locations with no staff parking facilities at all – including Elgin Library.
- 4.3.2 The councillors / directors car park is not included
There is a separate proposal for a voluntary scheme for councillors and directors which recognises the complexity of extending the Car Park Order to the Glover Street car park because of the shared use with the Courts Service.
- 4.3.3 Similarity to Workplace Parking Levy
The Workplace Parking Levy is not yet a legal power for local authorities. When it is introduced it is an option for local authorities to consider, however,

if it were to be introduced it would apply as a levy on employers – it would be up to individual employers as to whether the costs were passed on to employees. The exact details of the legal powers have yet to be set out, and the matter has not been considered by Council. The Council has separate powers to introduce direct charges for parking at car parks that it owns and operates – either as an employer, or under the Road Traffic Regulation Act 1984.

4.3.4 Discriminates against those with no public transport

The provision of public transport is unchanged by these proposals. The challenges of public transport across Moray is one that the council recognises, but is outside the remit of this process.

4.3.5 Impact on nearby residential streets

The total number of employees driving to and/or around Elgin on a daily basis will not increase. The change is to which vehicles are parking in the car parks / in other locations, rather than the total number.

4.3.6 Discriminates against those on low income

This charge is in line with the lowest parking charges made elsewhere in Elgin which many employees already use. Free parking is available on residential streets around Elgin, as currently used by other employees.

4.3.7 A request for personally (named) reserved parking

This consultation response has now been received twice, so for clarity, aside from any Data Protection implications, named reserved parking would add extra costs without any clear benefit in terms of the operation of a car park. In the context of £1 per day pay and display there would be no guarantee of a space for any individual, as is the current position with uncharged parking

4.3.8 Query on the funding and means of enforcement

Enforcement would be carried out by the existing car park attendants who currently patrol all the car parks in Elgin – including Greyfriars Street and the Annexe.

4.3.9 Consultation not carried out correctly

The consultation was a statutory consultation under the Road Traffic Regulation Act, and was carried out in accordance with the requirements of the legislation. Consultations under this Act (including Traffic Regulation Orders) are not placed in the Consultations section of the Council's website, but are advertised in the press and on tellmescotland.gov.uk

4.3.10 Objection based on a belief that the consultation was on permit parking

The consultation was on the introduction of £1 per day pay & display parking for staff.

4.3.11 Part time staff will have to pay for a whole day's parking

This is in line with other car parks in Moray where the charge of £1 is for up to a full day.

4.3.12 No guarantee that if car is taken out of the car park during the day a space will still be available on return

This is correct, and is no different to the current situation.

4.3.13 Query on how to ensure only staff use the car parks

The existing barriers will remain in place. It is not currently proposed to move the barrier in the Annexe car park to enable access to visitor parking, however, this will be monitored and consideration given to moving the entrance barrier if required.

4.3.14 Require easy access to personal car for work purposes

No member of staff who currently uses their personal car for work purposes is guaranteed a parking space in the two car parks.

4.3.15 Should not apply to visiting pool cars and query as to whether cost can be reclaimed through expenses

Expenses remain recoverable if they are incurred in accordance with the Council's Travel and Subsistence Policy.

4.3.16 No choice as an employee to work in a different location

Free parking is available on residential streets around Elgin, as currently used by other employees.

4.3.17 Loss of productivity walking to pool cars / personal cars not parked in the two affected car parks

No member of staff is currently guaranteed a parking space in the two car parks. There is sufficient parking within close proximity of the HQ complex for all employees, whether this is in pay & display car parks or on nearby streets.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

These proposals fit with the objectives of economic development and are part of the Council's identified budget savings.

(b) Policy and Legal

The statutory process for amending the Car Park Order has been followed.

(c) Financial implications

When the Council approved the budget for 2019/20 on 26 February 2019, the three year indicative budget before the Council showed savings required in 2020/21 of £12.2 million and £6.7 in 2021/22. Although the final figures will vary, it is clear that the council will have to reduce its costs significantly across all services in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed.

The additional income generated if the amendment to the Car Park Order is approved will be £18k less than budget, in line with the decision of Council on 27 July 2019.

(d) Risk Implications

There are no specific risks although the proposal has attracted criticism from some staff and previously from the trade unions.

(e) Staffing Implications

There are no staffing implications.

(f) Property

There are no property implications.

(g) Equalities/Socio Economic Impact

Equalities matters have been considered throughout the process. An Equalities Impact Assessment was not required for this proposal because a) the parking facility is not large enough to be available for all staff, and b) there are uncharged blue badge spaces in the car parks for disabled staff.

(h) Consultations

The Legal Services Manager, Principal Accountant (P Connor), Equalities Officer, and Committee Services Officer (L Rowan) have been consulted and their comments incorporated into this report.

6. CONCLUSION

6.1 Committee is asked to consider the consultation responses and decide whether to approve the amendment to the Car Park Order to introduce £1 per day Pay & Display parking for staff at Greyfriars Street and the Annexe car parks.

Author of Report: Nicola Moss, Transportation Manager
Background Papers: n/a
Ref: