

Review of parking arrangements with various schools within the Borough – Corporate Head of Customer, Digital and Collection Services – Linda Norman

Synopsis of report:

To review the current parking arrangements which exist between several primary schools and Runnymede Borough Council, having due regard to cost and transparency across the Borough.

Recommendation(s):

The Committee is asked to determine which of the following options it wishes to adopt in relation parking by parents in car parks located near to schools:

1. To no longer support the arrangement with any school and enforce non-payment of parking in car parks for both morning and afternoon periods with effect from September 2023
2. To continue with the arrangement and extend to other primary schools across the Borough where Council owned car parks are within a reasonable walking distance and for Runnymede to cover the total cost within existing budgets
3. To offer parking permits to primary schools at £30 per term (£120 per school year) to allow for free parking in both morning and afternoon time slots to facilitate safer road travel. Parents will be able to choose whether they renew the permit in the spring and summer terms or choose alternative greener travel options.

Depending on which option members approve could result in:

- Option 1 £53k potential increase in income
- Option 2 £177k potential loss of income*
- Option 3 £42k increase in income

This increase or decrease in income is not guaranteed and is dependent on whether parents continue to use Council owned car parks following any changes in policy.

* It is anticipated that with better targeted enforcement, it is expected that there will be an increase in income which will offset any potential loss, thus containing the effect of option 2 within existing budgets

1. Context and background of report

- 1.1 Following several complaints around illegal and dangerous parking at St Jude's Road Car Park, the Corporate Head of Customer, Digital and Collection Services visited the area with the Council's Community Safety Officer at the beginning of December 2022 to observe the issues and to see whether there were any powers within the Community Safety Regulations the Council could consider using to reduce the amount of illegal and dangerous parking that was taking place in that location.
- 1.2 There are two primary schools in close proximity to the car park and the Officers observed many parents parking in the car park who appeared not to have paid for parking. Several cars were observed to be parked in excess of 30 minutes and others were parked across the designated bays causing obstructions to other drivers.
- 1.3 Officers concluded that the issues reported by residents were linked to the road layout and the proximity of the two primary schools and a thriving local business. Regular patrols of the area have ascertained that the congestion is particularly prevalent in the afternoons when parents congregate to pick up their children from school.

- 1.4 The Corporate Head spoke to both schools to ask them to advise parents that the Council would be enforcing both illegal and non-payment of parking in that location. During this conversation, the Corporate Head was advised that they had an arrangement with the Council where each school issued parking permits to parents which allowed parents free parking for a period of 10/15 minutes between 8.45 and 9.15am and between 2.45 and 3.15pm.
- 1.5 Unfortunately, this arrangement had been agreed with the previous Parking Manager many years ago and whilst that Officer had delegated authority to grant temporary waivers of car parking charges by permit subject to the cost being contained within budget, there was no formal record of this arrangement or cost quantified for allowing this practice.
- 1.6 Whilst there is no documentation to explain why the time period of 15 minutes was suggested, under the provisions of Regulation 5 Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 a penalty charge cannot be imposed if a vehicle has not exceeded 10 minutes beyond the permitted parking period. It seems reasonable to assume that the previous Parking Manager thought an extra 5 minutes would allow parents enough time to drop off/pick up their children without incurring a penalty.
- 1.7 As a compromise, whilst this arrangement is being reviewed, the Corporate Head agreed with the Chief Executive that the Council would continue to support the arrangement until the end of the school year.
- 1.8 As this was an informal arrangement and the cost has not been quantified, the Council did not know how many schools have been allowed to issue 'school parking permits' or to how many parents. When the Parking Services transferred to Customer Services in July 2021, the Corporate Head was surprised at the lack of payments being made in the Council's various car parks in the afternoon and revised the staff patrols to try to resolve this issue being unaware of the arrangement that was currently in force.
- 1.9 Following a request from a ward Councillor on 16 December 22 to extend the free parking for the parents of St Anne's pupils at Chertsey library whilst some road closures were in force, it became apparent that St Anne's had been included in this arrangement.
- 1.10 The Council has now contacted the majority of primary schools in the Borough that are within reasonable walking distance of Council owned car parks to ascertain how widespread this practice is to enable the cost to be quantified and to ensure all schools are treated fairly.

2. Report and, where applicable, options considered and recommended

- 2.1 The parking income budget was reduced for 2022/23 year for Council owned car parks due to the slower recovery from the pandemic and changes to people's working patterns.
- 2.2 Prior to the pandemic in 2019/20, the income from parking was £765k. The budget for 2022/23 is estimated to be £317k which has an impact on the Council's overall financial position. The loss of income from Tesco's at Hummer Road as well as the new multi storey car park at St Peter's has further impacted on expected revenue. In addition, there will also be an additional £70k increase in costs to Parking Services following the discontinuation of the agency agreement for on-street parking enforcement from 1 April 2023. It is therefore important to quantify the cost that this practice of allowing parents free parking twice a day during term time will have on the reduction in income.

2.3 The table below identifies the schools that are potentially involved in this scheme:

School	No of pupils	Permits given	Car park	Charge £	Calculation	Total
St Jude's	291	50	St Jude's	0.60	2 x 0.60 @ 5 days @ 39 weeks	£11 700
*St Cuthberts	203	50	St Jude's	0.60	2 x 0.60 @ 5 days @ 39 weeks	£11 700
St Annes	454	60	Chertsey Library	1.30	2@ 1.30 @ 5 days @ 39 weeks	£30 420
Maximum potential cost of scheme						£53 820

*St Cuthberts have no idea how many permits they have issued as they do not keep formal records. An assumption of 50 have been made based on the similarity to St Jude's in size and location.

- 2.4 The Council is aware of the many issues facing schools around road congestion including dangerous or illegal parking and has in recent months increased parking patrols around schools during term time to try to alleviate the problems that are caused predominantly by the parents of pupils attending these schools. Whilst the Council is sympathetic to the problems faced by schools, there should not be an expectation from either schools or parents that the Council will provide free parking to resolve this.
- 2.5 The Council has a duty to maintain the car parks to a decent standard and people should pay for using the service. The income received from car parks is used to maintain the service without any recourse to taxpayers' funds. In addition, this income is also used to reduce the cost of other critical services the Council provides for our residents, so it is important that car parks are run efficiently.
- 2.6 Education is a function provided by Surrey County Council and from 1 April 2023, on-street parking enforcement returned to the County for them to manage the traffic congestion and illegal parking around schools.
- 2.7 Parents have a choice about where and how they send their children to school. The Council is not preventing parents from using the public car parks but merely asking parents to pay for the service if they park beyond the '10-minute grace period'.
- 2.8 Parents also have a responsibility to other road users and should not expect to receive preferential treatment from the Council when taking their children to and from school.
- 2.9 Officers have considered various options and need to quantify the cost of each option and whether the Council should continue with this arrangement to help mitigate the need for better facilities at schools to enable them to provide a better way for parents to drop off and pick up children from their facility.
- 2.10 The Council needs to be consistent across the whole borough and if the Council feels that the benefit of allowing this practice to continue outweighs the significant cost to the Council, it should be made available to all primary schools across the Borough.
- 2.11 Appendix A identifies 21 primary schools across the borough, of which:
- 7 have their own car parks within the school boundary
 - 2 use private car parks where no charge is incurred

- 3 use council owned car parks using the 'school free permit'
- 9 have no parking facilities so predominantly rely on parking on street

2.12 Of the 9 schools who do not have immediate parking facilities:

- 5 are within walking distance from an open space car park where no charge is incurred
- 4 are within walking distance of other Council owned car parks not offering the 'school free permit'

2.13 The Council could consider expanding the scheme to include these four schools where there is a reasonable proximity to a council owned car park which may then mitigate road congestion in those locations.

2.14 Three options have been considered:

1. To no longer support the arrangement with any school and enforce non-payment of parking in car parks for both morning and afternoon periods
2. To continue with the arrangement and extend to other primary schools across the borough and for Runnymede to cover the total cost within existing budgets
3. To offer parking permits to relevant primary schools at £30 per term (£120 per school year) to allow for free parking in both morning and afternoon time slots to facilitate safer road travel. Parents will be able to choose whether they renew the permit in the spring and summer terms or choose alternative greener travel options.

Option	Schools affected	Maximum permits issued	Potential income received	Potential income forfeited
Option 1	3	160	£53 820	
Option 2	7	350		£177 450*
Option 3	7	350	£42 000	

* it is anticipated that with better targeted enforcement, it is expected that there will be an increase in income which will offset any potential loss, thus containing the effect of Option 2 within existing budgets

2.15 Parents do need to take some responsibility for the choices they make and cannot rely on public funds to reduce their financial liability when making decisions on their children's education.

3. Policy framework implications

3.1 Under legislation, Parking Services must be self-financing and have no recourse to public funds. The service should contribute to the authority's transport objectives and the aim is to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls. Where temporary waivers of parking charges occur, whether it be by order, notice or permit, the cost must be covered within the existing budget.

4. Resource implications/Value for Money (where applicable)

4.1 Should members chose to introduce school parking permits, the Parking Services Team will need to set up a formal process to effectively administer these permits. The team will work with local schools to ensure they are being used responsibly by parents with annual reviews to ensure the cost is quantified and contained within the overall Parking Services budget.

5. Legal implications

- 5.1 Section 32 Road Traffic Regulation Act 1984 (the 1984 Act) grants local authorities the power to provide off-street parking facilities. Section 35 of the 1984 Act then goes on to state that local authorities may make what are termed as Orders to regulate the use of any parking facilities provided by them. An Order made pursuant to the power granted by section 35 of the 1984 Act can include provisions regarding the charges to be paid in connection with the use of any parking facility provided. This was undertaken for the car parks in this report by the Borough of Runnymede (Off Street Parking Places) Order 2008 (as amended). If the driver of a vehicle fails to comply with the provisions of an Order regulating the use of an off-street parking facility then what is termed as a Penalty Charge Notice (PCN) can be issued. The PCN will specify the contravention and the amount of penalty payable in respect of any such contravention.
- 5.2 Under the Council's Constitution, the Corporate Head of Customer, Digital and Collection Services has delegated authority to issue parking permits at Council owned car parks subject to the costs being contained within budget.

6. Equality implications

- 6.1 The Council has a duty under the Equality Act 2010. Section 149 of the Act provides that we must have due regard to the need to;
- a) eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act
 - b) to advance equality of opportunity
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.
- 6.2 Should the Council wish to introduce a new term time parking permits at a discounted rate of £30 per term in Council owned car parks, this should be extended to all relevant primary schools within the Borough to ensure equality of opportunity for all.
- 6.3 Disabled parking facilities will not be affected by these changes.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 By allowing parents free parking in Council owned car parks to facilitate 'the school run' does not encourage parents to seek other alternative greener methods of transportation but may help mitigate congestion and illegal parking around schools.
- 7.2 By introducing quarterly term time parking permits, this will give parents the opportunity to consider other travel methods in the spring and summer months.

8. Other implications (where applicable)

There are none.

9. Timetable for Implementation

- 9.1 The arrangement should be formalised from 1 September 2023. The Parking Services Team will work with schools in the preceding months to If Option 3 is chosen, the parking service will issue new parking permits for term time use to alleviate congestion around primary schools.

10. Conclusions

- The use of Council car parks for the dropping off of and collection of children attending nearby schools is a legitimate use of such facilities. The question which the Council has to

determine is whether there should be a charge imposed for such a use, does the Council wish to provide such a facility free of charge or at a discounted rate.

- There are clearly arguments in favour and against each of the options. In reaching their decision Members will have to undertake a balancing exercise and weigh up the advantages and disadvantages associated with each option. In summary if charges are imposed then all users and residents are being treated equally. If no charge is imposed then certain residents are being subsidised by others. If a discounted permit scheme is selected then it will generate income but it will still involve an element of subsidy.
- Depending on which option members approve could result in:
 - Option 1 £53k potential increase in income
 - Option 2 £177k potential loss of income
 - Option 3 £42k increase in income

This increase or decrease in income is not guaranteed and is dependent on whether parents continue to use council owned car parks following any changes in policy

(To resolve)

Background papers

Appendix A – Primary school information

Appendix B – Survey undertaken by St Anne's in support of parking permits