

Arun District Council

REPORT TO:	Full Council – 9 May 2024
SUBJECT:	Consideration of a Petition
LEAD OFFICER:	Karl Roberts, Joint Interim CEO and Director of Growth
LEAD MEMBER:	Councillor Wallsgrove – Chair – Environment Committee
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>We will provide safe, well-maintained car parks that meet the needs of residents, shoppers and visitors to Arun, providing support for economic growth, promoting a sustainable environment and creating a positive parking experience.</p> <p>To seek to identify the best way of using the Council’s car park assets to deliver the Arun Council Vision 2022-2026 aims:</p> <ul style="list-style-type: none">• Fulfilling Arun’s economic potential• Supporting our environment to support us.	
DIRECTORATE POLICY CONTEXT:	
<p>The Strategy aims to maximise the use of car parks in a way that supports the needs of businesses, workers, shoppers, commuters, and visitors.</p>	
FINANCIAL SUMMARY:	
<p>The full costs for the proposed changes have now been obtained and the details are set out in the main body of the report.</p> <p>The total cost for the proposed changes equates to £1,971.13 for Shrubbs Field car park. £1,877.53 of the total expenditure has already been committed as purchase orders have been raised for the installation of the machines, required poles and signage and for the necessary machine software.</p>	

1. PURPOSE OF REPORT

- 1.1 The Council’s Petitions Scheme sets out the Council’s adopted procedure for dealing with Petitions that are received by the Council containing signatures in excess of 1,500 signatures.
- 1.2 This report provides Full Council with information to how it wishes to respond to the petition received regarding the Shrubbs Field Car Park in Middleton-on-Sea.

2. RECOMMENDATIONS

- 2.1 It is recommended that Full Council considers the petition and the report and confirms how the Council wishes to respond to the Middleton-on-Sea Petition based upon the facts presented.

3. EXECUTIVE SUMMARY

- 3.1 This report accompanies a petition received by the Council on 21 March 2024 entitled “Not to install ticket machines and/ or parking restrictions in the Shrubbs Field car park in Middleton-On-Sea”.

4. DETAIL

- 4.1. A petition was handed into the Council on 21 March 2024 petitioning the Council “not to install ticket machines and/or parking restrictions in the Shrubbs Field Car Park Middleton-on-Sea”.

- 4.2. The Petition contained a total number of 1,985 signatures of which 1,760 have been confirmed as meeting the requirements of the Petitions Scheme and allowing Full Council debate at this meeting.

- 4.3. The process for considering this petition is set out below and confirmed in the Council’s Constitution:

- Petition organiser presents their petition [5 minutes]
- The relevant Committee Chair, in this case the Chair of the Environment Committee, Councillor Wallsgrove, will have a right to reply [5 minutes]
- Councillors to have the opportunity to discuss the petition [maximum of 30 minutes] with each Councillor allowed to speak for a maximum of 3 minutes.
- The length of the debate can be extended at the Chair of the Council’s discretion.
- The Council will decide how to respond to the petition at this meeting. It may decide to take/support the action the petition requests; not to take/support the action requested for reasons put forward in the debate; or to commission further investigation into the matter, for example by a relevant Committee.
- Where the issue is one which a committee is required to make the final decision, the Council will decide to make recommendations to inform that decision.
- The petition organiser will receive written confirmation of this decision with the decision also being published on the council’s web site.

- 4.4. The Environment Committee on 21 November 2023 resolved that:

“Authority be delegated to the Group Head of Technical Services to advertise, consider representation and determine the following proposed amendments to the Parking Order:

...

(c) To agree the installation of parking ticket machines within the three free car parks operated in partnership with Middleton-On-Sea Parish and Felpham Parish Councils.”

The report to Environment Committee stated that this would occur alongside the introduction of a non-return period.

- 4.5. Shrubbs Field car park has for many years had a maximum stay time of 24 hours, but there are practical challenges to enforcing this due to the absence of a non-return period, leaving the car park open to long-staying misuse and vehicles being abandoned.
- 4.6. Arun District Council has some usage data for its car parks from the number of tickets obtained. The Council does not have any usage data for Shrubbs Field car park. Usage data improves the Council’s understanding of how its assets perform and enables the Council to make better informed decisions about its assets.

5. CONSULTATION

- 5.1 Middleton-On-Sea Parish Council was consulted ahead of the Environment Committee meeting on 21 November 2023 regarding the proposed changes within Shrubbs Field Car Park. Middleton-On-Sea Parish Council’s comments, which were reported to Environment Committee, are summarised below.
 - a. Middleton-On-Sea Parish Council oppose the introduction of a free parking ticket machine and a no-return period describing it as counterproductive, unnecessary, bureaucratic and self-defeating and citing the following concerns:
 - i. Residents, many are elderly or infirm use the car park when accessing the pharmacy, local shops and Health Centre. They would be required to walk to a machine to get a ticket and then walk back to their car and walk again to where they wish to go – this will cause drivers to park outside of the shops on no parking areas. There is no enforcement in place to stop them.
 - ii. The Parish Council is trying to encourage residents and visitors to use the free car park. These proposals will not allow this to happen.
 - iii. We could have an unused car park with drivers parking on zig-zag lines by pedestrian crossings causing accidents.
 - iv. The car park works without bureaucratic interference, who is ensuring people get a ticket, who is going to ensure that they do not come back within a designated time period. Who will pick up all the tickets that will be thrown away in the car park.
 - v. What about anti-social behaviour and the possible abuse of ticket machine.

- 5.2 The proposed maximum stay time and non-return period consulted on for Shrubbs Field Car Park was proposed, taking account of the needs of local amenities, in particular the doctors' surgery, nursery, recreation ground and shops/food businesses.
- 5.3 Middleton-on-Sea Parish Council, who made representations to the Environment Committee opposing the changes remain opposed to the proposed changes.
- 5.4 West Sussex County Council (WSSCC) as highway authority were consulted on the proposals within the report that went to Environment Committee in November 2023 and no objections were raised. Following further consultation in January 2024 WSSCC raised that their consent is also required for the proposed amendment to the parking order.
- 5.5 The public were consulted between 29 February and 21 March 2024, with a public notice in a local newspaper, within the affected car park, via post across three social media platforms, the front-page of the Council's website, along with an FAQ document explaining the changes proposed which was brought to Ward Members' attention.
- 5.6 Comments received on the proposed changes are captured in Appendix A. A total of 34 responses were received by Arun District Council during this period. All representations were considered as they were received throughout the consultation period and, where appropriate, follow-up enquiries were made to better understand the issues raised.
- 5.7 Concerns and queries have been raised by residents, visitors, employees and businesses regarding the proposed changes, during the consultation period. These have all been carefully considered and are summarised and responded to below:
 - a. Consequent to the representations made it has been decided that the maximum stay time at Shrubbs Field Car Park between 0800-1800 should be increased from the proposed 8 hours to 9 hours. It is now considered that the proposed changes will have a negligible impact on businesses and local facilities and amenities due and will ensure visitors have ample time to utilise the village's amenities.
 - b. Visitors with multiple appointments throughout the day will be able to obtain a ticket for free parking and can come and go during this time provided the ticket is retained and displayed each time upon parking.
 - c. Vehicles will be permitted to park overnight from 1800 to 0800 without needing to display a free pay and display ticket in Shrubbs Field Car Park.
 - d. The impact on carers visiting patients is also considered to be negligible due to the 9-hour free parking period. Carers will be able to obtain a ticket for free parking and can come and go during this time as long as the ticket is retained and displayed each time upon parking.

- e. It is accepted that whilst Buckingham Court have their own car park for their residents, some residents have been parking their cars at Shrubbs Field car park in breach of the existing 24-hour maximum stay time. In order to avoid displacing such vehicles onto the highway, as a transitional measure the operators of Buckingham Court will be offered in the region of 20 parking permits for use within Shrubbs Field Car Park, for a period of one year.
- f. Following the consultation responses and concerns raised by Middleton-On-Sea Parish Council and a Ward Member for Middleton, regarding potential abuse of the ticketing system (via pushing the ticket button repeatedly in protest causing the machines to run out of tickets with the associated environmental impact risk including littering), keypads will be installed on the front of the pay & display machines. Motorists will need to input their vehicle registration details in order to obtain a free ticket. This will reduce the risk of the data collected being tainted by misuse and will significantly reduce the possibility of anti-social behaviour (ASB). This will also reduce ongoing revenue costs as tickets will not need to be replaced as a result of ASB and will also improve enforcement efficiency.
- g. The free parking period offered is considered to be ample for visitors to the villages and the nearby beach and it is considered unlikely that visitors would be displaced onto the highway.
- h. To clarify in response to concerns raised regarding costs of implementing the proposed changes, enforcement of the car park is encompassed under the Council's existing parking enforcement contract and is not an additional cost to Arun District Council. In addition, Arun District Council employ a full-time machine engineer to remedy any machine faults, which is also encompassed under our existing contract.
- i. Personnel working in nearby businesses can park for free in Shrubbs Field Car Park for up to 9 hours. The free parking period is considered sufficient for those working 9am-5pm shifts, or similar. There are no restrictions between 1800-0800, meaning someone starting work after 0900 can park until 0800 the following day. Those people who start work before 0800 can obtain a ticket when they park which will allow them to park for 9 hours from 0800 (as well as any time in advance of 0800).
- j. The data that will be collected from the machines will be usage data. This will provide information on when people use the car park, providing information on the extent to which they are used, as well as on peaks and troughs in usage and will provide Arun District Council with information that can be used to inform future decisions. This includes when the car park is at its busiest. While respondents' suggestions of surveys would provide some data, the proposed changes will provide data every day, which can be subsequently analysed.

- k. Concerns were raised that the proposal was to introduce charges. There are no current proposals to introduce charges for parking in Shrubbs Field Car Park. Any such decision would be a matter for the Environment Committee to consider in the future, as would be the case in respect of any of the Council's car park where charging is not currently in place.
 - l. Concerns were raised regarding on-street parking within the villages on zigzags and yellow lines. The Parking Services team endeavour to reach as many areas of the district as often as possible within the Civil Enforcement Officer resource available. It is not considered that the changes will exacerbate this issue, and civil enforcement officers will be made aware of the concerns raised which can be monitored whilst monitoring the car park.
 - m. Concerns were raised that council tax income is being used to fund these changes and maintenance of this car park. The funding comes from income generated from Council-owned car parks throughout the district.
 - n. Concerns were raised regarding potholes in the highway. These are the responsibility of West Sussex County Council.
- 5.8 As indicated in section 4.7 above, the consultation responses provide evidence that the current 24-hour maximum stay time is regularly breached, with cars remaining in situ for several days/ weeks at a time. To ensure that the parking restrictions can be enforced, the maximum free parking time has been reduced to 23 hours in Shrubbs Field Car Park, as there is no requirement to obtain a ticket between 18:00 and 08:00. Having taken account of the consultation responses and amended the proposal, the decision was taken under delegated authority to proceed with the installation of free ticket machines and amend the parking order, consent for which has been sought from WSCC Highways.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 Withdrawing the proposed changes. The proposals have been agreed to by the Environment Committee on 21 November 2023 subject to consultation. The consultation comments have been carefully considered and some minor changes have been made to mitigate issues raised. There were no insurmountable issues raised. It is not considered that withdrawing the proposal is appropriate as the benefits of the changes are set out in detail above.
- 6.2 To reduce the free parking time given. Having considered the consultation responses and the representations from the Parish Councils and the doctors' surgery, it was considered this may have a detrimental impact on amenity/risk displacement to the highway. Having considered the consultation responses, the free parking time in Shrubbs Field Car Park has been increased to reflect concerns raised.
- 6.3 To not offer permits to the doctors' surgery and/or Buckingham Court. It was considered appropriate to offer these permits to avoid displacing such vehicles onto the highway and potential disruption to surgery staff.

6.4 To leave the machines without keypads - this would leave the machines open to abuse. A consultation response suggested that the following has been put on to social media - "that locals walking by should just take a ticket or two, has received a large number of "likes", so any data collected at all would be totally unreliable" and Middleton-On-Sea Parish Council raised similar concerns. If people obtain numerous tickets at one time, the usage data collected would be tainted and unreliable. It could also increase the amount of litter in the car park, increasing cleansing costs/unsightliness. While the software upgrade for the machines does have initial outlay costs, these are considered to be mitigated by the collection of reliable usage data, a fully and efficiently enforceable car park, and a significant reduction in the possibility of ASB and cleansing costs.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 The full costs for the proposed changes have now been obtained and are set out below:

- a. The installation cost is £150 per machine and the machines themselves are stock and are not an additional cost to the council. There are 2 machines located within Shrubbs Field car park.
- b. The ongoing maintenance and restocking of the machines will be encompassed under our existing car park contract.
- c. The main boards for Shrubbs Field car park were due to be upgraded this year due to weathering and the overall condition deteriorating. The cost for two new boards is £420.33.
- d. The cost for new poles for signage is £365.
- e. The cost for other car park signage is £261.60.
- f. Enforcement within the car park is covered under our exiting car park contract.
- g. Due to unknown usage figures, the cost of tickets for the two machines within Shrubbs Field Car Park is estimated to be £93.76 per year.
- h. To ensure effective and efficient enforcement and to deter anti-social behaviour concerns raised by members of the public and residents during the consultation period, a software upgrade for the five repurposed pay & display machines has been necessary. This upgrade is to add keypads to the front of all machines. Visitors to the car park will need to input their vehicle registration details to obtain a free ticket. The cost for this upgrade is £517.60.

7.2 The total cost for the proposed changes equates to £1,958.29 for Shrubbs Field Car Park.

8. RISK ASSESSMENT CONSIDERATIONS

8.1. No risk assessment considerations are necessary.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1 The procedure for Full Council to follow when considering the petition is set out at paragraph 4.3 of the report.

9.2 Full Council must decide how to respond to the petition at the meeting, and it may:

- Take the action the petition requests; or
- Not take the action requested for reasons put forward in the debate; or
- Commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which a committee is required to make the final decision, Full Council will decide whether to make recommendations to inform that decision.

9.1 The petition organiser will receive written confirmation of the decision and confirmation will be published on the Council's website.

10. HUMAN RESOURCES IMPACT

10.1 The proposals do not have Human Resource Implications.

11. HEALTH & SAFETY IMPACT

11.1 There are no direct health and safety impacts from the proposed changes to Shrubbs Field Car Park.

12. PROPERTY & ESTATES IMPACT

12.1 The Council's car parks require regular maintenance to ensure that they remain in a good and safe condition to be used by members of the public.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions to have due regard to:

- a. The need to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010,
- b. The need to advance equality of opportunity between persons who share protected characteristics and those who do not; and
- c. Foster good relations between those who have protected characteristics and those who do not.

13.2 Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

13.3 The Council is committed to all of the above which will be considered and included within the parking strategy as it is developed improving the quality of life and wellbeing for all residents in respect of socio-economic and health determinants.

13.4 An equality impact assessment has been undertaken which identifies that there is an impact on older users of Shrubbs Field Car Park. All drivers require a certain degree of mobility and memory retention to be able to drive a vehicle safely. Due to the size of Shrubbs Field Car Park, there are two pay and display machines to limit the travel distances to and from the machines. It is considered that the requirement to input a vehicle registration number would not be disadvantageous. The Council also offers free all-day car parking in all its car parks to disabled people displaying a "blue badge". There is not, therefore considered to be an adverse impact on protected characteristics.

13.5 The EIA for the review identifies positive impacts for the following protected groups:

- a. Age – any vulnerable person, regardless of age will be able to access suitable parking for their needs.
- b. Disability – any person with a disability, regardless of their disability will be able to access suitable parking for their needs.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 The proposals are not considered to have a detrimental environmental impact.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 Shrubbs Field Car Park currently holds the "Park Mark" award. The Safer Parking Scheme is managed by the British Parking Association (BPA) on behalf of Police Crime Prevention Initiatives Ltd. A Park Mark is awarded to parking facilities that have met the requirements of a risk assessment conducted by local police. These requirements mean the parking operator has put measures in place to help deter criminal activity and anti-social behaviour, thereby doing everything they can to prevent crime and reduce the fear of crime in their parking facility.

15.2 Good design, effective lighting, CCTV and increasing their use can be useful in deterring crime and anti-social behaviour.

16. HUMAN RIGHTS IMPACT

16.1 The proposals do not adversely impact on human rights.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 There are no specific Freedom of Information or Data Protection Consideration issues arising from the proposals of this report.

17.2 Any personal data will be handled in accordance with the General Data Protection Regulations and in line with the requirements of the Petitions Scheme set out in the Council's Constitution.

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

[Report to Environment Committee on 21 November 2023](#)

[Minutes of Environment Committee meeting 21 November 2023](#)

[Record of Delegated Decision - Free car parks](#)

Appendix of consultation responses - [Consultation Results](#)

[Equalities Impact Assessment - Free Car Park Change](#)