



# COUNCIL

TUESDAY, 26TH APRIL, 2016

At 7.30 pm

in the

COUNCIL CHAMBER - GUILDHALL, WINDSOR

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<p><u>PETITION FOR DEBATE</u></p> <p>A petition containing over 1000 signatories was submitted to the Council on 18 April 2016. In accordance with the provisions of the Council's Constitution, it was requested by the lead petitioner that the petition be debated at a Full Council meeting (<i>Report to follow</i>)</p> <p>The petition reads as follows:</p> <p><i>We the undersigned petition The Royal Borough of Windsor and Maidenhead to reconsider its decision to impose parking charges on Sundays in Maidenhead Town Centre.</i></p> <p>The Constitution provides for a maximum time of 30 minutes to debate such petitions; this can be overruled at the Mayor's discretion.</p> <p>In accordance with the Constitution, the order of speaking shall be as follows:</p> <ul style="list-style-type: none"> <li>a) <i>The Mayor may invite the relevant officer to set out the background to the petition issue.</i></li> <li>b) <i>The Lead Petitioner to address the meeting on the petition (5 minutes maximum)</i></li> <li>c) <i>The Mayor to invite any relevant Ward Councillors present to address the meeting. (Maximum time of 3 minutes each for this purpose)</i></li> </ul>	3 - 8

- d) *The Mayor to invite the relevant officer to provide any further comment.*
- e) *The Mayor will invite all Members to debate the matter (Rules of Debate as per the Constitution apply)*

Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	NO - Part I
<b>Title</b>	<b>Sunday Parking Charges in Maidenhead Town Centre - Petition for Debate</b>
<b>Responsible Officer(s)</b>	Simon Fletcher, Strategic Director of Operations and Customer Services
<b>Contact officer, job title and phone number</b>	Ben Smith, Head of Highways & Transport, 01628 796147
<b>Member reporting</b>	Cllr Rayner, Lead Member for Highways & Transport
<b>For Consideration By</b>	Council
<b>Date to be Considered</b>	26 April 2016
<b>Affected Wards</b>	Oldfield
<b>Keywords/Index</b>	Parking charges; Sunday; petition; Maidenhead' town centre

## Report Summary

1. A petition with 2,994 signatories has been collated which states '*...We the undersigned petition The Royal Borough of Windsor and Maidenhead to reconsider its decision to impose parking charges on Sundays in Maidenhead Town Centre...*'

This item has been agreed to be debated at Council. The purpose of this report is to consider the petition and resolve an appropriate way forward.

2. The report recommends that Council debate the petition and resolve an appropriate way forward.
3. This recommendation responds positively to the petition which requests that the Royal Borough of Windsor and Maidenhead reconsiders its decision in respect of introducing Sunday parking in Maidenhead Town Centre.
4. There are no direct financial implications arising from this report. Dependant upon the Council resolution there may be a financial impact.

## If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which they can expect to notice a difference
Council debate supports the Royal Boroughs aims with respect to transparency and engagement	26 April 2016

## 1. DETAILS OF RECOMMENDATIONS

**RECOMMENDED: That Council:**

- (i) notes the budget approved by Council on 23<sup>rd</sup> February 2016**
- (ii) notes; debates and resolves an appropriate way forward with respect to the petition**

## 2. REASON FOR DECISION AND OPTIONS CONSIDERED

2.1 A petition with 2,994 signatories has been collated which states

*'.....We the undersigned petition The Royal Borough of Windsor and Maidenhead to reconsider its decision to impose parking charges on Sundays in Maidenhead Town Centre.*

*The RBWM council has taken the decision to impose charges for parking in Maidenhead Town Centre on Sundays. Previously parking on Sundays was free. There is no credible justification for this decision. Such a decision will impact residents, visitors and businesses and will be detrimental to Maidenhead Town Centre...'*

2.2 The petition has collated 1,627 hard copy, and 1,267 online signatories and was submitted by Marc Jones of Maidenhead & District Chamber of Commerce. The lead petitioner has advised that he will be attending the meeting to address Members.

2.4 In accordance with the Constitution it has been requested that the petition be considered by Council for debate and to resolve an appropriate way forward.

<b>Option</b>	<b>Comments</b>
Do Nothing	Acknowledge the petition; take no further action and do not debate at Council. This option is not recommended as it is contrary to the Royal Borough's Constitution
Consider the petition; debate at Council and resolve an appropriate way forward	<b>This option is recommended</b> as it is compliant with the Royal Borough's Constitution and supports the aims of transparency and engagement
Acknowledge the concerns of the petition and continue detailed engagement outside Council seeking to achieve an amicable resolution	This option may be appropriate following Council debate

### 3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Petition debated at Cabinet and way forward agreed	N/A	Petition considered at Council (26 April 2016)	N/A	N/A	26 April 2016

### 4. FINANCIAL DETAILS

**4.1 Revenue Funding:** there are no revenue implications arising from the recommendations of this report

**4.2 Capital Funding:** there are no capital implications arising from the recommendations of this report

### 5. LEGAL IMPLICATIONS

#### Petitions under the Council's Constitution

5.1 Petitions are considered by the Council under Rule C10 of the Council's Procedural Rules and when signed by more than 1,000 persons will be debated at full Council (Rule C10.30). This is a Petition for Debate and forms the purpose of this report.

5.2 The Constitution also recognises 'Consultation Petition' (rule C10.28) which are petition received in the course of a statutory or non-statutory consultation performed by the Council. The introduction of car parking charges requires the Council to perform the statutory consultation exercise under Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

5.3 Normally a petition of less than 1,000 signatures would considered by the relevant Committee, Member or Officer (as relevant) as part of the wider parking consultation exercise. The decision maker would usually consider the petition in the whole along with other representations made by the public and statutory consultees.

#### Statutory Parking Consultation

5.4 The Council may introduce a charge for the use of its parking spaces under s35 of the Road Traffic Regulation Act 1984 using a Traffic Regulation Order. This is necessary where new charges are being introduced (such as charging on days where parking was previously provided free). This is different to the s35C procedure which is used to increase current charges which does not require consultation.

5.5 The Regulations require the Council as Highways Authority to consult before making a Traffic Regulation Order (TRO) to introduce charging for parking.

5.6 Consultation requires publication of notices (on site and in local paper) and allowing a 21 day period for any person to raise objections to the proposal.

5.7 The Council must consider all objections (including those as a petition) and its duty under s122 of the RTRA (to secure the expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on or off the highway) before deciding to place the TRO into effect.

**6. VALUE FOR MONEY**

6.1 Council approved the 2016/17 budget on 23<sup>rd</sup> February 2016 which included fees and charges.

Parking charges form part of the budget which introduced Sunday charges in Maidenhead town centre. This offers parity across the Royal Borough offering value for money for all residents.

**7. SUSTAINABILITY IMPACT APPRAISAL**

7.1 Car use impacts upon sustainability in a number of ways including air quality; noise and congestion.

**8. RISK MANAGEMENT**

The following risks are highlighted for information and to inform the Council debate

<b>Risks</b>	<b>Uncontrolled Risk Level</b>
Direct financial risk to parking income if charges are not implemented	MEDIUM
Indirect financial risks to the broader economy if parking charges are implemented and impact upon the economic viability of Maidenhead town centre	MEDIUM
Reputational risk within the Maidenhead area and more widely across the whole of the Royal Borough	MEDIUM

**9. LINKS TO STRATEGIC OBJECTIVES**

9.1 The recommended option would be in line with all the four of the council’s strategic priorities: Residents First; Value for Money; Delivering Together and Equipping Ourselves for the Future.

9.2 The strongest links are:

- Value for Money**
  - Deliver Economic Services
- Delivering Together**
  - Deliver Effective Services

**10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION: None**

**11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS: None**

**12. PROPERTY AND ASSETS: None**

**13. ANY OTHER IMPLICATIONS: None**

**14. CONSULTATION**

14.1 Initial notification of the changes to the Royal Borough of Windsor and Maidenhead Off Street Parking Places Order 2008 were publicised in March 2016 with and then further publicised in April 2016.

14.2 A consultation is currently taking place which is due to end on the 28th April. Public Notices have been placed in all affected Maidenhead car parks inviting comment.

**15. TIMETABLE FOR IMPLEMENTATION**

<b>Stages</b>	<b>Timescale</b>
Council debate	26 April 2016
Further actions for implantation subject to Council resolution	

**16. BACKGROUND INFORMATION**

16.1 The following is offered as background information to support the debate.

16.2 Council approved the 2016/17 budget on 23<sup>rd</sup> February 2016 which included fees and charges (Appendix B – page 92 refers).

Parking charges form part of the budget which introduced Sunday charges in Maidenhead town centre. The daily charge which is applicable Monday – Saturday (inclusive) was approved to apply on Sundays, thereby retaining the discounts for Advantage Card holders which are applicable for parking up to 3 hours.

16.3 Sunday charges are in place in Windsor. Therefore, the approved charges offers parity across the town centres of Windsor and Maidenhead.

16.4 Projected annual income from the introduction of Sunday parking charges in Maidenhead is £60,000.

16.5 Sunday charges are in place in neighbouring towns including Reading; Wycombe and Bracknell.

**APPENDICES: None**

**17. Consultation (Mandatory)**

<b>Name of consultee</b>	<b>Post held and Department</b>	<b>Date sent</b>	<b>Date received</b>	<b>See comments in paragraph:</b>
Simon Fletcher	Strategic Director of Operations and Customer Services	22/04/16		
Richard Bunn	Acting Head of Finance	22/04/16	22/04/16	Revenue costs of implementing charges to be

				identified and circulated to Lead Members for comment
Michael Llewelyn	Cabinet Policy Officer	22/04/16	22/04/16	Recommendation amended to include (i)
Neil Walter	Strategic Parking Manager	22/04/16	22/04/16	Paragraphs 14.14 and 14.2 added. Potential income confirmed as £60k – paragraph 16.4
Sean O'Connor	Shared Legal Services	22/04/16	22/04/16	Section 5. added
Chris Targowski	Cabinet Policy Manager	22/04/16		
Councillor Rayner	Lead Member for Highways & Transport	22/04/16	25/04/16	Approved
Councillor Dudley	Lead Member for Finance	22/04/16	24/04/16	Approved
Councillor Burbage	Leader of the Council	22/04/16		

### Report History

<b>Decision type:</b>	<b>Urgency item?</b>
	No

Full name of report author	Job title	Full contact no:
Ben Smith	Head of Highways & Transport	01628 796147