

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 19 JANUARY 2023
REPORT OF THE ASSISTANT DIRECTOR (REGENERATION AND ECONOMIC
DEVELOPMENT)

INTRODUCTION OF PARKING RESTRICTIONS IN CAMPUS WEST CAR PARK,
WELWYN GARDEN CITY

1 Executive Summary

- 1.1 Since the 1970s and 1980s, a flat surface car park provision has been in place at Campus West to enable parking to access services in and around The Campus, as well as parking for those who wish to park close to the Town Centre.
- 1.2 In April 2022, Campus West car park closed to the public to enable construction of an upper floor to the car park to increase capacity as part of the wider regeneration of Welwyn Garden City under WGC 2120 plan.
- 1.3 The relevant planning application and matters relating to the car park's construction, its physical features as well as its operation, maintenance and management is set by a planning permission granted under planning application number 6/2021/2207/MAJ.
- 1.4 This report's purpose relates to proposed parking restrictions and parking contraventions (to control parked vehicles), enforceable under Traffic Management Act 2004 or other regulations relating to parking.
- 1.5 This report sets out the results of the statutory parking restriction consultation which ran from 2 November 2022 until 25 November 2022 pertaining to Campus West Car Park and the recommended course of action.
- 1.6 It is standard procedure to monitor new parking restrictions for the first six months after any are implemented. A feedback form will be available on the Council's website after the introduction of restrictions to monitor comments. All comments will be recorded. If any issues are discovered as a result of the Traffic Regulation Order being put into place, Parking Services will investigate and consider remedial actions that can be implemented to address the issues.
- 1.7 Three (3) objections have been received relating to the proposed order which are set out in Section 4 and 5. All objections are contained within **Appendix A**.

2 Recommendation(s)

- 2.1 **"The Borough of Welwyn Hatfield (Campus West, Welwyn Garden City) (Off-Street Parking Places) Order 2022"**
- 2.2 That the Panel considers the objections received in Section 5 in addition to the issues raised in Section 16 around equalities and diversity and recommends to Cabinet to proceed with the creation of the traffic regulation order as set in this report.
- 2.3 If approval by the Panel is unanimous, the traffic regulation order can be approved by way of Executive Member Decision Notice.

3 Explanation

- 3.1 Prior to the closure in April 2022, the car park had restrictions that allowed pay and display and season ticket charges Monday to Saturday 7am to 6pm and Sundays 10am to 5pm. The proposal advertised follow the same chargeable hours. Other provision within the Order also sets out “opening hours” being all days and hours to enable parking enforcement action to be taken at all times in circumstances where non-compliance is considered to be of a higher significance rather than relating to parking charges, such as vehicles parked out of bay markings or in an obstructive manner. To facilitate charging of electric vehicles by residents overnight, it is recommended that the chargeable hours Monday to Saturday start at 8am so that EV provisions are within the requirements of Office for Zero Emissions Vehicles’ grant and in line with other EV provisions within the borough.
- 3.2 The charges are set by the Full Council as part of fees and charges in the budget setting process. This includes Season tickets charges. The proposed fees are to re-instate the fees that were in place before the car park closed in order to be re-developed.
- 3.3 The proposal is much in the same manner “recreating” all of the previously existing parking restrictions but taking into account the new layout and additional floor, as well as the new features of the car park such as electric charging bays and disabled badge holder electric charging bays.
- 3.4 At this time, disabled badge holder electric charging bays are not a common occurrence across the UK, and this additional support for blue badge holders would likely be the first introduced within Hertfordshire by a local authority. Two electric vehicle bays are being designed and installed to take into account that electric vehicle charging bays need to be accessible to disabled badge holders who seek additional space to, for example, entering/exiting a vehicle in/out of a wheelchair.
- 3.5 Additional infrastructure for electric vehicle charge points have been installed under the surface of the car park to allow for installation of further chargers in the future, in order to increase provision of electric vehicle chargers at a later date. At this present time, 2 disabled badge electric vehicle charging points and 10 ordinary electric charging bays are being installed within the car park, with provisions to be put into place to allow for more to be installed in the future.
- 3.6 **At this time, the Car Park is planned to be re-opened early 2023 with the parking restrictions to be brought into effect before the car park re-opens.**

4 Traffic Regulation Order (TRO)

- 4.1 On 2 November 2022, a Public Notice of Intention proposing the below Order was advertised in the Welwyn Hatfield Times. (**Appendix C**).
- “The Borough of Welwyn Hatfield (Campus West, Welwyn Garden City) (Off-Street Parking Places) Order 2022”**
- 4.2 Notices were erected in the affected length of roads and notices delivered to businesses in the vicinity of the car park. Plans illustrating the proposals for the Order are attached to this report. (**Appendix B**).

5 Objections

- 5.1 Three objections were received pertaining to the proposed parking restrictions in Campus West Car Park. Two objections were from residents in neighbouring roads in Sherrards Ward and one from a Sherrards Ward Councillor. (**Appendix A**).

The below table summarises the objections and the Councils response.

Objection Point	Response
<p>I ask that the consultation period be extended to the first week of January 2023. This is because I have been approached by residents concerned about the opening hours of the carpark and they have persuaded me to undertake a petition. Your consultation will fail to be complete unless you take into account the views of all residents. Depending on the council's response there may be those who will wish to express their democratic views via the medium of a petition.</p>	<p>The consultation period for this consultation is governed by The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and amending the time the consultation runs for would not be in line with the legislation.</p>
<p>The proposed charging structure is clearly pre-empting decisions about opening hours and is presumptive that they will be 24/7. That may not be the case – hence my Point 1. The council needs to consider the most appropriate operating times for the carpark, before the charging structure is considered – hence my Point 3.</p>	<p>The opening times of the car park are not within the scope of this report as this matter was already considered under the planning application process. Therefore, it is recommended that this objection is set aside.</p>
<p>There needs to be a proper decision made relating to opening times, for security and social reasons, opening hours could be, for example, 5.30 am to 12 midnight, not 24 hours a day, 7 days per week. Please advise on the exact process the council will follow to determine the appropriate opening times.</p>	<p>The proposal relates to the parking restrictions. The opening times of the car park are not within the scope of this report as this matter was already considered under the planning application process. Therefore, it is recommended that this objection is set aside.</p>
<p>The season ticket charges are excessive. There should be a staggered reduction for season ticket holders especially if the opening hours are only partial.</p>	<p>The season ticket charges would only apply during the chargeable hours as per other WHBC P&D car parks in Welwyn Garden City. The proposed season ticket charges are to replicate charges that were in place before the car park closed and these charges are set by the Full Council.</p>
<p>There is no management plan in place to deter anti-social behaviour. This needs to be agreed before any charges are proposed. ASB has not been managed at all in the new car park in Hatfield. Measures need to be put in place and no consultation has taken place to tackle ASB at the car park.</p>	<p>The proposal relates to the parking restrictions. Matters in relation to anti-social behaviour are not within the scope of this report as this matter was already considered under the planning application process. Therefore, it is recommended that this objection is set aside.</p>
<p>The car park is for the use of visitors to Campus West, shoppers and local business employees. It is therefore not necessary for it to be open 24 hours.</p>	<p>The opening times of the car park are not within the scope of this report as this matter was already considered under the planning application process. Therefore, it is recommended that this objection can be set aside.</p>

Objection Point	Response
<p>Please confirm whether Council employees will be given free parking at the car park. They should not because Herts CC state that Councils should encourage sustainable transport.</p>	<p>The proposed order contains a provision for Welwyn Hatfield staff parking; however the car park allocation is being considered and assigned by the senior management team where several factors are taken into consideration, including sustainability. The proposed order is to re-instate provisions of the car park before its closure and assignment of staff parking permits is not within the scope of this report. It is therefore recommended that this objection is set aside.</p>
<p>I think that the charges are far too low. With inflation currently running at 11.1% and the carpark not opening for some time, I think that the charges should at least be double and no refunds should be given. However the administration charges appear to be too high and as it is just Council staff or their subcontractors doing the work, the charges should be waved i.e no charge to be incurred.</p>	<p>The proposed charges are to replicate charges that were in place before the car park closed. Car parks charges are reviewed every year as part of the budget settings process and are set by the Full Council.</p>

6 Legal Implication(s)

- 6.1 TROs are created under the Road Traffic Regulation Act 1984. Consultations follow a statutory legal process as set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 6.2 Through the Agency Agreement with Hertfordshire County Council, Welwyn Hatfield can implement restrictions on any road and links in with Road Traffic Regulation Act 1984 powers to make certain Orders.
- 6.3 Section 149 of the Equality Act 2010 places an obligation on the Council to have due regard to the need to advance equality of opportunity between those groups who share protected characteristics and those who do not, when coming to a decision on the exercise of any of its functions.

7 Financial Implication(s)

- 7.1 The cost of TRO and associated works recommended in this report will be funded through existing Parking Services revenue and capital budgets.

8 Risk Management Implications

- 8.1 Changing the parking conditions could generate negative publicity. Some parking may be displaced into nearby roads where no or shorter-term restrictions exist however the proposed Order is to reinstate the charges prior the car parks closure whilst taking into account its new layout and improved facilities concerning EV chargers. In addition, the new layout of the car park provides additional parking spaces, therefore the car park can utilise more than the former Campus West surface car park.
- 8.2 It is standard procedure to monitor new parking restrictions for the first 6 months after any are implemented. A feedback form will be available on the Council's website after the introduction of restrictions to monitor comments. All comments will be recorded. If any issues are discovered as a result of the Traffic Regulation

Order being put into place, Parking Services will investigate and consider remedial action that can be implemented to address the issues.

9 Security & Terrorism Implications

- 8.1 There are no known security & terrorism implications in relation to the proposals in this report.

10 Human Resources

- 9.1 There are no known Human Resources implications in relation to the proposals in this report.

11 Communication and Engagement

- 11.1 When making any changes to parking restrictions there is a statutory consultation process set out in the Local Authority Traffic Orders (Procedures) (England and Wales) Regulations 1996 which the Council needs to adhere to. This includes consulting directly with all stakeholders and a number of statutory consultees, such as the Police and Hertfordshire County Council. Formal objections can only be made during the period stated on the Notice of Proposal and stating the grounds on which they are being made.
- 11.2 Ward Members as well as emergency services and Hertfordshire County Council have also been consulted as part of this process and no objections have been received relating to the proposals recommended in this report.
- 11.3 In addition, Public Notices were erected within the area and advertised in the local newspaper, in this case the Welwyn Hatfield Times.
- 11.4 This process has been carried out and there are no known implications in relation to the proposals in this report.

12 Health and Wellbeing

- 12.1 There are no known Health and Wellbeing implications in relation to the proposals in this report.

13 Procurement Implications

- 13.1 There are no known procurement implications in relation to the proposals in this report.

14 Climate Change Implication(s)

- 14.1 There is a potential for a positive climate change implication, by providing suitable quantity of parking closer to the Town Centre and destination location such as Campus West. This in turn may reduce the number of vehicles driving around the area for longer than needed periods seeking available parking.
- 14.2 Parking restrictions and charges may result in visitors using alternative methods of transport to travel to the area, including by cycling of which additional cycle rack provision is being placed at the Car Park. This may result in a reduction of carbon emissions.

15 Link to Corporate Priorities

- 15.1 This report is linked to the Council's Corporate Priorities to engage with our communities and deliver value for money.

16 Equality and Diversity

- 16.1 I confirm that an Equality Impact Assessment (EqIA) has been carried out.
- 16.2 The EqIA found that there is potential for positive impacts on Disability. No issues were raised from any of these characteristic groups during the course of the consultation process. The provision of additional disabled bays and disabled badge holder electric charging bays would have a positive impact on those drivers who are in receipt of a disabled badge by being able to park in a suitable bay and closer to Campus West and inevitably closer to the Town Centre facilities than the rest of the Car Park.
- 16.3 In addition, the Council will monitor the effectiveness of the scheme for the first 6 months and further recommendations may be made at a later date; should any unintended impacts arise, as a result of the new scheme being introduced.

Name of author	Matthew McCann
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Date	2 December 2022

Appendixes

Appendix A - Objections

Appendix B - Notice of Intention

Appendix C - Plans