

TO: BRACKNELL TOWN CENTRE REGENERATION COMMITTEE
10 September 2018

TOWN CENTRE OFF STREET DAY RATE CAR PARK CHARGES
(Interim Executive Director: Delivery)

1 PURPOSE OF REPORT

- 1.1 The Council reviews its fees and charges for car parks annually. The season ticket and on street rates were reviewed by this Committee at its meeting in March and became effective from 1 April 2018. This paper looks at the options in respect of the off street council run car parks in the Town Centre which are now due for review in September each year.

2 RECOMMENDATION(S)

- 2.1 **That the day rate charges for the Avenue, High Street, Braccan Walk and Weather Way car parks are held at their current rates for the current year ending 7 September 2019.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 The Town Centre has been open for just one year and trading patterns have yet to be fully established. The proposal seeks to assist the establishment of the Town Centre as a destination of choice, high quality and good value. The timeframe for the review of such charge is annual from the month of opening of The Avenue Car Park. The charges for The Avenue effectively set the base for the other town centre BFC car parks.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council could increase the charges as per a formula incorporated in the lease for the Avenue car park (para 62 explains). Car park charges have a direct bearing on consumer choice and the proposal to hold prices for another year is made having regard to the still emerging trading pattern and the charges levied at other local retail centres.

5 SUPPORTING INFORMATION

- 5.1 The Council has entered into a 40 year lease agreement to manage The Avenue multi-storey car park. The Council also manages the High Street and Braccan Walk multi-storey car parks as well as Weather Way, Albert Road, and Wick Hill public car parks. The purpose and use of the car parks vary.
- 5.2 The Council has hitherto set its daily car parking charges from April each year via the normal Council budget process. However, the Terms of The Avenue Car Park Lease necessitate a change to past practice. When the fees are set the Council needs to consider the fee structure from a commercial perspective. The inter-relationship with the vitality of the town centre and the local businesses requires a new approach to fee setting along with the opportunity for more detailed discussion and debate hence why the responsibility is now devolved to this Committee.

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- 5.3 The Lease for The Avenue Car Park effectively sets the method of calculating the permissible fee increases for day rate parking in the main council run car parks in the centre.
- 5.4 In order of popularity, The Avenue, High Street, Braccan Walk and Weather Way provide for the town centre shoppers' needs in BFC car parks. These operate in competition with the Princess Square and Bracknell Station (including The One) multi-storey car parks.
- 5.5 All car parks face competition from the 2 hours free parking in the Point and 1½ hours free parking at Waitrose. There are obligations on the relevant parties to ensure that they are regulated in order to try to deter abuse.
- 5.6 The Avenue Car Park provides for shoppers' use only. The High Street and Braccan Walk car parks provide for the needs of both daily and season ticket uses. The council makes season tickets available for these car parks. The Weather Way car park provides the only unrestricted height accessible public car park for Town Centre users. The season ticket rates and the 'on-street' charges have already been agreed by this Committee and were changed in April. Whilst there is a relationship to the off-street day charges there is no interdependency. In total the Council provides for circa 3,000 parking spaces in the town centre.
- 5.7 The fee levels for these off-street parking charges can be set relative to the marketplace. There are no restrictions on how the Council may use the income that arises. The cost of parking needs to be set having regard to running costs. Both the High Street and Braccan Walk car parks are large "old" concrete structures that are exposed to the elements. The Council has invested substantial sums of money in upgrading the buildings in recent years and it continues to maintain them to high standards.
- 5.8 Annex 1 sets out the current and maximum permissible fee increase that the Council could charge if it were minded to.

6 **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 6.1 The powers for local authorities to provide and charge for off street car parking are set out in Sections 32 &35 of the Road Traffic Regulation Act 1984 (RTRA).

Section 32:

Power of local authorities to provide parking places.

- (1) Where for the purpose of relieving or preventing congestion of traffic it appears to a local authority to be necessary to provide within their area suitable parking places for vehicles, the local authority,
(a) may provide off-street parking places"

Section 35 provides the authority for councils to **charge** for use of off-street car parking:

Section 35

Charging

- (1) As respects any parking place—
(a) provided by a local authority under section 32 of this Act, or

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- (b) provided under any letting or arrangements made by a local authority under section 33(4) of this Act, the local authority,, may by order make provision as to—
- i) the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it,
 - ii) the conditions on which it may be used,
 - iii) the charges to be paid in connection with its use (where it is an off-street one)..."

It should be emphasised in accordance with case law that the Authority may not levy charges with the intention of raising revenue to fund other services.

Borough Treasurer

- 6.2 The Lease for The Avenue contains a clause that caps the parking charges according to a calculation that is based on the initial parking charges, divided by the All Items Index Value of the RPI two months before the NRQ Opening Date (i.e. June 2017, 272.3), times by the All Items Index Value of the RPI two months before the month that any increase is proposed to take effect. The calculation is to be made "reasonably and properly taking into account the effect of any such change and provided always that any such increase will be rounded up to the nearest 10 pence. The charges can be increased "from time to time".

Equalities Impact Assessment

- 6.3 Not applicable.

Strategic Risk Management Issues

- 6.4 The Council owns the High Street and Braccan Walk car parks and has taken on the rent liability for The Avenue Car Park that is now manages. All car parking income is subject to variations in demand. The proposals set out the maximum level of fees that will be charged and will be applied to all off street BFC car parks. This level of fee increase is necessary in order to ensure all costs continue to be recovered. However, the Council has to have flexibility to respond quickly to changing demands. Accordingly the scheme of delegation allows for the ability to offer a discount/special offer in relation to the fees in order to be able to change to changing circumstances. The Director of ECC has authority to vary fees and any such changes would be reported to the first available committee.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Cushman Wakeman, The Bracknell Town Centre management company

Method of Consultation

- 7.2 Direct email

Representations Received

- 7.3 To be reported.

Background Papers

None

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Current and maximum permitted inflationary rise for daily ticket parking charges

Time band	Initial Parking Charge (inc VAT)	Permitted max increase (rounded) (inc VAT)
0-1 hour	£1.40	£1.50
1-2 hours	£2.50	£2.60
2-3 hours	£3.20	£3.30
3-4 hours	£3.80	£4.00
4-5 hours	£5.00	£5.20
5-6 hours	£5.70	£5.90
6-7 hours	£6.30	£6.50
7-8 hours	£7.10	£7.40
Over 8	£8.30	£8.60
After 6 pm (night rate flat fee)	£1.50	£1.60

LOCAL RETAIL CENTRE – CAR PARK CHARGES 2018/19 (inc VAT)

Car park comparisons N.B. normal trading days only (some vary Sundays*)

BFC Bracknell			Princess Sq Bracknell	King Edward Ct Windsor	Oracle Rdg*	Victoria St Windsor	The Square Camberley*	Knowl Road Camberley *	Queen St Rdg*	Woking *	Guildford *	Newbury Kennet
	Current	Proposed										
1 hour	£1.40	£1.60	£1.00	£2.70	£1.70	£1.50	£1.80	£1.00	£2.20	£1.40	£1.20	£1.50
1-2 hrs	£2.50	£2.80	£2.00	£3.70	£4.00	£2.50		£1.50	£4.40	£2.80	£2.40	£2.70
2-3 hrs	£3.20	£3.60	£3.00	£4.20	£6.00	£4.00	£2.30	£2.00	£6.60	£4.20	£3.60	£3.90
3-4 hrs	£3.80	£4.20	£3.50	£5.80	£8.00	£4.00	£3.50	£3.00	£8.80	£5.60	£5.60	£5.20
4-5 hrs	£5.00	£5.50	£4.00	£8.40	£10.00	£10.00	£5.00	£4.00	£10.50	£6.50	£7.60	£7.20
5-6 hrs	£5.70	£6.00	£4.50		£12.00	£11.50		£4.00	£12.50	£9.60		
6-7 hrs	£6.30	£6.40	£5.00	£20.00	£13.00	£11.50	£7.00	£4.00	£16.50	£10.00	£11.60	£8.70
7-8 hrs	£7.10	£7.20	£6.00		£15.00						£13.60	
8+ hrs	£8.30	£8.40	£7.00		£20.00						£15.60	
night hrs	£1.50	£1.50	£7.00			£1.50	£2.00	£1.50	£3.50	£1.40	£1.00	£2.00