

Report to: Environment Overview and Scrutiny Committee 30th May 2002

Report of:	SECURITY ACCOUNTS FOR PARK AND RIDE SITES	WARDS AFFECTED ALL
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Lead Member Responsible:	Councillor Cook	
Overview and Scrutiny Committee Responsibility:	Environment	
Key Decision:	Yes	

SUMMARY AND RECOMMENDATIONS

This report provides the information requested by the Committee at its meeting of 17th April 2002 (minute 59 refers) to enable the terms of reference for the policy review to be determined.

This report has no immediate staffing and financial implications but the subsequent decisions on the policy itself may have.

Any change in the policy may have implications for the Strategic aims of the Council and the Local Plan. This is referred to in Paragraph 25

The Committee is recommended to decide the terms of reference for its review of the Council's policy on the use of income from charges at park and ride car parks.

Background

1. Council, at its meeting on 4th March 2002, received a report of the Executive Board on the General fund budget for 2002/03. The budget proposals included a saving of £140,000 on park and ride security. Concern was raised as to whether this saving could be achieved because of the Council's policy to use the income from charges at park and ride car parks for security at those car parks (the ring fencing policy). Council asked for a report to the Executive Board and Council on all the implications of changing the ring fencing policy.

A report was submitted to the Executive Board on the 26th March 2002 setting out the policy and recommending consultation on whether to change the policy on the use of income from park and ride parking charges. This Scrutiny Committee considered the report on 26th March 2002 and decided that it should review and develop the policy, and carry out consultation on whether to change the policy. The Executive Board, at its meeting on the same day, agreed with this approach.

2. At the Overview and Scrutiny Committee meeting on the 17th April the policy review was discussed and further information requested to enable the terms of reference for the policy review to be set (minute 59 refers). This report provides background information to the current policy and the information requested for the terms of reference to be set. The report also briefly sets out the consultation already carried out.

Current Policy and Background

3. Staffing was introduced at Thornhill Park and Ride in August 1993, at Peartree Park and Ride car park in 1997 and at Seacourt and Redbridge in 1998. It was introduced against a background of a high incidence of vehicle crime taking place at the car parks. In order to fund the provision of security, a parking charge was introduced through a pay and display system at all sites except Thornhill where charging was prevented by a restriction in the lease.

4. When the Council decided in 1998 to introduce a permanent system of charging at the park and ride car parks the main objectives were:

- in the short term "... to generate funds for security and related improvements to the car parks in order for park and ride to remain an attractive alternative to the car for the travel into Oxford City centre in line with the City's transport policies and the objectives of the Oxford Transport Strategy..."
- in the longer term "... as a means of influencing travel behaviour to meet transport policy objectives including: increasing the comparative attractiveness of conventional local buses; the increasing car occupancy by park and ride users."

5. This decision is based on the fact that the current arrangements for parking charges at the Thornhill site are not sufficient to cover the cost of the security provided.

Information Requested by the Overview and Security Committee

6. The additional information requested by this committee on the 17th April is given below. Items are lettered (a) to (h) as in minute 59 of the meeting.

(a) Current security, perceptions and actual crime

7. The details of current CCTV arrangements and crime statistics are given in a confidential Appendix. The reason for this is that it provides information on action taken or to be taken in connection with the prevention of crime. (Local Government Act 1972 Part 1 Schedule 12A paragraph 14).

8. There are currently 5 people employed at each of the three city controlled sites; Pear Tree, Seacourt and Redbridge. The sites are generally staffed from 7am to 11.15 pm. Thornhill has two security staff available on site from 9am to 5pm. It is the opinion of the Business Unit Manager that cameras alone do not deter crime. However, when operated by staff, they help in obtaining evidence and giving indications of criminal activity. The major deterrent to crime is visible staff on site.

9. A policy decision was made that Thornhill would be provided, operated and managed by the City Council under the terms of an agency arrangement. It was envisaged that there would be no cost to the County Council. This has changed and although there is an interim agency arrangement in place (see below) it is on the basis of full reimbursement of the City Council's costs by the County Council. Given this change in the agency arrangement consideration needs to be given to whether any of the income from park and ride charges should be used to contribute to the County Council's costs of providing security at the site. If such a contribution is to be considered, further information will be needed.

10. It is the opinion of the police and the Business Manager that the short term security measures have been achieved for all the car parks, with the exception of Thornhill.

11. Currently the City Council has Secured Car Park Status awards for our three park and ride sites. It is almost certain that this would be withdrawn if there was a reduction in staff operating hours. The crime reduction figures are regarded by the Police as some of the highest in the country and the main reason we have received the awards.

12. The Business Manager for Transport and Parking is concerned that should a reduction in evening staff reduce the number of people using the site, the bus companies may consider reducing their evening services the sites.

13. The perception of crime and how safe people feel is detailed in Appendix 1 under 'Comments from survey carried out in 1999 on City Car Parks'.

(b) Effect of the outcome of negotiations with the County Council over their park and ride sites

14. The City Council currently provides, operates and manages 3 sites; Redbridge, Peartree and Seacourt. Oxfordshire County Council hold the lease for Thornhill but the City Council manages and operates the site for the County Council under a limited interim agency arrangement which is due to end this year, when County Council have in place longer term operational and management arrangements for the site. They are letting a contract for the operation and management of a larger park and ride site at Thornhill and a fifth new site (known as Banbury Road). The City Council will bid for the contracts to manage and operate both these sites.

15. If the City Council lose the contract for these two sites it may put into question the City Council's management of the other three sites. The outcome of the tendering process will be known in late July.

(c) Comments from the Tourist Information Service, Businesses and Users

16. The Tourist Information Service expressed concern about the accommodation for people attending conferences at the Park and Ride and Ride sites. It was not uncommon for conferences of 800 delegates, or more, to be going on simultaneously, at a number of sites.

17. The Tourist Information Service also expressed concern about future plans for the updating of the maps of the City Centre Car Parks. This map used to be produced by City Centre Management and was very good but needs updating. Information is needed on facilities and charges for disabled drivers and on the accommodation of high sided vehicles needs. Car park charges and toilet information needs to be updated. Currently a private company are producing a leaflet, funded by advertising, but it is unlikely to be of such good quality as the one produced by City Centre Management.

(d) Figures on the revenue collected and expenditure

18. See(f) below. If further information is required then this can be reported at a later date.

(e) Suggestions for spending any surplus funds

19. An initial review of the consultation already carried out is given in Appendix 1. Suggestions for the spending of any surplus, within the existing policy, have been made with this consultation in mind.

(i) Security objectives

Improved lighting

Updating of CCTV cameras

Improving security at Thornhill Park and Ride by contributing to the costs incurred by Oxfordshire County Council.

Upgrading of security cameras

(ii) Possible longer term objectives

Providing more spaces for Park and Ride

Combined parking and bus ticket purchase scheme

Improving signage

Providing of toilet blocks

Providing facilities for credit card payment at ticket machines

Providing change machines

Providing visitor centre with information boards

Improving waiting areas

General environmental improvements eg bins

(f) Planned Expenditure and Costs

20. The figures given below relate to the planned expenditure for 2002/3 for security accounts only.

	Income £	Expenditure £	Surplus £	Comments £
Pear Tree	193,287	127,518	65,756 (actually 21,847 see note)	£22,066 to be paid to landlords rent £21,847 to be paid to landlord as 50% of the predicted surplus of £43,694
Seacourt	109,201	107,811	1,390	Capital of £15,927 to be repaid. Initial cost of putting in ticket machines
Redbridge	189,020	164,822	24,198	Capital of £23,472 to be repaid. Initial cost of putting in ticket machines

Note: Thornhill is managed and operated by the City Council under the terms of an interim Agency Agreement with the County Council that provides for the City Council's expenditure to be reimbursed.

21. It is noted that for this year, 2002/3, the only Park and Ride site predicted to make a surplus will be Peartree. This is because the other two car parks are still repaying the capital costs of the ticket machines. Redbridge may make a profit in the next financial year. Therefore, assuming the current levels of security there is a predicted surplus of £21,847 from the Peartree park and ride. However, this may not be realised once the fifth park and ride

in the Banbury Road opens, as business may be lost to this additional park and ride site.

(g) Charging Principles and legal restrictions on the use of surplus funds

22. The power of local authorities to make charges in relation to the provision of their services depends on statutory authorisation. Section 35 of the Road Traffic Regulation Act 1984, provides for local authorities to make charges, through the mechanism of a parking place order, in connection with the use of off-street car parks (park and ride car parks are off-street car parks).

23. Where there are statutory powers to make charges the Courts have tended to view these as being permitted to enable authorities to recoup their costs rather than to make planned surpluses, which would otherwise have an air of trading or revenue collection about it. The general rule is that charges should be set at a level that will recover the cost to the Council of providing the service (this may include raising income to invest in the future operation of the service to make it more efficient e.g. the acquisition of equipment or the employment of extra staff) with an appropriate figure built in to meet unforeseen contingencies. It is accepted that it is not possible to gauge precisely the use that the public may make of a particular service and that for this reason a surplus may be made. Any surplus that is made must be reinvested in the service, or the charges reduced if the same or a higher level of take up is anticipated in the forthcoming year, and there is no investment in the service required.

24. The power to charge cannot be used to raise revenue for the Council generally, unless the particular charging power expressly authorises it. The power to charge in connection with the use of a parking place does not contain this power.

25. The only exception the Courts have recognised, to the general principle referred to above is where there is a need to use charges to achieve a particular policy objective within the parameters of the legislation that allows the charge to be made. This would cover, for example:

- the need to set penalties for failing to comply with a parking place order at a level that will deter and achieve effective enforcement;
- the need to set parking charges at levels that achieve OTS objectives, such as reducing the number of car journeys in Oxford by encouraging the use of park and ride and increasing the comparative attractiveness of conventional local buses and car occupancy by park and ride users.

Both of the above are likely to generate surplus income. Counsel's opinion is being sought on the use the Council may make of surplus income raised in these circumstances.

(h) Options for a revised policy

26. In looking at and developing the Council's policy (possibly with a view to changing it) this Committee should consider the following issues:

27. The short term objective (para 4)

- a) has it been achieved?
- b) if in the Committee's view it has been, what evidence is this based on?
- c) is it still an appropriate objective?
- d) if it is still appropriate what else needs to be achieved and what will it cost?
- e) if it is no longer appropriate, why not?

28. The longer term objective (para 4). This only becomes relevant once the Committee is satisfied that the short term objective has been achieved or is no longer relevant.

- a) is it still appropriate?
- b) if it is what needs to be done to achieve it?
- c) what evidence is there to demonstrate that charging the users of the service will achieve it?
- d) what evidence is there to demonstrate the level of charge needed to achieve it (charges must be reasonable and justifiable)?

Consultation

29. The Committee needs to decide how far consultation with the public will help with the answers to some of the questions posed in paragraph 23 and 24 and if appropriate, with the formulation of any future change in policy or the achievement of the longer term objectives in the existing policy. The following points may help this discussion:

- a) The Council's justification for the charges given to the public in 1998 were stated in the statutory notices to be:

"(i) because the Council wants to improve security at park and ride car parks. The introduction of pay-and-display charges will raise revenue to enable security to be improved;

(ii) as a means of influencing travel behaviour to meet transport policy objectives including increasing the comparative attractiveness of conventional local buses and increasing car occupancy by park and ride users"

- b) The Council must act reasonably and be seen to act reasonably in whatever decisions it takes. Talking to users of the service will facilitate the demonstration of reasonableness.

- c) The Council has consulted upon and included in its Vision for Oxford the strategic aim of reducing the number of car journeys in Oxford by improving and developing the Oxford Transport strategy (a key element of which is the park and ride service).

d) Local Plan Policy TR16 which states *"The Council wishes to retain the infrastructure of park and ride and will press for the introduction of measures to encourage its further use. In particular the Council proposes better facilities at the car parks, including increased security...."*

e) The commitment the Council has given, in adopting its Consultation Strategy, to using consultation as a driving force in achieving its Vision for Oxford.

30. The aims and objectives of the consultation will need to be clearly established before any further consultation is carried out.

Outcome of Previous Consultation Exercises

31. Members have indicated that they wish to carry out further consultation regarding the use of any surplus funds. An outline of some of the consultation (previously carried out in relation to park and ride charging) is given in Appendix 1. This includes the conditions of the County Council's original approval for the scheme. Consultation was also carried out, as required by law, when the parking charge was introduced, and again when it was increased last year. The results of this are summarised in Appendix 1. It is noted that all consultees opposed the increase in charges but there was no general consensus of opinion about potential changes. Comments from a survey carried out in 1999, on all city car parks, are also included. The survey included questions relating to facilities, lighting and personal safety.

**THIS REPORT HAS BEEN SEEN AND APPROVED BY THE HEAD OF THE
MODERNISATION UNIT.**

Appendix 1

Initial consultation carried out with the County Council, and others, when the charges were first introduced

The response from the County Council is given below. Comments from others can be reported at a later date if required.

The initial approval by Oxfordshire County Council to the parking charge, for security measures, was *'conditional on our agreement being sought to any future increase in charges and the use of any accumulated surpluses in accordance with agreed OTS objectives'* (letter dated 15th May 1998 from Oxfordshire County Council to Environmental Services Oxford City Council). They also stated in this letter that the first priority for any surplus funds should be to *'provide additional park and ride capacity rather than site enhancements'*. The County Council also wished to see a combined parking and bus ticket purchase scheme and are currently carrying out a consultation exercise with the users on proposals for a combined ticket.

Comments from survey carried out in 1999 on city Car Parks

A survey was carried out for Oxford City Council in 1999 on all the car parks provided and operated by the City Council and included the park and ride sites. The survey included questions relating to facilities, lighting and personal safety.

Lighting

Only 27% considered the lighting in the Park and Ride car parks to be adequate and 21% considered levels to be inadequate.

Personal safety

70% of people felt very safe or quite safe with only 1% feeling very unsafe.

Vehicle safety and its Vehicle Contents

58% considered the above very safe or quite safe and 26% said it was OK. 4% felt very unsafe and 10% rather unsafe. Thornhill was the worst car park with 36% feeling rather unsafe about the safety of their vehicle and its contents.

Suggestions for improving the situation.

Those who felt rather unsafe or very unsafe were asked what would improve the situation. 28% felt the situation would be improved by more lighting, 16% by more cameras and 20% wanted more staff.

Summary of Results of Park and Ride Consultation to Proposed increase in Charges

Reported to Highways and Traffic Committee 13th September 2001.

The Highways and Traffic Committee considered the 17 responses received in connection with the increase of parking charges at Peartree, Redbridge and Seacourt park and ride sites. All opposed the proposed increase from 50p to 70p.

This provides a summary of the relevant parts of the responses received as they relate to the current investigation

This summary deals only with comments relating to the park and ride facilities and security, not those simply opposing the proposed increase in charges on cost grounds.

Public comments (abridged):

- Increased charges felt to be supporting general revenue not car parks.
- Increased charges would discourage use of park and ride and encourage city centre traffic.
- Costs should cover security measures for which they were introduced, not finance other council expenditure.

- Lack of (suitably timed) public transport from outside the ring road
- Lack of public transport from park and ride to non-city-centre destinations.

- No improvements in quality of service - too few ticket machines, flooding and subsidence, litter.
- Maintenance required at Redbridge - eg overgrown bushes, potholes
- Ticket machines do not give change - change machines needed (2)

- Security men welcome.
- Lack of security early morning (6.30am)
- 3 wardens plus camera seems adequate visible security.

Police comments:

concerned about: possible encouraging of illegal/ unacceptable parking and drivers balance risks of prosecution/ fines against parking charges levied; abuse of access restrictions by drivers looking for parking places in the city centre.

County Council comments:

..would not oppose an increase ...to reflect rising costs but is concerned that an increase to 70p will encourage some motorists to drive in to the city centre car park