

Mount Edgumbe Joint Committee



Date of meeting:	15 November 2024
Title of Report:	Mount Edgumbe Parking Briefing Paper, November 2024
Lead Member:	Councillor Jemima Laing (Deputy Leader of the Council, and Cabinet Member for Children's Social Care, Culture and Communications)
Lead Strategic Director:	Karime Hassan (Interim Strategic Director for Growth)
Author:	Chris Burton (Park Manager)
Contact Email:	chris.burton@plymouth.gov.uk
Your Reference:	n/a
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The report provides clarity on Mount Edgumbe parking and enforcement finances, as requested by the Joint Committee at the July 2024 meeting.

Recommendations and Reasons

The Joint Committee will be asked to note the update.

Alternative options considered and rejected

n/a

Relevance to the Corporate Plan and/or the Plymouth Plan

In line with the Council's priorities, the Park provides a vibrant cultural offer.

Implications for the Medium Term Financial Plan and Resource Implications:

None. This report is for information purposes only.

Carbon Footprint (Environmental) Implications:

n/a

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

n/a

Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Parking and Enforcement Briefing Paper							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	N/A	Leg	LS/0 0003 612/ 2/LB/ 14/1 1/24	Mon Off	N/A	HR	N/A	Asset s	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: David Draffan											
Please confirm the Strategic Director(s) has agreed the report? Karime Hassan Date agreed: 14/11/2024											
Cabinet Member approval: Councillor Jemima Laing (Deputy Leader of the Council, and Cabinet Member for Children's Social Care, Culture and Communications) Date approved: 14/11/2024											

1.0 Introduction

- 1.1 This report provides clarity on parking and enforcement charges for the mount Edgcombe Country Park, following requests from Joint Committee members at the July 2024 meeting.
- 1.2 The Park runs four geographically separated car parks. Each time the parking tariffs are changed, the Park has to pay for the legal process, public consultation and notification processes. The Park must also change all of the signage for motorists (presenting the tariffs in a proscribed and legible format) so that the tariffs and the parking regime are legally enforceable.
- 1.3 In addition, each of the car parking machines has to be reprogrammed on a specific date and the credit card facilities (RINGO) run via Plymouth have to be notified in advance to change the tariff on the same date. RINGO charge the client (Mount Edgcombe) to change the digital format to reflect the new prices.
- 1.4 The Park is run by two authorities however, the Park actually physically sits within the county of Cornwall. Therefore, all legally binding issues regarding parking have to be processed through Cornwall Council. Legal assistance from Cornwall Council is charged to Mount Edgcombe.
- 1.5 Due to the length and complexity of the process to alter parking charges, the 'off street parking order (OSPO) for Mount Edgcombe Country Park' is reviewed every five years. This process is slow and onerous, and took nearly 12 months to complete in the last review.
- 1.6 On 03 November 2023, the Joint Committee agreed:
- a) *The revocation of the Cornwall Council (Off Street Parking Places At Mount Edgcombe Country Park) Order 2018 and commencement of a new Cornwall Council (Off Street Parking Places At Mount Edgcombe Country Park) Order 2024. This is known as the Off Street Parking Order or OSPO.*
 - b) *THE OSPO for Mount Edgcombe is reviewed once every five years. The legal and consultative processes involved take a variable amount of time to complete and cost around £4.5k in accumulative fees to create a new legally binding OSPO with updated tariffs. The last time this process was completed it took just over a year (2017 – 2018) culminating in the Mount Edgcombe Country Park Off Street Parking Order 2018.*
 - c) *This proposal follows a logical increment to a pricing format which has been in place since the first OSPO for Mount Edgcombe Country Park was created in the last century. It is recommended that the familiar tariff format (set against the duration of parking) be maintained as the supporting legal framework; the proper management and enforcement of parking; the public understanding of the tariffs; and the display and recognition of various passes must be both readily understandable and reasonable.*
 - d) *The proposal (As agreed by the Joint Committee on 03 November 2023):*

Tariff	2011	2018	2024 - 2030
1 hour	0.70	1.00	1.30
Up to 4 hours	2.70	3.00	4.00
Over 4 hours	3.90	4.00	5.00
Annual Parking Permit	£55.00	£80.00	£100 (residents)

- e) *The process via Cornwall Council, the legal process in the courts and the required consultation takes time and expenditure. Therefore, this process is undertaken on a quinquennial basis –*

with the possibility of unpredictable delays involved the processes. It should also be noted that the tariffs being considered above will remain extant until at least 1 April 2030.

- f) *We do not wish to reflect current inflationary pressures (the last ONS inflation report has it running at 9.067% annually). We are also very keen to maintain the 1-hour tariff (mostly a quick dog-walk). The 'Up to 4 hours' tariff is the most frequently used ticket type – and this will equate to around a £1 pr hour tariff in effect (again this will be the relevant tariff until 2030). The 'over 4 hours' tariff is an all-day parking ticket.*
- g) *Looking after our residents and frequent users: The Mount Edgcumbe Country Park Annual Parking Pass is available to any local resident, and we are proposing to maintain the annual parking pass at £100 per annum until 2030. There will remain a discounted Annual Parking Permit rate for those who join the Friends of Mount Edgcumbe Country Park (this will be negotiated separately with FOMECP should this recommendation be accepted).*

2.0 Current Progress of the Off Street Parking Places At Mount Edgcumbe Country Park) Order 2024.

- 2.1 Following approval by the Joint Committee on 03 November 2023, Park management engaged with the Legal Team within Cornwall Council to begin the process.
- 2.2 The process required that the report be presented to cabinet in Cornwall, and signed off by the relevant portfolio holder (Transport) and the relevant strategic director. This process was completed, alongside the production of an Equalities Impact Assessment and Overview and Scrutiny Committee consultation. This took three months.
- 2.4 Once this part of the decision 'governance' was completed, the OSPO was released to Cornwall Council's Legal Department as an instruction in June 2024. They then explained the legal process and the public consultation requirements – all of which had to be arranged and be charged for.
- 2.6 The OSPO was passed from our first contact in CC Legal to a lawyer with specific Planning and Highways experience. They suggested a different route and a more simplified legal process so we changed the legal instruction and undertook a variation process.
- 2.6 Because of the requirement of public consultation – with newspaper advertising, gazette inclusion and public notices required to be displayed at each location for no less than 21 working days (and a requirement to keep proof of that display on file) – the process will be finally delivered on 3 December 2024.

3.0 Clarifications to questions from the Joint Committee.

Q1 - What are the financial implications of the variation of the OSPO 2024?

AI - The anticipated total cost of the OSPO 2024 variation is approximately £5.5K however, this figure cannot be confirmed until Cornwall Council's legal fees are charged. The final figure will be reported to the Joint Committee at the next available meeting.

Q2 - How long will it take on the new tariff to offset these costs?

A2 - The new tariff scheme is expected to bring an income boost of £6K per year. As a result, the cost of raising the tariff is expected to be recovered within the first year of operation.

Q3 - What are the annual costs of the enforcement agency?

A3 - Mount Edgcumbe Country Park is only charged by the Enforcement Agency for their service when a Penalty Ticket is issued, and this is based upon an hourly rate fee. For the year 2023/24, Mount Edgcumbe was charged £782.34 for the agencies services, with 34 tickets issued. The Enforcement Agency are responsible for all of the logistical, management and legal issues of enforcement (as required under Section 76 of the 2004 Traffic Management Act). Before the Enforcement Service Level Agreement was in place, the Park regularly reported at least 30% of the cars parking at Mount Edgcumbe were NOT paying to park. Since the adoption of the agreement, virtually every car displays a valid ticket, improving compliance and revenue for the Park.

Q4 - Can Mount Edgcumbe reclaim any of the funds attained by the enforcement agency through parking fines?

A4 – By law, the Civil Enforcement Agency must be completely independent of the Park to ensure that parking fines are not influenced by targets, incomes or incentives. Parking fines cannot be used as 'income' and it is therefore not possible for the Park to reclaim any of the ticket revenue received by the Enforcement Agency.