

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY COMMITTEE

DECISION

meeting date: TUESDAY, 9 MARCH 2021
title: AMENDMENT TO PARKING ORDER
submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES
principal author: ADRIAN HARPER – HEAD OF ENGINEERING SERVICES

1 PURPOSE

1.1 To approve a car parking order (“the Order”) to restrict the use of electric vehicle parking bays to electric vehicles whilst charging.

1.2 Relevance to the Council’s ambitions and priorities

- Council Ambitions – To protect and enhance the existing environmental quality of our area and to protect the natural and built environment.
- Community Objectives – To encourage and develop more sustainable forms of transport by introducing EV charging points and restricting the use of those bays to electric vehicles whilst charging.
- Corporate Priorities - Maintaining and improving the environmental quality of the Ribble Valley in line with our priority of environmental excellence.

2 BACKGROUND

2.1 Committee approved the Ribble Valley Borough Council off Street Parking Order (March 2020) (Order”) 1 April 2020. Since its approval the Council has installed electric vehicle charging points in a number of bays at its Railway View and Chester Avenue Car Parks in Clitheroe. The Council has undertaken to extend the EV charging points to other car parks.

2.2 It is important that those bays remain available for use by the public wishing to charge electric vehicles and it proposed therefore to amend the Order to include provisions restricting the use for the parking in those bays to electric vehicles which are being charged. It is not at present proposed to remove the requirement for parking charges to be paid in those bays whilst the vehicles are being charged and so no amendment is included in that respect. A copy of the proposed amendments to the Order are enclosed as Appendix 1.

2.3 Provisions that enable civil enforcement officers to issue penalty charge notices for off-street parking and other provisions in respect of the decriminalisation of off-street parking are contained in the Road Traffic Act 1991 and the Road Traffic Regulation Act 1984, both of which were amended by the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Lancashire) Order 2004 (the “Lancashire Order”).

2.4 The procedure for introducing car parking orders is governed by Sections 32 to 35A and Section 39 of and Schedule 9 to the Road Traffic Regulation Act 1984 and by the Local

Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. Details of the procedures are given in section 3 of this report.

3 ISSUES

3.1 The procedure for making the Order is as follows:

3.1.1 Before making the Order the Council must:

- consult with the chief officer of police for the area;
- publish at least once in a local newspaper a notice containing details of the Order and inviting objections within 21 days from the date of publication;
- not later than the date of publication send a copy of the notice to Lancashire County Council, The Freight Transport Association and The Road Haulage Association;
- take such other steps as it may consider appropriate for ensuring that adequate publicity about the Order is given to persons likely to be affected; and
- place on deposit for public inspection certain documents including the Council's reasons for making the Order.

3.1.2 Once the last date for objections has passed the Council may proceed to make the Order. Should Committee elect to make the Order, the Order will not be able to come into force until the requirements set out in 3.1.3 below have been fulfilled.

3.1.3 The Council must within 14 days of the making of the Order:

- publish in a local newspaper a notice containing details of the Order as made; and
- notify any objector of the making of the Order and where the objection has not been wholly acceded to, the notification shall include the reasons for the decision.

3.2 If Committee approves the making of the Order today, steps will then be taken for the initial notice ("the notice of proposals") to appear in the press as soon as possible and for consultation letters to be sent to the consultees referred to above. Any objections will then be reported to the next committee meeting occurring twenty-one days after such publication.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – Approval would not require any further resources.

- Technical, Environmental and Legal – All technical issues can be managed by existing staff. The order will be made in accordance with the legislation referred to in the report to ensure that it is enforceable.
- Political – Should provide a positive political message.
- Reputation – Charging for parking is a sensitive matter, rarely popular in itself, but, because the Council's decisions are made on a sound basis, properly supported and explained, then, notwithstanding any misgivings by others, the reputation of the Council should remain intact in the longer term.

5 RECOMMENDED THAT COMMITTEE

5.1 Approve the proposed amendments to the Order as set out in Appendix 1.

ADRIAN HARPER
HEAD OF ENGINEERING SERVICES

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

For further information please ask for Adrian Harper on 01200 414523.

REF:AH/Community/9 March 2021