

**TO: THE MONITORING OFFICER  
(TOM CLARK, SOLICITOR TO THE COUNCIL)**

**RECORD OF ACTION TAKEN BY A CABINET MEMBER  
UNDER DELEGATED POWERS**

<b>Subject:</b> Summary of Responses for the Notice of Amendment of the Off Street Parking Places Order Consultation	
<b>Cabinet Member:</b> Cllr Stephen Hillier	
<b>Has the Cabinet Member received a report prior to making the decision?</b>	Y
<b>In the case of a key decision where the Cabinet Member has received a report, please state the date a copy of the report was made available to the Chair of the relevant Scrutiny Committee and placed in the public domain:</b>	26/01/2022
<b>Record of decision taken:</b>  To consider the consultation responses in respect of the introduction of a new range of flexible season tickets and to proceed with those proposed changes from 28 March 2022.  To confirm the decision to proceed with the introduction of Pay and Display tariff increases and the introduction of a new range of flexible season tickets from 28 March 2022.	
<b>Date of decision:</b> 25 January 2022	
<b>Statement of reasons for making the decision:</b>  In December 2021, Council agreed, subject to statutory consultation, to implement an increase to Pay and Display parking charges and to introduce a new range of flexible season tickets from March 2022.  Following the decision, the legal process to amend the Off Street Parking Places Order commenced, with the advertising of a Notice of Variation of Charges for the increase of Pay and Display charges (to be displayed for at least 21 days), and a Notice of Amendment for the introduction of new season tickets (which required a 21 day formal consultation period). The consultation period concluded on 14 January 2022, and all the responses submitted have been considered.  A total of 4 responses were received, of which 2 were in response to the consultation for the proposed changes to season tickets and were supportive of the proposals, therefore there is no reason to amend the proposals to change the season ticket offer.  3 responses were received on the notification of a price increase to parking charges. The comments are noted but the volume and nature of the responses is not	

considered to be sufficiently substantial to support a change to the proposals.

**Alternative options considered and rejected:**

The decision to implement an increase to Pay and Display parking charges and to introduce a new range of flexible season tickets from March 2022 was agreed at Council in December 2020.

Following the completion of the statutory legal process, the proposals to amend the season ticket offer have been supported and will be implemented. The comments in regard to the increase in parking charges have been noted.

Therefore, no alternative options have been considered or discounted, as the volume and nature of comments received have not been sufficiently substantial to change the Council decision.

**Code of Conduct Interest of Cabinet Members?** If yes, please advise on the nature and whether dispensation in place

n/a

**Is the decision to be protected from call-in?** (i.e if any delay would seriously prejudice the Council's or the public's interest) - see Scrutiny Procedure Rule 14 (M)

N

**If so, please state:**



**Signed:.....**  
**Cabinet Member**

**This record must be forwarded immediately to the Monitoring Officer (TC) and copied to the relevant Cabinet Member.**

**For Monitoring Officer**

<b>Date of publication of Member Information Service Bulletin</b>	26/1/2022
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<b>Date of decision can be implemented</b> (on the Thursday after publication of the Member Information Service Bulletin, unless already protected from call-in)	3/2/2022
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## CABINET MEMBER DELEGATED DECISION

### SUMMARY OF RESPONSES FOR THE NOTICE OF AMENDMENT OF THE OFF STREET PARKING PLACES ORDER CONSULTATION

REPORT OF: Contact Officer	Rob Anderton, Divisional Leader Contracts & Commercial Services Claire Onslow, BUL – Parking Services Email: <a href="mailto:claire.onslow@midsussex.gov.uk">claire.onslow@midsussex.gov.uk</a>
Wards Affected:	All
Key Decision	No
Report to	Cllr Stephen Hillier, Cabinet Member Economic Growth
Report date	17 January 2022

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#### Summary

1. In December 2021, the Council agreed to increase Pay and Display parking charges and introduce a new range of flexible season tickets in Mid Sussex from 28 March 2022.
2. Following this decision, the Council is required to amend the Off-Street Parking Places Order, and to issue a Notice of Amendment for the introduction of new season tickets.
3. Increases in parking charges require public notification and changes to season tickets require public consultation, as outlined in paragraph 4. This report summarises the responses to the notification and consultation.
4. The legal process to update the Off Street Parking Places Order to support the proposed changes is considered in two parts:
  - a. **Notice of Amendment:** Where the order is being amended to include a new product / restriction / change of wording to the Order that may impact the car park and requires a consultation period of 21 days. This applies to the introduction of the new season ticket proposals.
  - b. **Notice of Variation of Charges:** Where charges are changed in the Order for some or all car parks and requires a 21 day notice period before those charges can be made. There is no requirement to consult. This applies to the proposed increase to pay and display charges.

#### Recommendations

5. **To consider the consultation responses in respect of the introduction of a new range of flexible season tickets and to proceed with those proposed changes from 28 March 2022.**
6. **To confirm the decision to proceed with the introduction of Pay and Display tariff increases and the introduction of a new range of flexible season tickets from 28 March 2022.**

#### Background

7. On 8 December 2021, Council agreed, subject to statutory consultation, to implement an increase to Pay and Display parking charges and to introduce a range of flexible season tickets in Mid Sussex from 28 March 2022.

8. Following this decision, Officers began the legal processes to amend the Off-Street Parking Places Order, including advertising a Notice of Variation of Charges for the increase of Pay and Display charges (to be displayed for at least 21 days), and a Notice of Amendment for the introduction of new season tickets (which required a 21 day formal consultation period).
9. In line with legislation, the Notice of Variation of Charges and Notice of Amendment were advertised in the local newspapers from 16 December 2021, signage was placed in each car park and the proposals were advertised on the Council's website. With an allowance for Christmas, the 21 day consultation period concluded on 14 January 2022.

### **Summary of responses**

10. Four responses were received. These are summarised at Appendix 1.
11. Two of these were in response to the consultation on the proposed changes to the season tickets both of which supported the introduction of new season ticket options and therefore, there is no reason to amend the proposals to introduce a range of new season ticket options.
12. Three of the four submissions commented on the proposed increases to the pay and display charges. In general, the comments acknowledged the financial pressures faced by this Council, and Councils more generally, but suggested that an increase in tariffs could discourage drivers from using the car parks and impact high street footfall, specifically in Burgess Hill where the high street offer was not strong.
13. These comments are noted but the volume and nature of responses is not considered to be sufficiently substantial to support any changes to the proposals

### **Financial Implications**

14. The report to Council on 8 December 2021, highlighted a potential income uplift of £350k as a result of introducing new Pay and Display charges and season tickets. This consultation has not resulted in any further financial implications.

### **Equalities Assessment**

15. An Equalities Impact Assessment has been completed for this project, which was appended to the Cabinet report of 18 November 2021. The comments and responses to the consultation do not change the impacts to users of the service.

## Appendix 1: Summary of consultation comments submitted

### Responses to the Notice of Amendment to introduce a new range of Season Tickets which have been considered

No. of comments received: 2

Submission	Summary of Comment	Response
Member of the Public	Introduction of flexible season tickets is a progressive solution in the light of the current climate of working from home. A limit on the number of season tickets spaces in the car parks would be advisable.	Support for the introduction of a new range of flexible season tickets to support the changing demands of customers as a result of the pandemic is noted.
Councillor	Seeking confirmation that season tickets will only be available in long stay car parks across all town centres, keeping short stay spaces free for shoppers. Also raised questions about the internal governance process.	Season ticket capacity in car parks is closely managed to ensure capacity for all users.

### Comments received on Notice of Variation of Charges for pay & display charges

No. of comments received: 3

	Summary of Comment	Response
Member of the Public	Why are these increases, and changes being put in place when high streets are already struggling. I am often tempted to go to the large superstore, so I don't have to faff about finding the right money or waste time getting the ticket. If you need to make money find other ways. You need to bring people into town rather than give them more reasons to go out of town!	Evidence to support the Council's car park strategy demonstrates that a reasonable parking charge, commensurate with the retail offer, does not impact high street footfall.
Member of the Public	Having recently moved from Mid Sussex to Rustington, after 35 years, one of the pleasures is to find a vibrant town centre. A sharp contrast to the desolation that is, for example, Burgess Hill. If I can pinpoint one reason for the difference it is that one can park for a reasonable amount of time free in Rustington. If you seek to extort people even for parking for a short	The proposed increase to parking charges, is the first increase applied in Mid Sussex in 10 years. The new charges will see an hour's stay increasing to £1. This is an inflationary increase bringing prices to an

	time they stay away. If they stay away everyone suffers.	equitable level to nearest neighbours and comparable areas.
Member of the Public	<p>Whilst I appreciate that the council has lost revenue due to low footfall, increasing parking charges is not, in my opinion, the way to recoup monies lost. I rarely, if ever go into Burgess Hill or Haywards Heath. The retailers offered are poor and uninviting. The council needs to make the retailers more inviting to customers and considering a multiplex cinema as part of the regeneration of Burgess Hill was ludicrous. When I do need to go into either town it on for a quick trip, probably only a maximum of 20 minutes and I wholeheartedly object to paying 80p for this short time. I avoid this as much as possible. I would recommend that the council consider introducing a 30 minute stay and charge 50p for it</p>	<p>In a difficult economic climate, the Council needs to generate income to support the delivery of key services to the community; and to finance further improvements to its car park estate.</p>