

North Yorkshire County Council

Business and Environmental Services

Executive Members

7 September 2018

Smart Parking in Harrogate

Report of the Assistant Director - Highways and Transportation

1.0. Purpose of the report

- 1.1 To seek approval to amend the terms of the smart parking trial as approved by the Corporate Director of Business and Environmental Services (BES) and BES Executive Members on 20 April 2018.

2.0 Introduction

- 2.1 At the meeting of 20 April 2018, the Corporate Director BES in consultation with BES Executive Members approved the trial of a smart parking system as per the conditions and recommendations set out in the associated report.
- 2.2 Since this approval, the project group has developed and refined the proposal to achieve a more suitable product and service. The outcome of a legal review into the amended trial and contract resolved that the changes are sufficient to require the further approval of the Corporate Director BES in consultation with the BES Executive Members.
- 2.3 Approval is required to enable the signing of a contract with AppyParking and commence the trial. It was intended to sign the contract in mid-August in order to achieve the planned 'go live' date of 1 November 2018. Any significant delay in the project plan may result in other authorities implementing the system before NYCC with the consequent disadvantage of not being the first in the country to do so.

3.0 Trial Amendments

- 3.1 The approved proposal was to trial the system and linear payments for both App and parking machine users on a small number of streets in Harrogate for 3 months, to determine any potential financial losses and system problems prior to installing throughout the town, if considered appropriate to do so.
- 3.2 However, as the process continued and more detail became available and understood in terms of how this information from such a small sample and time frame would inform decisions on future financial and traffic management performance, it was considered it would not be of any particular benefit.
- 3.3 In addition to this, a decision would have to be made after only a few weeks rather than 3 months to allow sufficient time to amend the traffic regulation orders for a seamless transition into a town wide application.
- 3.4 Therefore it was determined that it would be preferable to trial the system throughout the town and for linear payments to apply to App users only and retain block payments for those using the parking payment machines.

- 3.5 The increased scope of the proposed trial has the benefit of reducing potential financial loss to the council as linear charges will be limited to those using the app only. The larger sample will also provide a much improved test of the overall performance. If linear charging does demonstrate that income will be reduced it will be by a much lower figure than if it applied to all payment types. Furthermore this arrangement may encourage drivers to use the app resulting in various traffic management benefits to the town.
- 3.6 Subsequently an informed decision can be made whether to continue with the trial after 18 months or otherwise. It may be the case that income is increased through linear payment and machines could be adjusted for this purpose in due course.
- 3.7 However, this is a new product and being the first authority in the country to implement the technology as a whole, so there is a certain degree of risk associated with it, hence the trial process and the right to cancel the contract at any point and revert to block tariff.
- 3.8 There are several advantages to this approach:
- It significantly reduces financial risk to NYCC.
 - It reduces the cost of implementation as parking payment machines will not require software alterations. A saving of around £6,000.
 - It should encourage take-up of smart parking and allow for clearer communication with customers (AppyParking customers can enjoy an 'open parking session' rather than having to predict a length of stay).
 - The shift from customers paying by card through a P&D machine to payment via the AppyParking app, will reduce the merchant fees incurred by the local authorities.
 - Should a linear pricing model prove unfavourable, NYCC will only be removing this pricing regime for smart parking users.

4.0 Post Trial Implications

- 4.1 Through contractual negotiations, AppyParking have conceded that they shall absorb the cost of removal, should Harrogate Borough Council (HBC) and NYCC decide not to continue with AppyParking after the 18 month trial. However, should the authorities wish to retain the technology gifted to them, yet commission another provider i.e. App interface, then a £55k licence fee would apply to access the data from the AppyParking System in addition to any costs of the new provider.
- 4.2 In reality, this situation is highly unlikely to occur as it is not economically viable to do so. If the authorities are not satisfied with AppyParking as a system interface or any other condition(s) within it, but wanted to continue operating a smart parking system, it is more likely that they would seek another supplier including new technology. It is expected that the cost of commissioning another service provider and paying a further licence fee to AppyParking to use the technology would not be economically viable.
- 4.3 Additionally, should any decision taken by NYCC and HBC to continue to operate a smart parking system in Harrogate beyond the 18 month trial period, a full OJEU tender procurement process will be undertaken to select a suitable provider.

5.0 Financial Implications

- 5.1 NYCC and HBC will be invoiced a joint fixed service cost of £90,000 for the 18 month contract (£45,000 each). This fee includes the analytics software and other 'back office' features such as reporting and payment portals, a 9am-6pm Monday to Friday support service and product enhancements.

- 5.2 Advertising a change to the TRO costs circa £2,000 per council. However, this can be combined with other tariff/TRO changes. It is anticipated that these costs would also be covered as an operational expenditure.
- 5.3 Unforeseen costs to NYCC are unlikely over the 18 month timeframe as the sensors have a five year warranty and a five to eight year battery life.
- 5.4 The main aim of the proposal is to introduce a system that improves traffic management and provides an improved customer experience. The costs and expenses associated with introducing, managing and maintaining on-street parking are drawn from the account managed in accordance with the requirements of Section 55 of the Road Traffic Regulation Act 1984, which sets out the purposes for which the County Council may levy on-street parking charges and how the surplus may be spent - these include the making good of any deficit in the last four years regarding parking, the provision and maintenance of off-street parking and the cost of public passenger transport services and a highway or road improvement project, where it appears to the Council that the provision of further off-street parking accommodation is unnecessary or undesirable. The risk of a fall in income is associated with the potential implications for projects funded through the CPE surplus.

6.0 Legal Implications

- 6.1 Section 32 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) gives local authorities the power to provide parking places (both on and off-street) and Section 35 of the 1984 Act states that the local authority may by Order make provision as to the use of the parking place and the conditions on which it may be used. Sections 45 and 46 of the 1984 Act give local authorities the power to designate paying parking places on highways and prescribe any charges to be paid and Section 49(5) provides that any local authority may acquire, whether by purchase or by hiring, such parking meters and other apparatus as appear to the authority to be required or likely to be required for the purposes of these functions.
- 6.2 The implementation of smart parking would require amendments to existing TROs for both the County Council and Harrogate Borough Council. Schedule 4 to the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 provides for making a “Minor Order”, which has the effect of varying a provision included in an Order under Section 35 or 46(2) of the 1984 Act regulating the method, or requiring the use of apparatus, by which any charges for the use of a parking place are to be paid – the usual requirements to consult and allow for objections do not apply to a Minor Order, which can be made and advertised at least 14 days before it comes into force.
- 6.3 Section 39(3) of the 1984 Act provides that where a District Council proposes to make an Order providing parking places, they must obtain the consent of the County Council before exercising their powers and under Section 39(4) of the 1984 Act, where the proposed Order includes provisions regarding payment and the conditions on which the parking places may be used, must submit a draft of the Order to the County Council, who may require such modifications as they think appropriate – the County Council’s Constitution delegates these powers to the Corporate Director (BES).
- 6.4 Section 122(1) of the 1984 Act imposes a duty on the County Council to exercise their functions under that Act so as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway and Section 16 of the Traffic Management Act 2004 imposes a duty to manage their road network with a

view to securing the expeditious movement of traffic on that network. Officers consider that trialling the smart parking solution outlined in this Report will assist the County Council in continuing to fulfil these statutory duties.

7.0 Equalities Impact Assessment

- 7.1 The proposed introduction of the system is not considered to discriminate or have any adverse impact on or against any group or persons with protected characteristics. The proposed introduction of the system is to enhance the service, parking opportunity and improve access to and from the highway network. The EIA screening document is included as Appendix A to this report.
- 7.2 Parking will not be solely managed through the application (App) and drivers who choose not to register to it are still able to park and pay for their parking via the on-street pay and display ticket machines, as per the existing arrangement.

8.0 Conclusions

- 8.1 The revised trial proposal represents an opportunity to minimise the costs and financial risk in trialling a smart parking solution whilst maximising the numerous parking, traffic management and customer benefits.

8.0 Recommendations

8.1 It is recommended that:

- i) The Corporate Director for Business and Environmental Services (BES) in consultation the BES Executive Members note the amended proposals of the trial period;
- ii) NYCC enters into a contract with HBC and Yellow Line Parking Limited (trading as AppyParking) to trial a smart parking solution in Harrogate Town for an 18 month period;
- iii) The Corporate Director, BES, and the BES Executive Members note that Officers will report back on the outcome of the trial and proposals thereafter.

BARRIE MASON
Assistant Director – Highways and Transportation

Author of Report: David Kirkpatrick

Background papers:

Initial equality impact assessment screening form	
<p>(As of October 2015 this form replaces 'Record of decision not to carry out an EIA') This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</p>	
Directorate	BES
Service area	Highways and Transportation
Proposal being screened	Trial of a smart parking system in Harrogate
Officer(s) carrying out screening	David Kirkpatrick
What are you proposing to do?	To trial for a period of up to 18 months a smart parking system which allows app users to identify available parking spaces and cashless linear (pay by minute) payment.
Why are you proposing this? What are the desired outcomes?	<p>Smart parking has the potential to significantly improve parking and traffic management, reduce pollution, support the visitor economy and enhance the user experience.</p> <p>The proposal to introduce an intelligent parking management system in Harrogate will support the County Council's Economic Growth Agenda and wider objectives. It will also ensure that Harrogate, one of the county's principal towns, would be at the forefront of a new, innovative smart town solution.</p> <p>The proposal will assist the County Council in continuing to fulfil their statutory duties in respect of parking and traffic/network management under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004.</p>
Does the proposal involve a significant commitment or removal of resources? Please give details.	No
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p>	

Protected characteristic	Yes	No	Don't know/No info available
Age		✓	
Disability		✓	
Sex (Gender)		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
NYCC additional characteristic			
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:
Reason for decision	<p>To approve this decision will allow NYCC to be at the technological forefront of intelligent parking / traffic management systems and solutions.</p> <p>It has the potential to have a significantly positive impact on traffic / parking management and to reduce pollution, support the visitor economy and enhance the user experience. The proposal will assist the County Council in continuing to fulfil their statutory duties in respect of parking and traffic/network management under Section 122 of the Road Traffic Regulation Act 1984 and Section 16 of the Traffic Management Act 2004.</p> <p>The proposed introduction of the system is not considered to discriminate or have any adverse impact on or against any group or persons with protected characteristics. The proposed introduction of the system is to enhance the service, parking opportunity and improve access to and from the highway network.</p>		

	Parking will not be solely managed through the application (App) and drivers who choose not to register to it are still able to park and pay for their parking via the on-street pay and display ticket machines, as per the existing arrangement.
Signed (Assistant Director or equivalent)	Barrie Mason
Date	24.08.2018