

**Committee:** Stansted Airport Advisory Panel

**Date:**

**Title:** Airport Car Parking Update

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## Summary

1. This report sets out the position relating to passenger car parking associated with Stansted Airport. It explains what measures the Council and others have at their disposal to deal with off-airport car parking where it is perceived to be a problem. The report is an update of the one presented to Scrutiny Committee in November of last year.

## Recommendations

2. That the Panel notes the current position and the actions that the Council and others are taking in relation to off-airport car parking.

## Financial Implications

3. None

## Background Papers

4. None

## Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Off-airport car parking can impact those wards closest to the airport, particularly

	Takeley and Lt Canfield.
Workforce/Workplace	None

## Situation

### On-airport parking

6. Stansted Airport Limited (STAL) makes provision for all airport-related car parking to take place within the airport boundary. This is consistent with Policy S4 of the Council's adopted Local Plan and also with Policy SP11 of the submitted Regulation 19 Local Plan.
7. As of the end of 2017, there were 30,750 on-airport car parking spaces for passengers:

*21,950 long-stay (including "meet and greet")*

*5,100 mid-stay*

*3,700 short stay*

Long stay car parking (including "meet and greet" storage) is located to the north west of the runway adjacent to Long Border Road. Mid-stay is located adjacent to the A120 by the South Gate entrance to the airport. Short-stay is located to the front of the terminal and to the south and north east of the Radisson Hotel. All these spaces are managed by STAL. In addition, "kiss and fly" (drop-off and pick-up) traffic is accommodated on the terminal forecourt, for which there is an access charge. On a daily basis, around 46% of all entries and exits are kiss and fly (STAL data).

8. In 2017, outline planning permission was granted to a third party operator for an on-airport six-level multi-deck car park on a site at Coopers End Road near to Endeavour House. 4,000 spaces would be provided, but as yet reserved matters have not been submitted.
9. In its transport assessment forming part of the planning application for expansion to 43mppa, STAL estimates that the amount of on-airport parking for passengers would need to increase by between 50% - 83% from the 2017 level to meet demand should planning permission be granted. Currently, STAL is increasing its supply of short-stay car parking to meet short-term demand by providing more surface and decked spaces near to the Radisson Hotel using its Permitted Development rights as an airport operator under the 2005 Town and Country Planning (General Permitted Development) Order. These spaces are due to be available in the summer of this year.
10. STAL enforces no waiting restrictions on a 24 hour / day basis in other locations close to the terminal within the airport boundary, such as along Thremhall Avenue.
11. Notwithstanding the Local Plan provisions and as a consequence of the operation of the airport, airport-related car parking takes place beyond the

airport boundary for a number of reasons. These reasons include commercial competition with STAL and a desire to avoid paying for parking altogether. This type of parking occurs at other airports and is not unique to Stansted.

#### Off-airport car parking

12. A breach of planning control can occur where private land beyond the airport boundary is used for car parking (usually airport-related) without the benefit of planning permission. Usually, this consists of the use of open land, which may be fenced / floodlit to form a compound with an on-site security hut, or the parking may be concealed in some other way from public view such as within a building. Commonly, arrangements are made by the operator to pick the customer's car up from the airport and return it there or there may be a taxi service from the car park itself.
13. An allegation of a breach of planning control will be investigated by the Council's enforcement team in accordance with standard procedures. Each case is considered on its merits, judged against Council planning policy and other relevant material planning considerations such as Government policy in the National Planning Policy Framework. If an enforcement notice is served the Council is required to include a compliance period. This period will need to take into account an appropriate length of time for the winding down of the business which will likely have existing and future bookings to honour that were made in good faith by customers.
14. It is difficult to estimate how much off-airport car parking takes place, but when the British Airports Authority (BAA) owned Stansted Airport it presumed a 10% loss of business to off-airport operators.

#### Fly parking

15. Fly parking is where cars are parked within the limit of the highway in adjoining towns and villages. Fly parking can be kerbside, in laybys or on grass verges. This type of activity is lawful (unless in contravention of any traffic regulation order -TRO), but can lead to loss of amenity for adjoining residents such as through the coming and going of cars and taxis in residential areas and also obstruction (such as of a driveway or footway). In extreme cases, local residents have been wakened at night by a taxi driver calling at their door to pick up a fare, when the customer has actually been waiting at the kerbside, having given the nearest house as the pick-up address.
16. Fly parking can consist of a car being parked by its owner within the highway for a period of time, or it can be part of a "meet and greet" operation where customers may otherwise believe their car is being securely parked. In respect of the latter, this is a matter that can be raised with Essex Trading Standards (ETS). However, ETS adopts an intelligence led approach to its work, and is not able to commit any resources to investigating businesses in an attempt to find a breach of legislation.

17. Fly parking can also be caused by taxis waiting for a fare, particularly within the Takeley and Priors Green areas which are closest to the terminal. There is a free one-hour waiting facility within the mid-stay car park.
18. For several years, STAL, Essex County Council (ECC), Herts County Council and this Council have tried to gauge the extent of fly parking around Stansted Airport through the work of the Stansted Airport Transport Forum (SATF), in particular the Highways Working Group (HWG) which is chaired by ECC. A Freephone car park hotline is in operation on which callers can report suspected incidents of fly parking using a series of prompts. The purpose of the prompts is to establish the likelihood that the parking is airport-related, such as by observing people “in the act” i.e. leaving with suitcases by taxi. Judging whether fly parking is airport-related is not always easy – it could be commuter parking related to a nearby railway station or a convenient bus route. A one-off on-street survey would not be able to identify airport-related parking from any other type of parking, and repeated surveys would be very labour intensive.
19. The hotline data is collated by STAL staff and reported quarterly to the HWG, and the anonymised data is plotted on a GIS database by STAL’s highway consultants. On the basis of this evidence, HWG will decide whether there is an identified “hotspot” of fly parking activity that warrants further investigation. Under the 2003 and 2008 planning permissions for airport expansion to 25mppa and 35mppa respectively, STAL (under BAA ownership) made funding available to contribute towards local authority costs of dealing with fly parking within 5 miles of the airport boundary. The 2008 unilateral undertaking made a maximum of £20,000 / per year available until the end of 2015 (now time expired).
20. The funding was proposed to be used for the drawing up, publicising, advertising and implementation of TROs such as a no-waiting restriction or a residents’ car parking scheme. These schemes would be drawn up by the North Essex Parking Partnership (NEPP) on behalf of ECC. One-hour no-waiting restrictions are common close to railway stations where fly parking can also be a concern.
21. Shortly after the 2003 planning permission was granted, funding was made available to ECC for the implementation of a one-hour no waiting restriction in Takeley. This followed a local survey where residents were given the option of a no-waiting restriction or a residents’ parking scheme. The latter was not favoured, probably because residents would have had to pay for the parking permits. A Clearway along Parsonage Road was subsequently included in the order. At that time, there was clear evidence that Takeley was the settlement that was most subject to fly parking. This was unsurprising given its close location and convenient access by road to the terminal.

22. The 2008 undertaking also allowed the funding to be used to enforce breaches of planning control for unauthorised off-airport car parks. In a recent review by the Civil Aviation Authority (CAA) of airport parking nationally, the CAA scrutinised the supply of off-airport car parking for Stansted compared to that of other UK airports. The reason for this was the successful Local Plan policies which have restricted parking beyond the airport boundary.
23. It is the view of STAL (now under different ownership from 2008) that it is questionable whether it is lawful for airport funding to be provided for planning enforcement matters as it is for the Council to decide where airport car parking should be located. Requiring STAL to finance planning enforcement of Local Plan policies could be conceived as an anti-competitive measure by the CAA.

#### The present position

24. The parking hotline continues to operate. The number of instances reported through it has varied from 16 in 2010 to over 100/year recently, indicating that the main concerns are in Bishop's Stortford, Stansted Mountfitchet, Takeley (still) and Priors Green. However, spread over a year and a fairly large area, the number of reported incidents of fly parking is not considered by the HWG to be high at any one time. Fly parking is a type of activity that is always likely to take place, migrating from one area to another, although it should in theory become less attractive with distance from the airport. In recognition of the increased local concerns, a Fly Parking Task Force (FPTF) has been established by STAL as a sub-group of HWG including NEPP, Essex Trading Standards (ETS) and UDC enforcement within its membership. The FPTF is in its infancy at the moment, but its work will include reviewing the hotline data, looking at options for solutions, quick wins and timelines.
25. The establishment of the FPTF is separate to any review of the working of the SATF that may take place under any planning obligation should planning permission be granted for airport expansion to 43mppa.
26. Separately, officers and members of the Council met with STAL and NEPP staff to discuss the particular issue of taxi parking on local streets around Takeley and Priors Green, which seems to be increasing, and the problems that have been observed. As a result of this meeting, the following actions either have or are being undertaken:
- The one-hour free waiting area in the mid-stay car park has been extended so that taxis can more easily use it. 42 additional spaces have been created. MAG started with a campaign focussed on Uber, and is also using the taxi licensing networks of neighbouring local authorities (including UDC's Taxi Chat) to publicise this facility. MAG will monitor its use and on-site facilities for taxis that users would like. At the SATF Annual Assembly on 28<sup>th</sup> February, a new SATF website will be launched which will include a portal for reporting problem parking areas.
  - The FPTF (MAG reps only) has recently met with Stansted, Takeley and Lt

Canfield Parish Councils to further understand their concerns about airport related car parking, both in relation to on-street hotspots and off-road sites. Potential further discussions will take place with Takeley and Lt Canfield about any other restrictions residents might favour.

- If MAG comes across any sites where it believes unlawful car parking is taking place, these sites are referred to UDC enforcement for investigation. Progress on these cases is raised at FPTF meetings.

- On 17<sup>th</sup> January, NEPP made a draft TRO for a Clearway restriction (including no stopping on verges or footways) on Molehill Green - Bambers Green Road/Waltham Hall Road/Parsonage Road/Elsenham Road/Smiths Green Lane to the east and southeast of the airport. This restriction would supplement the one already in place along Parsonage Road, Takeley. The period for objection to the proposed TRO expired on 8<sup>th</sup> February. Any further information will be reported at the Panel meeting.

- MAG has offered to enforce parking restrictions in the Takeley area as an extension of the 24 hour / day parking enforcement it carries out within the airport. This it would do as an agent of NEPP, if this can be sorted out legally.

27. It is also possible for concerns about fly parking to be raised at the Stansted Airport Consultative Committee (STACC). STACC has three working groups (Corporate Affairs, Environmental Issues and User Experience), and a representative of STACC sits on the Steering Group of the SATF.

## Risk Analysis

28.

Risk	Likelihood	Impact	Mitigating actions
That off-airport car parking is detrimental to the amenity of local residents.	2. There is some risk depending upon location and extent.	2. This will vary in each case.	Continuously monitor through the work of the airport's Transport Forum. Consider through the local plan process and the determination of planning applications for airport development.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.