

Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	NEW PARKING ORDER
Executive Lead Member:	CLLR SAMANTHA DEAKIN, EXECUTIVE LEAD MEMBER FOR PARKS, TOWN CENTRES AND ENVIRONMENTAL SERVICES
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	YES

Purpose of Report

To seek approval for undertaking preparations to commence the legal process for making a new Ashfield District Council Civil Enforcement Off Street Parking Order to include carrying out an informal consultation.

Recommendation(s)

1. To approve officers undertaking preparations to commence the legal process for making a new Ashfield District Council Civil Enforcement Off Street Parking Order to include carrying out an informal consultation.
2. The variations include:
 - Changes to Kirkby Leisure Centre car park (former Festival Hall site)
 - Addition of Fox Street, Sutton car park
 - Addition of Lammas Leisure Centre car park
 - Addition of Hucknall Leisure Centre car park
 - Addition of West Kirkby Gateway car park
 - Alteration of boundary of Kings Mill Reservoir car park
 - Addition of car park at Langton Road / New Street
 - Addition of Papplewick Green Open Space car park
 - Alteration to limits of stay and parking charges for Sherwood Place car park
 - Incorporation of references to new legislation.
 - Reviewing the current fees and charges

Reasons for Recommendation(s)

A new Parking Order will be required to implement the changes required for several sites, including incorporating new car parks and to ensure effective enforcement action can be undertaken when necessary. A new order is also required to reflect recent changes to legislation and to review current fees and charges.

Alternative Options Considered

Not to revise the Car Parking Order - **Not Recommended**, the changes are needed to ensure that effective enforcement can be undertaken.

Not to incorporate the additional car parks and revise the car parking charges - **Not Recommended**, the changes are needed to ensure that effective enforcement can be undertaken.

Detailed Information

1. Kirkby Leisure Centre - Former Festival Hall Site, Kirkby-in-Ashfield

The alterations to the plan will incorporate the area of land currently occupied by the Festival Hall building. Once the building is demolished the car park for the new leisure centre will be built.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

2. Fox Street, Sutton-in-Ashfield

The new Fox Street car park is part of the redevelopment of the Portland Square area. This creates a new car park and public space providing connectivity between Asda and Portland Square. The space can also be set up as an area for pop up stalls and markets and will include chargers for electric vehicles.

The proposed tariffs are:-

	2 Hour	4 Hour
Proposed charges subject to Consultation	Free	£2.00

3. Lammas Leisure Centre, Sutton-in-Ashfield

Currently parking is limited at the centre due to the car park being used as a long stay car park by non-users of the leisure centre facilities. Facilitating effective enforcement will help free up capacity especially at peak times.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

4. Hucknall Leisure Centre, Hucknall

Including the car park in the new Order will set the parameters for users, such as weight limit, height and waiting period and will enable enforcement action to be undertaken to address issues with inconsiderate parking, e.g., parking in a disabled bay without displaying a Blue Badge.

The proposed tariffs are:-

	12 Hour
Proposed charges subject to Consultation	Free

5. West Kirkby Gateway (Lane End), Kirkby-in-Ashfield

Including the car park sets the parameters for users of the car park such as weight limit, height and waiting period. Currently parking is limited at the railway station due to the car park being used for long stay by non-users of the rail facilities. Facilitating effective enforcement will help free up capacity especially at peak times.

The proposed tariffs are:-

Proposed charges subject to Consultation	TBC

6. Kings Mill Reservoir, Sutton-in-Ashfield

The revised parking layout increases parking capacity and improved access arrangements for pedestrians by encompassing land made available through the new Mill Waters leisure development.

The proposed tariffs are:-

	1hour	2hour	4 hour	6hour	8hour	10hour	12hour
Proposed charges subject to Consultation	Free	£1.00	£2.00	£3.00	£4.00	£5.00	£6.00

7. Langton Road / New Street, Sutton-in-Ashfield

This area of land forming part of the gateway into the town centre from the west, is not currently included in the Parking Order. It will require some remedial works to bring it up to standard. Once complete it will increase the long stay capacity in the town centre.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

8. Sherwood Place, Sutton-in-Ashfield

Making Sherwood Place a long stay car park will increase all day parking capacity in the town centre, easing demand on existing facilities.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

9. Papplewick Green Open Space, Hucknall

Including the car park in the new Order will set the parameters for users, such as weight limit, height and waiting period and will enable enforcement action to be undertaken to address issues with inconsiderate parking, e.g., parking in a disabled bay without displaying a Blue Badge.

The proposed tariffs are:-

	12 Hour
Proposed charges subject to Consultation	Free

Costs

The estimated cost of the changes for each car park is listed below:

	Materials	Estimated Costs	Funding Source
Kirkby Leisure Centre	Ticket machines & signage	£10,000	Kirkby Leisure Centre new build contract
Fox Street	Ticket machine & signage	£5,000	Future High Streets Fund
Lammas Leisure Centre	Ticket machines and signage	£12,000	Economic Development and Place Reserve (subject to ODR)
Hucknall Leisure Centre	New signage	£500	Hucknall Leisure Centre build contract
West Kirkby Gateway	Ticket machine(s) & signage	£10,000	Towns Fund allocation
Kings Mill Reservoir	Additional ticket machine & signage	£5,000	Towns Fund allocation
Langton Rd / New Street	Groundworks including resurfacing, line marking, knee rail boundary fencing New signage and ticket machine	Quotations to be sought for refurbishment works	TBC

Sherwood Place	Replace existing signage and upgrade ticket machine	£600	TBC
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10. Changes to Legislation

All references to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 in the Order need to be replaced with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

This amendment will make provision to comply with the new consolidated regulation amendments made by Government which affect the Ashfield District Council Civil Enforcement Off-Street Parking Places Order. In making these powers available, the regulation change intends to consolidate, under the Traffic Management Act 2004 Act, parking contraventions (England-wide currently under 2007 regulations made under the 2004 Act). This will create a cohesive civil enforcement regime, removing numerous inconsistencies which inherently arose due to the disparate enabling legislation, providing a more efficient regime administration.

11. Fees and charges

The fees and charges for parking will be reviewed as part of the process for creating a new Parking Order.

Parking Order Procedure

The procedure is set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 SI 1996/2489 as amended. The procedure includes the requirement to carry out public consultation and a notice period prior to the changes coming into place. Provided no objections are received following the consultation and notice period, an order can be made which confirms the new charges. If objections are received, the authority is required to hold a public inquiry.

It is good practice to carry out an informal consultation process prior to the formal public consultation takes place; this report recommends that Cabinet approves an informal consultation process. A further report will be brought to Cabinet in February 2023, to consider the responses to the informal consultation and to seek authorisation to proceed to the formal consultation and implementation stages of the Parking Order process. It is anticipated that the new Parking Order will be published, and the various initiatives implemented in summer/autumn 2023.

Proposed timeframe and key dates

5 January 2023 – Start of informal consultation
16 February 2023 – End of informal consultation period
21 February 2023 – Cabinet to consider objections
February/May 2023 - On hold during pre-election period
June/July 2023 – Cabinet to approve undertaking the formal consultation process
July 2023 – Start of formal consultation
August 2023 - End of formal consultation
September 2023 – Cabinet to consider objections
September/October 2023 – Sealing of the Civil Enforcement Off-Street Parking Places Order 2023
September/October 2023 – Advertisement of Civil Enforcement Off-Street Parking Places Order 2023
November/December 2023 – New Civil Enforcement Off-Street Parking Places Order 2023 comes into force

Implications

Corporate Plan:

The renewal of the parking order will support the Corporate Plan priorities of Health and Happiness and Economic Growth and Place, including Key Projects, Programmes and Initiatives for the Leisure Transformation Programme and Town Centres.

Legal:

Relevant legislation and processes are detailed in the report. [RLD 15/11/2022]

Finance: The costs and income generation potential from the proposals set out in this report will be determined following the outcome of the consultation exercises. [PH 21/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	To be confirmed
General Fund – Capital Programme	To be confirmed
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
Reputational - the lack of enforcement powers for the Lammas Leisure Centre means that inconsiderate parking and use by non-leisure centre users cannot be addressed. This will also apply to Kirkby Leisure Centre when the new car park is opened.	Implementing the new order will address the current issues at the Kirkby and Lammas Leisure Centres and will allow for enforcement at Hucknall Leisure Centre where issues with inconsiderate parking occur.

Human Resources:

None

Environmental/Sustainability

No environmental/sustainability issues identified.

Equalities:

No equalities issues identified, free parking for disabled Blue Badge holders will be unchanged in the new parking order.

Other Implications:

Not applicable.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable.

Background Papers

Not applicable.

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