

Report To:	CABINET
Date:	26TH JUNE 2023
Heading:	NEW PARKING ORDER
Executive Lead Member:	CLLR MATTHEW RELF, EXECUTIVE LEAD MEMBER FOR REGENERATION AND PLANNING
Ward/s:	ALL WARDS
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

To agree the proposals detailed in the report regarding changes to parking provision and charges and to approve officers undertaking the process necessary to make a new Ashfield District Council Civil Enforcement Off-Street Parking Places Order.

Recommendation(s)

- 1. To agree the proposals detailed in the report regarding changes to parking provision and charges (and to note proposals agreed at December 2022 Cabinet).**
- 2. To agree and approve officers undertaking the legal process to make a new Civil Enforcement Off-street Parking Order.**
- 3. To agree the publication of the Ashfield District Council Civil Enforcement Off Street Parking Places Order 2023.**
- 4. Delegate authority to the Executive Lead Member to enact the proposed future change(s) to the order as and when required and to make any minor amendments to the order, plans and other documents as required.**

Reasons for Recommendation(s)

To ensure that the Parking Order is up to date to reflect changes in parking provision and to provide flexibility for future changes which may be required.

Alternative Options Considered

Not to revise the Parking Order. **Not recommended**; the Order needs to be revised due to changes in charges and car park provision.

Detailed Information

The Council's current Parking Order came into operation on 7th August 2020 and a notice of variation of parking charges came into force on 7th September 2020. There are a number of changes required to the Order which are required to be implemented now, and a number required for the future which will remain dormant within the new Order until they are ready to be enacted.

1. Parking provision agreed at Cabinet 13th December 2022

The following changes in parking provision were agreed at Cabinet on 13th December 2022 to support the town centres:

- a) Changes to Kirkby Leisure Centre car park (former Festival Hall site)
- b) Addition of Fox Street, Sutton car park
- c) Addition of Lammas Leisure Centre car park
- d) Addition of West Kirkby Gateway car park
- e) Alteration of boundary of Kings Mill Reservoir car park
- f) Addition of car park at Langton Road / New Street
- g) Addition of Papplewick Green Open Space car park
- h) Alteration to limits of stay and parking charges for Sherwood Place car park
- i) Incorporation of references to new legislation
- j) Reviewing of current fees and charges
- k) Hucknall Leisure Centre car park charging structure to be the same as Kirkby and Lammas Leisure Centres
- l) Any Council car parks that can accommodate Heavy Goods Vehicles, to offer overnight parking at a cost of £10 per night;
- m) All Town Centre car parks to offer overnight parking at a cost of £1 per night from 6pm

2. New Parking Order

The following changes and additions are also recommended to be included within the new Parking Order, the proposed schedule for the new Parking Order is included at the end of this report.

2.1 Kirkby Leisure Centre

- a) To rename the Festival Hall car park as Kirkby Leisure Centre car park
- b) Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free
Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

2.2 Fox Street car park

a) Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free

Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

b) The cost of the works would be covered by the approved budget for the Future High Streets funded scheme.

2.3 Lammas Leisure Centre car park

This car park cannot be included in the new Parking Order at this time as the legal process of removing the Trust from the site is still being progressed.

2.4 West Kirkby Gateway car park

This car park cannot be included in the new Parking Order at this time as the legal process of ownership is yet to be completed.

2.5 Kings Mill Reservoir

The area of land covered by the Parking Order at Kings Mill Reservoir will be increased to include the area of land made available through the demolition of the former sailing club building and redevelopment of the site.

2.6 New Street (Langton Road Junction) Sutton car park

This area of land has been identified as a valuable addition to the long stay parking provision in the town, close to the existing car parks. It requires significant works including surfacing, line marking and ticket machine installation, signage and lighting. Design and costings work is due to commence shortly.

It is recommended that this site is included in the new Parking Order but remains dormant until the car park is brought into use.

2.7 Papplewick Green Pavilion

It is recommended that Papplewick Green Pavilion car park is included in the new Parking Order with maximum period for which a vehicle may wait:

Maximum stay 12 hours

(Penalty charge applies for parking for longer than the maximum period allowed).

2.8 Sherwood Place, Sutton car park

This car park is currently a short stay car park for up to four hours. With the future provision of additional short stay parking on Fox Street there is now the opportunity to increase long stay provision in the town at Sherwood Place.

It is recommended that Sherwood Place is included in the new Parking Order with the charges as follows:

Up to 2 hours free
Up to 4 hours £2
Over 4 hours £4

(Penalty charge applies for parking for longer than the maximum period allowed).

2.9 Incorporation of references to new legislation

- a) The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 have been replaced by The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
- b) The 2007 Regulations are mentioned twice within the Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2020 and these references to the 2007 regulations need to be replaced by the 2022 Regulations.

2.10 Hucknall Leisure Centre car park

Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free
Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

The cost of the works (estimated at £12-£15k) would be funded by the Economic Development and Place Reserve with the funds paid back over time from income from the parking charges or through a capital project to increase the size of the car park.

3.0 Charges

The potential for the introduction of overnight parking charges has been reviewed with an expert external adviser from a neighbouring authority. His advice is that it is too complicated to introduce charges; with the older ticket machines a two ticket option with separate buttons (one for the daytime and the other for evening) is required with both tickets needing to be displayed at the same time. From their experience people often pressed the wrong button and they have now removed the evening charge in their car parks due to complaints and the number of challenges to penalty notices.

The Council's car parks are limited to vehicles weighing under 2500kgs to prevent excessive wear and tear and damage to the car park infrastructure and parking surface. Vehicles using the car parks in an evening in excess of this weight can be issued a penalty charge notice.

It is therefore recommended not to offer either overnight parking to Heavy Goods Vehicles or to charge for overnight parking and that these proposals are not included in the new Parking Order.

Season Tickets

Season tickets for long stay car parking are available providing a significant saving for regular users. Purchased in 13 week passes they represent a 46% saving on the day rate whilst a 52 week pass provides a saving of 52%.

	£	Season Ticket Price	Saving £	Discount %
Daily charge	4			
Weekly parking charge (5 days)	20			
13 week parking charge	260	140	120	46%
52 week parking charge	1,040	500	540	52%

4.0 Reference in parking schedule

The reference to 'Only in parking bays marked and signed accordingly' referred to the provision of red parking bays and has been removed.

5.0 Informal consultation

The Council received 14 written responses through the informal consultation. Eight responses related to concerns other than changes to the new Parking Order.

Six responses related to parking charges at the leisure centres and how they appear to penalise users. This is a valid concern however as was the practice at the Old Festival Hall site staff at the leisure centres can issue permits to users who will be accessing the leisure centre facilities for longer than two hours.

6.0 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.

7.0 Proposed timeframe and key dates

26th June 2023 – Cabinet to approve undertaking the formal consultation process

17th July 2023 – Start of formal consultation

18th August 2023 - End of formal consultation

18th September 2023 – Cabinet to consider any objections

3rd October 2023 – Sealing of the Civil Enforcement Off-Street Parking Places Order 2023

9th October 2023 – Advertisement of Civil Enforcement Off-Street Parking Places Order 2023

27th November 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:

The relevant legislation is set out in the body of the report. If the recommendations are approved, Legal Services will work with relevant officers to undertake preparations for the commencement of the legal process for renewing the Parking Order in order to comply with the legislation. [RLD 08/06/2023]

Finance:

No direct financial implications arising from this report. [PH 07/06/2023].

Budget Area	Implication
General Fund – Revenue Budget	Not applicable
General Fund – Capital Programme	As detailed in the report.
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
Reputational and management - the lack of enforcement powers for the Leisure Centres means that inconsiderate parking and use by non-leisure centre users cannot be addressed.	Implementing the new Order will address issues at Kirkby and Hucknall Leisure Centres and will allow for enforcement against inconsiderate parking and long-stay parking.

Human Resources:

No issues identified.

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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