

RURAL, ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE

16 NOVEMBER 2011

CORPORATE PROPERTY OFFICER

CAR PARKING - UPDATE

1.0 PURPOSE OF REPORT

- 1.1 To authorise the necessary consultations to implement the decisions of REEA dated 7 September 2011 and give the Corporate Property Officer the delegated authority as set out in the following recommendations.

2.0 RECOMMENDATIONS

- 2.1 That the Committee authorises the Corporate Property Officer to revoke the current Melton Borough Council (Off Street Parking Places Order 2010) Order and to draft a new Order and to undertake the necessary consultation process including the advertisement of the Notice of Proposal, with an implementation date of 19 January 2012.
- 2.2 That the Corporate Property Officer be given delegated authority in consultation with the Chair of this committee and the Head of Central Services to consider and determine any objections received.
- 2.3 That the staff car parking schemes be incorporated into the car parking order to enable any necessary enforcement to be undertaken under the new car parking order.
- 2.4 The Corporate Property Officer be given delegated authority to instruct the Solicitor for the Council to take any necessary action in respect of the implementation of the new Order arising out of 2.2 above.
- 2.5 That members note Councillors have supported the proposals for free car parking (as in previous years) for the 5 Fridays before Christmas in the long stay pay and display car parks and the Chief Executive exercised delegated powers to agree free parking in urgent circumstances to facilitate this change in charging policy for the Christmas period. Members further delegate to the Head of Communities & Neighbourhoods in consultation with the Head of Central Services approval to continue this [Free Xmas Car parking] initiative on an annual basis.

3.0 KEY ISSUES

- 3.1 A new car parking Order is required in order to implement the decisions of REEA dated 7 September 2011 including the introduction of revised charges and the introduction of season tickets and new off street parking areas. The new Order will come into effect on 19 January 2012 or as soon as reasonably practical to do so thereafter.
- 3.2 The procedure for making off street car parking orders is set out in the Local Authorities Traffic Order (Procedure) England and Wales Regulations 1996. A notice setting out the proposals has to be advertised locally and a number of statutory bodies, including the Highway Authority have to be consulted on the proposals. Any objections must be considered by the Order making authority. The Order can only be made after objections have been considered. Once an Order is made, a notice confirming the making of an Order setting out the date it comes into effect, has to be advertised in the same way as the notice of proposals. In order to implement an efficient timetable for the creation of the Order and implementation date of 19 January 2012 is proposed.

3.3 In recent years at the long stay pay and display car parks there has been free Christmas parking on a Friday after 10am in Melton Mowbray town centre to help promote shopping and support local businesses. Members have again supported the proposals for free car parking for the 5 Fridays before Christmas, commencing on the 25th November 2011 and continuing until Christmas, the Chief Executive exercised delegated powers to agree free parking in urgent circumstances to facilitate this change in charging policy for the 2011 Christmas period. The free parking will be widely advertised with posters and signage and an advert/article in the Melton Times.

3.4 Members were informed at the meeting on the 7th September 2011 that bus charging for local services would be reviewed and reported back to this committee in November, however due to competing priorities this action has not been progressed and this will be reported in 2012.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 The proposals and recommendations in this report will enable the continuation of efficient and effective enforcement of off street car parking within the district.

5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 The cost of advertising the Order will be in the region of £1,500.00. Failure to implement the proposals could lead to future challenges against penalty charge notices issued and a potential loss of income.

5.2 The financial implications of introducing the new charges and the new spaces is difficult to predict however if ticket sales dropped by 5% for the year the gross surplus income would be in the region of £38,000.

5.3 The capital costs for purchase, installation and signage for four new car parking machines is estimated to have a total cost of £16,000 the costs of machines at the town station site have been allowed for in the town station site budget.

5.4 The capital costs for the cattle market machines will be funded from the under spend at Wilton Road for car park re-surfacing works.

6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 The power to provide off street car parking places is given to the Council under Section 32 of the Road Traffic Regulation Act 1984. Under Section 25 of the Act the Council may make provision for the use of parking places for particular types of Vehicles and set out conditions as to the use and level of charges for such parking places. As set out in paragraph 3.2 there is a procedure that the Council must comply with prior to the implementation of any Order.

7.0 **COMMUNITY SAFETY**

7.1 The effective and efficient enforcement of off street parking places helps increase community safety by deterring vehicles from parking in areas that may conflict with the safety of both pedestrians and other road users.

8.0 **EQUALITIES**

8.1 There are no specific equalities issues as a result of this report.

9.0 **RISKS**

9.1 The risks are considered in the table below:

Probability
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Very High A				
High B		1		
Significant C				
Low D				
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

→
Impact

Risk No.	Description
1	Ineffective enforcement could leac loss of income for the Council

10.0 **CLIMATE CHANGE**

10.1 There are no implications in respect of climate change in this report.

11.0 **CONSULTATION**

11.1 There is a statutory consultation process that the Council will comply with as set out in the body of this report.

12.0 **WARDS AFFECTED**

12.1 All wards are potentially affected.

Contact Officer: David Blanchard
Date: 28 October 2011

Appendices : None

Background Papers: None

Reference : X : Committees\2011 12\REEA\161111