

AGENDA SUPPLEMENT



- Committee - **CABINET**
- Date & Time - Tuesday, 3 December 2019 at 10.00 am
- Venue - Council Chamber, Council Offices, Priory Road, Spalding

Membership of the Cabinet:

Councillors: The Lord Porter of Spalding CBE (Leader), C N Worth (Deputy Leader), G J Taylor (Deputy Leader), T A Carter, A Casson, P E Coupland, R Gambba-Jones and C J Lawton.

No substitutions permitted. Quorum 3.

Note: Cabinet reports may be referred to Council or Scrutiny Panels. They should therefore be kept for future reference during the current committee cycle.

Persons attending the meeting are requested to turn mobile telephones to silent mode

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 28 November 2019

Please ask for Democratic Services: Telephone 01775 764626
e-mail: demservices@sholland.gov.uk

AGENDA

8. Car Parking Order Consultation - (Pages
To review and consult on changes to the South Holland District Council 103 -
(Off Street Parking Places) (Civil Enforcement) Order 2012 (report of the 112)
Portfolio Holder Place and the Executive Director Place enclosed).

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Portfolio Holder for Place and/or Executive Director - Place

To: Cabinet, Tuesday, 3 December 2019

(Author: Charlotte Paine, Environmental Services Manager)

Subject Car Parking Order Consultation

Purpose: To review and consult on changes to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012

Recommendations:

- 1) That members consider whether they wish to amend the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012.
- 2) To agree, in principle, that the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended so as to include within the Order the times for which car parking charges apply so as to be consistent within the hours of 8am to 6pm Monday to Saturday for all Spalding car parks listed in Appendix A with the exception of Herring Lane, Spalding which will continue to be subject to charges from 8am to 8pm;
- 3) That the Environmental Services Manager be authorised, in consultation with the Portfolio Holder for Place, to:
 - a) finalise the necessary notice of proposal and statement of reasons relating to the proposed amendments to the existing Off-Street Parking Places Order detailed in recommendation 2 above;
 - b) undertake the necessary consultation and equality impact assessment in relation to the proposed amendments to the car parking order and report back to the portfolio holder following completion of the consultation process.
- 4) That the Portfolio Holder for Place be given delegated authority to consider the results of the consultation on the proposed amendments to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012, and the required Equality Impact Assessment, and determine whether or not to amend the Order, including any non-substantial modifications considered appropriate.

1.0 BACKGROUND

- 1.1 A report was presented to Cabinet on 29 October 2019 which set out the proposals of a car parking review. The report recommended making charges consistent across Spalding's car parks, as well as increasing car parking provision in the town and suggested introducing new types of spaces in a number of South Holland District Council owned car parks.
- 1.2 The report detailed the economic considerations and impacts of making the recommended changes as well as the benefits of improving car parks by providing good quality, secure car parks for the visitors and residents of Spalding.

- 1.3 As part of that report permission was given to consult on amendments to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 where it was proposed that new car parking provision be delivered at the Castle Complex and Gore Lane.
- 1.4 It is the intention of this report to seek new permission from the Cabinet for additional amendments to be made to the order at the same time as the already agreed amendments from the 29 October 2019 Cabinet decision. This request is being made to ensure the most efficient and effective use of officer time by combining all amendments into one consultation which should also help to reduce potential for confusion.
- 1.5 Currently the Schedule to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 provides details of the *days and hours of operation of parking place; the maximum period for which vehicles may park; and details of charges*. Together, these set out the hours during which each car park may be used, and during which car parking charges are due and therefore when enforcement can be undertaken. It is the recommendation of this report that these be changed to ensure a consistent approach of hours of operation across the sites, making it clearer for users.
- 1.6 The recommendation is for all car parks listed in Appendix A to be subject to charges the same hours of Monday to Saturday 8am to 6pm, with the exception of Herring Lane which will continue to be subject to charges Monday to Saturday 8am to 8pm, as a result of the additional provision of CCTV available at this car park.
- 1.7 It is also recommended that charges in South Holland District Council car parks for Bank Holidays are removed as part of this consultation process.

2.0 OPTIONS

- 2.1 **Option one** – Make amendments to the order to clarify the hours of operation for each of the Spalding car parks listed, including removing charges on bank holidays. This is the recommended option as will provide clarity across all car parks and improve ease of use for visitors and residents.
- 2.2 **Option two** – Do nothing, do not change the order. This would mean parking charges could be enforceable all hours, including bank holidays.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 It is a recommendation of this report that the chargeable hours be changed at each of the car parks listed, to the specific hours of Monday – Saturday 8am to 6pm (except for Herring Lane which will continue to be subject to charges from 8am to 8pm). It is the recommended option as it provides consistency and clarity to users of Spalding's car parks.
- 3.2 Further to this it is proposed that charges for bank holidays cease and that this is reflected in the car parking order as part of this consultation.
- 3.3 This recommendation is being made to enable officers to undertake this work alongside the work that is already being done to amend the South Holland District Council (Off Street

Parking Places) (Civil Enforcement) Order 2012 following the previous decision at 29 October 2019 Cabinet.

- 3.4 The recommendation looks to reduce any possible duplication of work and costs for advertising the changes and consulting with the public. It will also help to reduce possible confusion if multiple consultations were to take place in close proximity.

4.0 **EXPECTED BENEFITS**

- 4.1 Approval of the recommendation will provide a consistency to the hours of operation for the car parks and will enable SHDC to update the car parking boards near the machines to assist users with understanding the requirements for each car park.
- 4.2 Undertaking the consultation at the same time as the already agreed consultation for new car parking provision, as recommended in the previous report, will deliver efficiencies in the work that will be required to consult these changes to the public. This recommendation is made to save time and money publicising multiple consultations and reduce potential confusion for the public.
- 4.3 The recommendation is seeking to reduce the hours of operation for charges in the car parks. It looks to provide users with the benefits of free parking in the evenings, on Sundays and on Bank Holidays and provide clarity to users regarding these hours of operation.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 **Constitutional & Legal**

- 5.1.1 Changes to parking provision is an executive matter. If the proposals included within this report are approved the following changes and legal procedures will apply:
- Amended operating hours at the Spalding car parks included within the existing Order as shown in Appendix A, with the exception of car parks at:
 - Albion Street (behind the public house) where no charges will continue to apply daily, all hours
 - Love Lane where no charges will continue to apply daily, all hours
 - Priory Road (main car park) where no charges will continue to apply on Saturdays between 8am and 6pm
 - Chestnut Avenue (off Churchgate) which will not be changed
- 5.1.2 The changes will require amendment to the existing South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012. The procedure for amending the

Car Parking Order is set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and includes the following:

- Consult the police, County Council, road haulage association, freight transport association and any other relevant bodies about the proposed changes;
- The officer/member protocol in the Council's Constitution also requires ward members to be included within any form of consultation exercise;
- Publish notice of proposed making of the Amending Order (called "notice of proposal") in local paper and in car parks;
- Place documents on deposit for inspection by members of the public, including the "notice of proposals", and a statement of reasons setting out why the Council proposes to make the Amending Order;
- Consider all objections and representations received during the consultation process. Note that substantial changes to the initial proposals may result in additional consultation, and where any objection has not been wholly acceded to the decision maker must include reasons why;
- If approved, make the Amending Order;
- Publish notice that the Amending Order has been made (called the "notice of making") in local paper and on car parks, and notify all objectors;
- Notify all objectors of the Council's decision. Notification must include the reasons why any objections have not been wholly acceded to;
- The Order, if approved, takes effect on the date contained in the notice of making.

5.1.3 Members will appreciate that the Council cannot at this stage make a final decision to amend the Car Parking Order as it must first consult, and take into account any representations received. The Equalities Act 2010 also requires a public authority, in exercising its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation etc.; advance equality of opportunity; and foster good relations between persons who come within the terms of the Act and those who don't. It will, therefore be necessary to carry out an equality impact assessment before any final decision is made.

5.2 Corporate Priorities

5.2.1 The corporate plan priorities and critical activates detail how SHDC looks to support towns with economic growth opportunities and it is considered that effective and attractive parking facilities support delivery of those. Therefore the approval of the recommendation would allow SHDC to deliver on these elements of the corporate plan.

5.3 Financial

5.3.1 The recommendation looks to make efficiencies in the process for consulting changes to the order with the public. By removing the need to consult twice, duplication of work and costs, such as publicising the changes in the paper and car parks, is removed and therefore looks to reduce costs.

5.4 Reputation

5.4.1 It is the intention of the recommendation to make the hours of operation for the Spalding car parks more consistent and improve clarity for users of the car parks. It is believed that

there should be a positive reputational impact of this as SHDC look to make car parks more user friendly and provide free parking during the evenings and bank holidays.

5.5 Risk Management

5.5.1 There is minimal risk to this recommendation as it looks to improve clarity and consistency to users of the car parks.

5.6 Stakeholders / Constitution / Timescales

5.6.1 There will need to be a statutory 21 day consultation period to amend the South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012. This will be undertaken with car park users, advertised in the media and also provided to the Police, County Council, Road Haulage Association and Freight Transport Association.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

7.0 ACRONYMS

7.1 SHDC – South Holland District Council

Lead Contact Officer

Name and Post: Charlotte Paine Environmental Services Manager

Telephone Number

Email: cpaine@sholland.gov.uk

Key Decision: N

Exempt Decision: N

This report refers to a Discretionary Service

Appendices attached to this report:

Appendix A Proposed Changes to Hours of Operation

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APPENDIX A - Proposed amendments to the Schedule to the South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012 (as amended).

The changes will ensure that in all Spalding car parks detailed below:

- charges will apply from 8am to 6pm Mondays to Saturdays inclusive, except Herring Lane, Spalding where charges will apply 8am to 8pm Mondays to Saturdays inclusive
- no charges or maximum waiting times will apply between the hours of 6pm (or 8pm for Herring Lane) and 8am, nor on Sundays and Bank Holidays

Column nos. 2 and 3 of the existing Schedule are not affected and are therefore not reproduced.

Column 4 shows the hours during which members of the public are able to use the Parking Places, with or without restriction.

Amended wording is shown in underlined italics.

1. Car Park <u>Parking Place</u>	4. Days and hours of operation of Parking Place	5. Maximum period for which Vehicles may park (proposed)	6. Details of charges
Albion Street, Spalding (Castle Sports Complex parking area - <u>dry side</u>)	Daily All Hours	Four hours (short stay) - <u>Mondays to Saturdays inclusive</u> <u>8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays</u> <u>to Saturdays inclusive, and</u> <u>Sundays and Bank Holidays</u>	<u>None</u>
Gore Lane, Spalding	<u>Daily All Hours</u>	<u>Four hours (short stay) -</u> <u>Mondays to Saturdays inclusive</u> <u>8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays</u> <u>to Saturdays inclusive, and</u> <u>Sundays and Bank Holidays</u>	<u>None</u>

Herring Lane, Spalding	Daily All Hours	<u>Four Hours (short stay) -Mondays to Saturdays inclusive 8am to 8pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 8pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Holland Road, Spalding	Daily All Hours	<u>Ten Hours (long stay) - Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Pinchbeck Road, Spalding - Swimming pool car park and Castle Field parking area immediately adjoining the swimming pool	Daily All Hours	<u>Four Hours (short stay) - Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Priory Road, Spalding (Council Offices Public Bay 1)	Monday to Fridays 8am to 6pm <u>Daily All Hours</u>	<u>30 Minutes (short stay) - Mondays to Fridays inclusive 8am to 6pm</u>	None
		<u>Unlimited - 6pm to 8am Mondays to Fridays inclusive, and Saturdays and Sundays and Bank Holidays</u>	<u>None</u>

Sheep Market, Spalding	Daily All hours except on Tuesdays and Saturdays when there is a market <u>Daily All Hours</u>	One Hour (short stay) - <u>Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
The Vista, Spalding	Daily All Hours	<u>Ten Hours (long stay) - Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Victoria Street, Spalding	Daily All Hours	<u>Ten Hours (long stay) - Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Vine Street, Spalding	Daily All Hours	Four Hours (short stay) - <u>Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>

Winfrey Avenue, Spalding North of bus station	Daily All Hours	<u>Ten Hours (long stay) -Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Along Eastern Boundary of Bus Station	Daily All Hours	<u>Ten Hours (long stay) - Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>
Along Western Boundary of Bus Station	Daily All Hours	<u>Ten Hours (long stay) -Mondays to Saturdays inclusive 8am to 6pm</u>	Previously approved by Cabinet 29.10.19
		<u>Unlimited - 6pm to 8am Mondays to Saturdays inclusive, and Sundays and Bank Holidays</u>	<u>None</u>