



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

EXECUTIVE
COUNCIL

5 November 2019

WARDS AFFECTED: Burbage St Catherines and Lash Hill
Hinckley Clarendon
Hinckley Castle

Variation to Off Street Parking Order

1. PURPOSE OF REPORT

- 1.1 To seek Members' approval to vary 2016 Off Street Parking Places Order.
- 1.2 To seek Members' approval to implement a method of parking control on designated HBBC Housing land.

2. RECOMMENDATION

- 2.1 Council approve the proposed variation (No 4) to the Off Street Parking Places (Hinckley and Bosworth) Order 2016, as amended in 2018 (Appendix A), to incorporate Housing Land, namely:
 - Westfield Court Residents Car Park, Westfield Road, Hinckley, LE10 0QR
 - Castle Court Residents Car Park, Brookside, Burbage, LE10 2TL
 - Royal Court Royal Court, Station Road, Hinckley, LE10 1BH.
- 2.2 Delegate authority to the Anti Social Behaviour and Tenancy Manager to publish a notice of proposals and undertake the consultation process in relation to variation to the Off Street Parking Places (Hinckley and Bosworth) Order 2018.
- 2.3 Subject to there being no objections received within the relevant statutory period that authority be delegated to the Anti Social Behaviour and Tenancy Manager to make the order and publish the notice of making.
- 2.4 Where there are objections received that a written report be produced detailing the objections and that authority be delegated to the Director (Community Services) and the Executive Member with responsibility for Housing Land in conjunction with the Legal Services Manager to consider such objections and consider whether the variation to the order should be confirmed or not.

- 2.5 Delegated authority to the Anti Social Behaviour and Tenancy Manager to make minor variations to the order upon receipt of any objections.

3. BACKGROUND TO THE REPORT

- 3.1 The Council is able to control parking within its administrative area through the production of an Off Street Parking Places Order under the Traffic Regulation Act 1984. The current Car Parking Places Order was approved in 2014 and was subsequently amended in 2016 and 2018. This report seeks a further amendment to include housing land. Specifically, the car parks with ongoing nuisance parking issues which continue to negatively affect residents of Hinckley and Bosworth Council.

- 3.2 A variation to the existing 2016 Order, as amended in 2018, is proposed.

- 3.3 Key changes included within the variation are:-

- Resident permits and visitor permits to be introduced to all residents of Westfield Court, Westfield Road, Hinckley, LE10 0QR.
- Resident permits and visitor permits to be introduced to all residents of Castle Court, Brookside, Burbage, LE10 2TL.
- Resident permits and visitor permits to be introduced to all residents of Royal Court, Station Road, Hinckley, LE10 1BH.
(Detailed in Appendix B)

- 3.4 The proposed amendments to the current order will ensure that the council is able to effectively challenge persistent nuisance parking issues which affect the three Housing owned car parks that have been identified as problematic in the following ways:

- 3.5 **Westfield Court Car Park** is opposite Westfield Junior School. During the school drop off and collection times, many parents or guardians use Westfield Court Car Park to park their vehicles whilst dropping off or collecting their children from school. Residents of Westfield Court are predominantly over 55, many of whom have health concerns. On a number of occasions the emergency services have been prevented from gaining access to the complex due to nuisance and inconsiderate parking from those visiting the school. Furthermore, on a daily basis, many residents are prevented from being able to move their cars in or out of the car park due to inconsiderate visitors to the school blocking their cars in. When residents have challenged those using the car park, they have been met with animosity and verbal abuse.

- 3.6 **Castle Court Car Park** is situated on Brookside, Burbage, in close proximity to the train station. Castle Court is a sheltered scheme and is residence to many vulnerable individuals. Castle Court Car Park is being used by non residents including commuters who use the nearby train station. It is also used by those residents living on Brookside, who could park on their own road. Several residents from Brookside have also created their own access from Castle Court Car Park into their own gardens. The use of the car park has previously and continues to cause nuisance and alarm to many residents of Castle Court, particularly those with mobility issues who are prevented from park close to the entrance.

- 3.7 **Royal Court Car Park** is situated on Station Road, Hinckley. It is in close proximity to the train station and Hinckley Town Centre. Royal Court is a sheltered scheme and

is residence to vulnerable and elderly individuals. Royal Court Car Park is being used by commuters using the train station, and visitors to the Town Centre. This is causing alarm and distress to residents of the scheme, particularly those with mobility issues who would like to be able to park their own cars within the car park and are sometimes prevented from doing so.

3.8 The proposed amendments to the current Order would alleviate many issues for local residents living in Westfield Court, Castle Court and Royal Court and would allow them to peacefully enjoy the surrounding areas of their properties without any concern for restricted access to emergency services or limited access for their own use of the car parks at specified times. Informal consultation has already taken place with residents within the Sheltered Housing schemes to be affected. Those consulted with are in support of the proposed amendments to the car parking order.

3.9 In order to implement the car parking order in these areas, reliance will be on the existing enforcement officers to enforce against anyone who has not presented a permit. Once the order is in place, the ASB and Tenancy Management team will inform the enforcement officers if the order is being continually breached. Only then will the enforcement officers be requested to specifically target these areas. In this way, we can ensure that the enforcement officers remain able to respond to the most problematic areas across the borough.

4. FINANCIAL IMPLICATIONS (CS)

4.1 All the changes to car park designations have been reflected within the 2019/20 budget.

4.2 Costs to progress the Order (publicity and consultation) are estimated to be £4k. The costs will be met from a Community Initiative fund.

5. LEGAL IMPLICATIONS (FA)

5.1.1 The Council has the statutory power to vary and make off-street parking places and control those places under section 32, 35 and Schedule 9 of the Road Traffic Regulation Act 1984. The legal implications are referred to in this report.

6. CORPORATE PLAN IMPLICATIONS

6.1 The proposed amendments to the Car Parking Places Order support the priority ambition of corporate plan with regards to:

- Enabling and inspiring older people to make the most of later life
- Supporting vulnerable people and those who are most in need
- Take measures to reduce anti social behaviour and protect people from harm

7. CONSULTATION

7.1 The variation to the Order will be open to public consultation for 21 days of the notice of proposals, or, if later, the end of the Council's compliance with the publicity and deposit rules. Objections must be in writing and state the grounds for objection.

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to make the order could prevent an emergency service response from being enabled	Implementation of the variation and subsequent enforcement	Kim Fearn
Failure to make and implement the order could have a negative impact on the wellbeing of residents and create a lack of confidence in the council	Ensure the Order is promptly advertised, made and implemented	Kim Fearn
Implementation of the amendments could lead to more vehicles parking on the street, again causing a nuisance to residents	Ensure all those concerned are aware of the amendments at the earliest opportunity eg. schools and other nearby residents so they can accommodate for the changes.	Kim Fearn

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 Blue badge holders will continue to get free parking in council owned car parks.

10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
 - Environmental implications
 - ICT implications
 - Asset Management implications
 - Human Resources implications
 - Planning Implications

Background papers: Appendix A: Variation to HBBC Off Street Parking Places Order 2018
Appendix B: Maps of proposed areas to include within revised area.

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