



Hinckley & Bosworth
Borough Council

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FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

COUNCIL 5 NOVEMBER 2019

WARDS AFFECTED: Hinckley wards
Burbage St Catherines and Lash Hill

OFF STREET PARKING PLACES ORDER – VARIATION OF CHARGING TIMES, AND ADDITION OF HOUSING LAND

Report of Director Environment and Planning

1. PURPOSE OF REPORT

1.1 To seek Members approval to vary the Off Street Parking Places Order.

2. RECOMMENDATION

2.1 That Council:-

- a) approves the proposed variation to the off street parking places order to change the charging times on four pay and display car parks, namely
 - Trinity East Car Park
 - Castle Car Park (former Co-op site)
 - Lower Bond Street Car Park
 - Thorneycroft road car park
- b) approves the proposed variation to the Off Street Parking Places (Hinckley and Bosworth) Order 2014 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.
- c) delegates authority to the Head Of Street Scene Services and the Anti Social Behaviour and Tenancy Manager to publish a notice of proposals in relation to the Off Street Parking Places (Hinckley and Bosworth) Order 2014 as detailed in section 3.
- d) delegates authority to the Head of Street Scene Services and Anti Social Behaviour and Tenancy Manager, subject to there being no objections received within the relevant statutory period, to make the order and publish the notice of making.
- e) requires that where there are objections received, a written report be produced by the Head of Street Scene Services and Anti Social Behaviour and Tenancy

manager detailing the objections and that authority be delegated to the Director of Environment and Planning, the Director of Community Services and the Executive Members with responsibility for Car Parks and 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.

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 variation to the Order recommended within this report sets out the terms and conditions for use of Council owned car parks, and the charges and penalties which apply to those using the car parks. Once made, it would form the legal basis from which all future charges and enforcement actions are made.

Variation to charging times

- 3.2 The proposed variation introduces 264 free parking spaces after 3pm to support Hinckley Town centre, and 133 free parking spaces prior to 8.30am to support residents where there is limited on street parking.
- 3.4 Free parking after 3pm would apply on the following car parks giving good coverage across the town centre:
- Trinity East Car Park
 - Castle Car Park (former Co-op site)
 - Lower Bond Street Car Park
- 3.5 Free parking before 8.30am would apply to
- Lower Bond Street Car Park
 - Thorneycroft Car Park
- 3.6 Charging periods on all other pay and display car parks would remain as 8am – 6pm Monday to Saturday inclusive.

Addition of housing land

- 3.7 The proposed variation extends parking controls to residents car parks on housing land with on going nuisance issues which negatively affect residents.
- 3.8 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.
- 3.9 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:
- 3.10 **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 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.

- 3.11 **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.
- 3.12 **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.
- 3.13 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.
- 3.14 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.
- 3.15 Consultation on changes to the order will take place in November / December 2019.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

- 4.1 This report is to be taken in open session.

5. FINANCIAL IMPLICATIONS [AW & CS]

- 5.1 The loss of income from the variation to charging times is estimated to be £31,600 in total, based on the times of free parking in the car park noted being:
- Free after 3pm, reduction in income will be £30,100
 - Free before 8.30am, reduction in income will be £1,500

This can be funded for up to four years from the Special Expenses Area earmarked reserve, if continued after this period the costs would fall on the general Fund.

Costs to vary order / amend signage can be covered from existing revenue budgets, and where practical will be combined with other variations to the order to minimise costs.

5.2 All changes to the housing car parks have been reflected within the 2019/20 budget.

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

6. LEGAL IMPLICATIONS [FA]

6.1 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.

7. CORPORATE PLAN IMPLICATIONS

7.1 The variation to the parking places order supports the following Corporate Plan aims:

- Places: ensure the transport and community infrastructure can support growth.
- Prosperity: support the regeneration of our town and village centres.
- 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

8. CONSULTATION

8.1 The variation to the Order will be open to public consultation for 28 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. Responses received will be fully considered before the making of the variation to the order.

8.2 Hinckley Area Committee were supportive of the proposals to change charging times on pay and display car parks. They were not consulted on the changes to housing land.

9. RISK IMPLICATIONS

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

9.2 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.

- 9.3 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 and implement the Order – loss of revenue and control over parking	Ensure Order is promptly advertised, made and implemented	Caroline Roffey
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

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 10.1 No changes are proposed to the provision of free car parking for blue badge holders.
- 10.2 The increased number of permits available for residents should assist residents living near the town centre.

11. CORPORATE IMPLICATIONS

- 11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

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Executive Member: Councillor S Bray (Car Parks), councillor M Mullaney (Housing)