



1. PURPOSE OF REPORT

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

2. RECOMMENDATION

2.1 Council approve the proposed Off Street Parking Places (Hinckley and Bosworth) Order 2014

2.2 Delegate authority to the Head Of Street Scene Services to publish a notice of proposals in relation to the Off Street Parking Places (Hinckley and Bosworth) Order 2014 as attached at Appendix one;

2.3 Subject to their being no objections received within the relevant statutory period that authority be delegated to the Head of Street Scene Services 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 Chief Officer (Environmental Health) and the Executive Member with responsibility for Car Parks in conjunction with the Legal Services Manager to consider such objections and consider whether 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 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.

3.2 Due to the significant number of changes proposed to the existing 2013 order, a new Off Street Parking order is proposed to implement these changes and produce a comprehensive and up to date Order. A copy of the order is attached in appendix one. Though the current Order allows for changes to be made without the need for a new order, this can only be where changes are not "substantial". The changes proposed are considered to be substantial therefore a new order is proposed.

3.3 Key changes included within the proposed Order are:-

- The removal of Brunel Road North, Brunel Road South and Bus Station car parks following the commencement of the Crescent development.
- The removal of the Argents Mead Council Offices Staff and Visitors car parks to be redeveloped as part of the Leisure centre relocation.
- The addition of the Jubilee Building car parking (staff/ permit holders only)
- The introduction of pay and display charges at the Hinckley Hub car park.
- The addition of the Rock Garage and Westfield Community Centre car parks (staff / permit holders only)

- 3.4 An amendment to the Order will be required prior to the opening of the Leisure Centre.
4. FINANCIAL IMPLICATIONS [IB]
- 4.1 The estimated additional income of £6,000 - £9,000 from changes to the Hinckley Hub car park was approved by Executive on August 6th 2014.
- 4.2 Costs of advertising the Off Street Parking Places Order are estimated to be £2,000. This can be met from existing budgets.
5. LEGAL IMPLICATIONS [EH]
- 5.1 The Council has the statutory power to make off-street parking places and control those places under section 32, 35 and Schedule 9 of the Road Traffic Regulation Act 1984. The procedure for making an Order is set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 5.2 The 1996 Regulations contain the detailed procedure for making an order, which includes consultation with statutory bodies on the proposal, advertising requirements and the duty to consider objections prior to making an Order. All these elements have been covered within the recommendation of the report as, owing to the need to progress the order promptly the various powers have been suggested for delegation
- 5.3 Although it is unusual a public inquiry can be held to deal with objections. Where there is a need to hold a public enquiry members will be updated.
- 5.4 Implications with regards to each step of the process will be fully considered by officer in consultation with Legal Services.
- 5.5 The Order ensures that all previous orders are revoked from the date of making, for clarity and certainty.
6. CORPORATE PLAN IMPLICATIONS
- 6.1 Car parking supports the aims of creating a vibrant place to work and live, and providing value for money services.
7. CONSULTATION
- 7.1 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 and implement the Order – loss of revenue and control over parking	Ensure Order is promptly advertised, made and implemented	Jackie Lee

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
- Voluntary Sector

Background papers: Appendix One: HBBC Off Street Parking Places Order

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