

PORTFOLIO HOLDER – ENVIRONMENT & TRANSPORT

DATE	19 June 2023
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder for Environment and Transport
RESPONSIBLE OFFICER	Carolina Borgstrom, Director for Environment, Economy and Infrastructure
SUBJECT	Amendment to the Off Street Parking Places Order 2022 – Variation of parking tariff on Marine Walk car park, Cleethorpes.
STATUS	Open
FORWARD PLAN REF NO.	PHET 06/23/01

CONTRIBUTION TO OUR AIMS

A borough wide Parking Strategy directly supports both the Council's priorities of a "stronger local economy" and "stronger communities" by ensuring that there is an effective and equitable approach to both on and off-street parking.

The Council has clear ambitions for the economic growth of North East Lincolnshire as set out in its Economic Strategy and Local Plan.

This report and the appended documents present an approach in the resort to the introduction of free two hour stay on Marine Walk car park, Cleethorpes together with the all-day tariff.

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an amendment to the North East Lincolnshire Borough Council Off Street Parking Places Order 2022, to introduce a free two hour stay on Marine Walk car park, beside the £1.50 tariff applying for any longer duration of stay up to ten hours, ending at 6pm daily.

Full details of the proposed changes to parking provision to be included in The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022 (Amendment 4) are scheduled in Appendix 1 to this report.

Appendix 1 – The North East Lincolnshire Borough Council (Off Street Parking Places) Order 2022 – Amendment to Schedule 4 - Parking places, tariffs, times and charges of use under this order for Marine Walk car park, Cleethorpes.

Appendix 2 – Map of Parking Place Location, Marine Walk car park, Cleethorpes.

RECOMMENDATIONS

It is recommended that the Portfolio Holder

1. Approves the proposed introduction of a free two hour stay alongside a parking charge of £1.50 for any duration thereafter up to ten hours, ending at 6pm daily, on Marine Walk car park, Cleethorpes.
2. Approves the commencement of consultation on 'The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022 (Amendment No.4 2023)'.
3. Subject to no objections being received, the Portfolio Holder approves the making of The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022 (Amendment No.4 2023), as detailed in Appendices 1.
4. In the event that there are unresolved objections to the Order, these are referred back to the Portfolio Holder for determination and decision as to whether or not the Parking Places Order be confirmed.

REASONS FOR DECISION

It was requested at the Portfolio Holder for Environment and Transport meeting held on Monday 3rd April 2023, that consideration should be given to a variation to the agreed implementation of parking charges at the Marine Walk car park.

1. BACKGROUND AND ISSUES

- 1.1 Introducing charging all year round on Marine Walk car park at a set cost of £1.50 for ten hours between the hours of 8am and 6pm, was approved, using the current pay by phone provider. Outside of these hours parking is unrestricted. The car park is closed by notice at 10pm until 6am.
- 1.2 Marine Walk car park is extremely popular with locals all year round, due to it being historically free of charge to park. There are a lot of dog walkers, families, and runners who use the car recreationally as a base to park.

2. RISKS AND OPPORTUNITIES

- 2.1 The legal process involved in making Orders requires that a formal consultation process be undertaken to allow stakeholders to express their views towards the proposal. Should the correct procedures for formal consultation not be adhered to, those consulted upon may have the right of appeal through application to the High Court.
- 2.2 The legal Order would be amended to reflect the proposed changes to parking provision and the implementation of charges.
- 2.3 There is an increased risk of attempted theft and damage if placing a ticket machine on Marine Walk car park, due to the remote location. There are ongoing issues with card readers in existing ticket machines in other locations

and the possibility of a poor signal in the Marine Walk location.

- 2.4 Marine Walk car park will be trialled as a cashless car park only, using the current pay by phone provider. This would alleviate the need for a ticket machine and only signage would be required, removing costs for the purchase of a ticket machine, operating costs and maintenance.
- 2.5 Using only a pay by phone provider as a means to validating a free two hour parking session may carry a risk of not providing an alternative option to validate the parking session for those without access to a mobile phone. An Equality Impact Assessment will be completed.
- 2.6 In the absence of a valid parking session showing on the handheld devices used by the Civil Enforcement Officers, there is no method to enforce the two hour free stay, as the arrival and expiry time for the free two hours would not be known.
- 2.7 If a customer registers on pay by phone for a two hour free parking session, and decide to extend their stay, then they will have the option of paying for the all-day rate of £1.50.
- 2.8 There is a risk involved if a customer registers on pay by phone for a two hour free parking session, wait for the session to expire, and create another new free session for two hours, they would avoid paying the all-day rate. This is a limitation within the system currently, which the pay by phone providers development team are focusing on a new feature release for managing free time, however this is not yet been released.
- 2.9 Signage will be placed in a prominent place within the car park to advise the public of the requirement to register for a two free hour stay or make a payment for a longer duration of stay, using the Council's current pay by phone provider, between the hours of 8am and 6pm.

3. OTHER OPTIONS CONSIDERED

- 3.1. Do nothing – this would mean that the approach to parking becomes detached from current priorities and strategy.
- 3.2. Charging between the hours of 8am and 6pm, daily with no free period.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1. The amendment Order will be formally advertised in accordance with legislation. A public notice will be published in the local press and erected in the relevant Off-Street Parking Places to give advice on the Council's intention to make any order. This provides an opportunity for anyone to engage with the making of the order. Process is designed to ensure transparency for the approval and subsequent publication of the North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022 (Amendment No.4 2023).
- 4.2. Communication regarding the progress and delivery of any order will be

through:

- Publication of the relevant public notices in the local press and in all relevant parking places
- Portfolio Holder updates
- Email to Ward Councillors on commencement of each stage of the process

4.3. There is a potential negative reputational risk for the Council if objections to a Traffic Regulation Order (TRO) are received where a resolution is not possible. Should this occur the Portfolio Holder will resolve.

4.4. Positive external communications will be made to promote the introduction of a free two hour period alongside a nominal all day parking charge on Marine Walk car park.

5. FINANCIAL CONSIDERATIONS

5.1. The cost of advertising any new order is covered through the Council's Regeneration Partnership arrangement with Equans.

5.2. An estimated cost of £500 would be required from the council parking budget for a tariff board.

5.3. There will be no cost for implementing the new tariff using the Council's cashless payment provider.

5.4. Additional enforcement will be required but this should not have any effect on resources, as this car park is already visited by Civil Enforcement Officers.

5.5. Any financial surpluses as a result of revenue from Penalty Charge Notice (PCNs) must be used for the purposes set out in section 55 of the Road Traffic Regulation Act 1984 (as amended).

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The proposals have no implications for children and young people.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The proposals are not expected to impact on climate change.

8. CONSULTATION WITH SCRUTINY

Consultation with the Tourism Scrutiny Panel has taken place.

9. FINANCIAL IMPLICATIONS

The proposal would generate a small amount of additional parking fee income to the Council.

10. LEGAL IMPLICATIONS

10.1 Under Section 32 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Regulation Orders (TROs) for (inter alia) the

reasons set out at the beginning of this report. Sections 33-35 specifies what TROs may require and the recommended order is within those powers.

- 10.2 The procedure for making TROs is set out in Schedule 9 Part III of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and provides for advertisement and consideration of any objections before making a final decision on the proposed TRO.
- 10.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.
- 10.4 If it is decided to make the TRO notwithstanding any objections, once made the order can only be challenged by Judicial Review in the Administrative Court.

11. HUMAN RESOURCES IMPLICATIONS

There are no HR implications.

12. WARD IMPLICATIONS

The proposals affect the Haverstoe Ward.

13. BACKGROUND PAPERS

Portfolio Holder for Environment and Transport held on Monday 3rd April 2023
DNPH.ETE.25

14. CONTACT OFFICER(S)

Carolina Borgstrom, Director for Economy, Environment and Infrastructure
01472 326207

Mark Nearney, Assistant Director Housing and Infrastructure
01472 324122

Paul Thorpe, Operations Director, Equans
01472 324483

COUNCILLOR STEWART SWINBURN

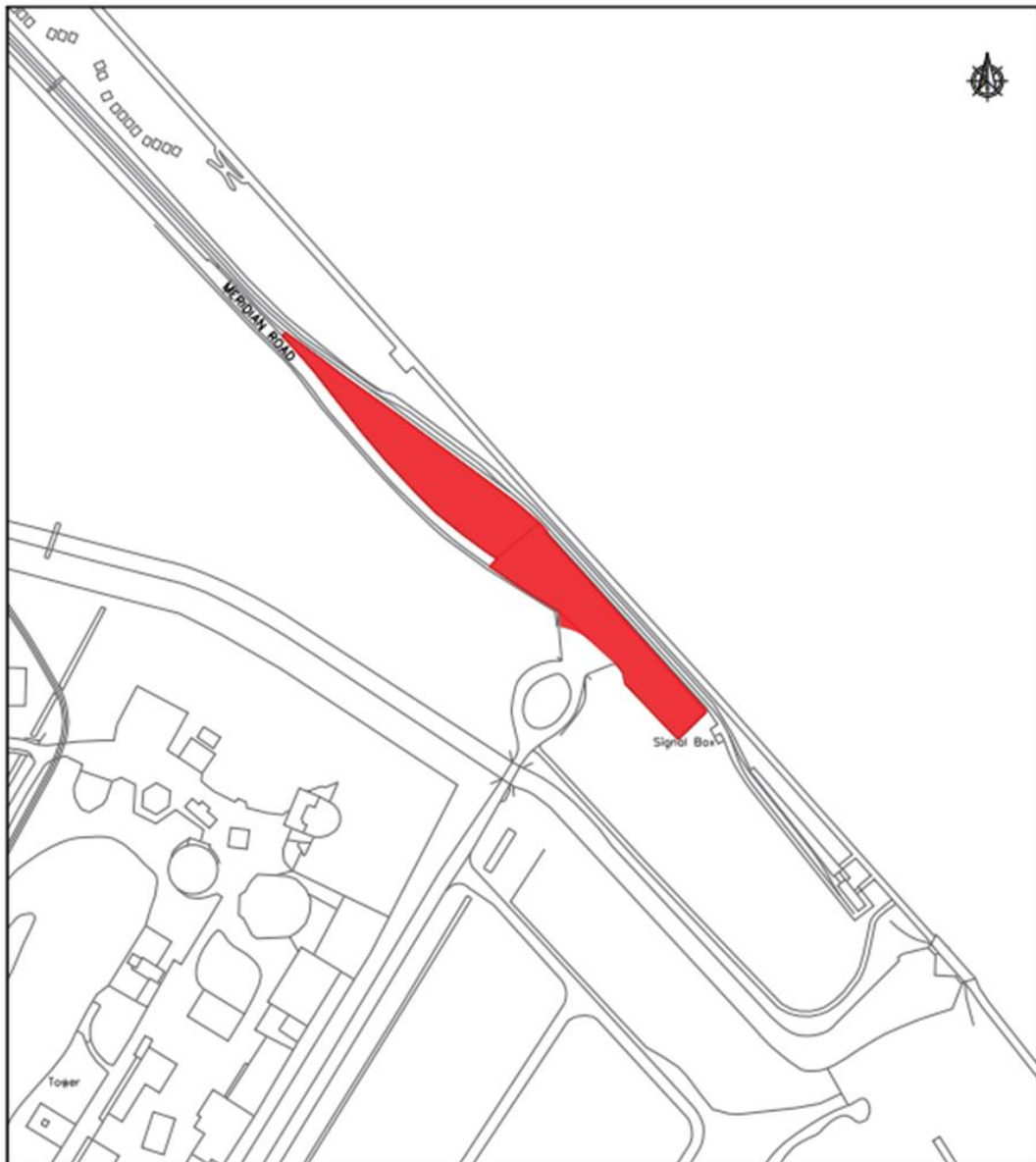
PORTFOLIO HOLDER FOR ENVIRONMENT AND TRANSPORT

Appendix 1

SCHEDULE 3 - PARKING PLACES, TARIFFS, TIMES AND CHARGES OF USE UNDER THIS ORDER

1 NAME OF PARKING PLACE	2 CLASSES OF VEHICLE	3 POSITION IN WHICH VEHICLE MAY WAIT	4 DAYS AND HOURS OF OPERATION OF PARKING PLACE	5 CHARGING PERIOD	6 MAXIMUM PERIOD FOR WHICH VEHICLES MAY WAIT	7 PARKING CHARGES	8 SCALE OF CHARGES AS SHOWN IN SCHEDULE 4.1, 4.2 and 4.3
29 Marine Walk, Meridian Road, Cleethorpes	Motor Vehicles licensed as private or private/light goods, vehicles not exceeding 2.5 tons in weight and or two metres in height, Camper Vans, solo motorcycles, and Disabled Person's Vehicles. No Caravans, Motor Caravans or Quad Bikes permitted.	Clear of the driveways, entrances and exits.	Monday to Sunday inclusive.	Charges apply Monday to Sunday 8am – 6pm including Bank Holidays.	6am to 10pm. No overnight parking permitted. Closed by Notice at 10pm.	Monday to Sunday Up to 2 hours £0.00 * Up to 10 hours £1.50 * validated by a Voucher for the Free Period.	Not Applicable.

Appendix 2



Mapping material in this plot has been reproduced from the Ordnance Survey Digital Data with the permission of the Controller of HMSO (c). Crown Copyright Reserved 1996, Licence No 100020759. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

 Working in partnership <small>New Oxford House, George Street, Grimsby, North East Lincolnshire, DN31 1HB Tel: 01472 313131</small>	PROJECT Off-Street Parking Places Car Park Location		
	TITLE 29 Marine Walk, Meridian Road Cleethorpes		
CLIENT NORTH EAST LINCOLNSHIRE COUNCIL	DRAWN JT	APPROVED	FILE NAME
	FILE REF.	DATE October 2022	DRAWING No.
	ORIGINAL SIZE A4 (210 x 297)	SCALE NTS	OffStreet-2022-29