

Cabinet Member for Public Services

13 June 2016

Name of Cabinet Member:

Cabinet Member for Public Services – Councillor J Innes

Director Approving Submission of the report:

Executive Director of Place

Ward(s) affected:

All Wards

Title:

Changes to Council car parks and variations to the Off Street Parking Places Order

Is this a key decision?

No

Executive Summary:

The Council is required to control parking within its car parks through an Off-Street Parking Places Order (OSPPO) made under the Traffic Regulation Act 1984. The Order forms the legal basis for charging and the enforcement in Council operated car parks.

The variations to the City of Coventry Off-Street Parking Places Order 2005 (as amended) described in this report reflect recent and planned changes to the Council's car park estate including the addition of new car parks and proposals to close another.

Where necessary, the Council is required to advertise the proposals and consider any objections made by the public.

Recommendations:

The Cabinet Member for Public Services is recommended to:

1. Approve the closure of Christchurch Basement car park in light of the pending development of the new leisure centre and waterpark on the Christchurch House / Spire House site.
2. Approve the addition of Spon Street as a new public car park and the proposed pricing structure.
3. Approve the addition of Watch Close car park for private use.
4. Approve the reinstatement of Grosvenor Road public car park together with the proposed pricing structure
5. Subject to the approval of points 1-4 above, instruct officers to commence the process of advertising the relevant Notice of Proposals and considering any objections.
6. Subject to point 5 above and there being no objections received within the relevant statutory time period, delegate authority to officers to proceed with the Notice of Making and make the amendments to the OSPPO.

List of Appendices included:

None

Background papers:

None

Other useful

Cabinet Report – City Centre Sports and Public Leisure Facility Development (August 2014)

Cabinet Report - Friargate Collaboration Agreement – Heads of Terms (February 2011)

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Changes to Council Car Parks and Variations to the Off Street Parking Places Order 2005

1. Context (or background)

- 1.1 The Council is able to control the use of car parks by virtue of the Off Street Parking Places Order (OSPPO). The OSPPO sets out the terms and conditions for use of the Council car parks and the charges which apply to customers using them. Where necessary, any proposed changes to the Order need to be advertised in the local press and any objections need to be considered and responded to accordingly.
- 1.2 A number of changes are required to some Council car parks and the nature of these changes requires a variation to the existing OSPPO. The background to each of the issues is as described as follows.

2. Options considered and recommended proposal

- 2.1 A variation to the City of Coventry (Off-Street Parking Places) Order 2005 (as amended), is required before the Council can manage and control the operation of car parks. The OSPPO sets out the terms and conditions of use of Council owned car parks and once it has been made and varied, it forms the legal basis on which the Council can enforce or charge for their use.
- 2.2 Do Nothing - To 'do nothing' is not an option as the Council is required to control the use of car parks through the production of the OSPPO which is made under the Road Traffic Regulations Act 1984.
- 2.3 The following proposals are recommended:

2.3.1 Christchurch Basement Car Park

In August 2014, Cabinet approved the development of a new city centre public sports and leisure facility on the existing site of Christchurch House and Spire House. This development is due to commence in the summer 2016 and will require the vacant possession of the building together with the basement car park underneath.

Christchurch car park has space for 90 cars. It operates exclusively as a private car park by pass holders during Monday to Friday and as a 'Pay on Foot' public car park during Saturdays and Sundays.

Ultimately the land will be subject to development as part of the new sports and leisure centre and as such Christchurch car park will cease to operate as either a private or public car park. The car park is owned and operated by Coventry City Council and is listed in Schedule 1 (Short Stay Car Parks) of the OSPPO.

It is proposed that the Council advertise a Notice of Proposals to close the car park in order to facilitate the construction of the new sports and leisure centre. Subject to the Council receiving no objections within the statutory time period, it is further proposed that the Council advertises the Notice of Making and amends the OSPPO to remove Christchurch car park.

It is expected that the existing users of the car park will be displaced to other nearby car parks, including the Barracks multi-storey and New Union Street car parks which are in the immediate vicinity.

2.3.2 Spon Street ‘Pocket’ Car Park

During February 2016, the Council completed the construction of a new car park off Spon Street close to the junction with Fleet Street. The car park has space for 15 cars.

In order that the Council can manage the car park as a going concern, including the enforcement of any inconsiderate or illegal parking and charging for its use, the Council is required to add Spon Street ‘pocket park’ to the OSPPO.

This report seeks approval to advertise the Notice of Proposal and to add Spon Street car park to the OSPPO. It is also proposed that the scale of charges that is introduced in the car park is consistent with the existing on-street parking charges in Spon Street which fall within city centre zone 1. The scale of charges is as follows:

Area	Charge (Monday to Saturday 8.00am to 6.00pm)					Maximum duration of stay (hours)	Evening charge (after 6.00pm)	Sunday/ Bank Holiday charge (10am to 4pm)
	Up to 30mins	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours			
Zone 1	50p	£1.00	£2.00	n/a	n/a	2	Free	As per weekday

Subject to there being no objections received within the statutory time period, it is further proposed that the Council advertises the Notice of Making and amends the OSPPO to include Spon Street car park.

2.3.3 Watch Close Car Park

Watch Close car park is located off Spon Street and is managed by the Council as a privately operated car park. It has capacity for 16 cars.

The car park has historically been used by several local traders based in Spon Street but in recent times it has become used more and more by members of the public free of charge and this has caused a lot of consternation with the traders. To date, the Council has been unable to control its use and misuse as the car park isn’t listed in the OSPPO.

This report seeks approval to advertise the Notice of Proposal to add Spon Street car park to the OSPPO so that the Council can manage the car park as a going concern, including the enforcement of any inconsiderate or illegal parking and charging for its use. It is proposed that local traders buy annual season tickets to permit them to use the car park. Currently, the cost of a season ticket for Watch Close car park is set at £600.00 per year.

Subject to the Council receiving no objections within the statutory time period, it is further proposed that the Council advertises the Notice of Making and amends the OSPPO to include Watch Close car park.

2.3.4 Grosvenor Road Car Park

In September 2014 the Cabinet Member (Public Services) approved a report to close Grosvenor Road car park as the site was due to transfer to Friargate LLP and be redeveloped as part of the Friargate development. As a result, the car park was removed from the OSPPO by a variation to the Order and ceased to operate as a public car park.

Friargate LLP hasn’t yet taken ownership of the land and they are unlikely to do so until spring 2017. Consequently, the site isn’t being managed as a car park.

Grosvenor Rd car park has capacity for 83 cars. In order that it can be reinstated as a public car park under the day-to-day management of the Council, it needs to be added to the OSPPO. Consequently, this report seeks approval to advertise the Notice of Proposal to add Grosvenor Road car park to the OSPPO and to charge the public the following rates for using it:

TARIFFS APPLY	Charge by the hour (Mon-Fri)					Sat		Sun	Bank Hol (Monday)
	0 to 1	1 to 2	2 to 3	3 to 4	4+	0 to 2	2+		
08:00 – 18:00	£3.00	£4.00	£4.50	£5.00	£8.00	50p	£1.00	Single charge 50p per visit	
18:00 – 08:00	50p								

Subject to the Council receiving no objections within the statutory time period, it is further proposed that the Council advertises the Notice of Making and amends the OSPPO to include Grosvenor Road car park.

It is recommended that the proposals that are outlined in this report are advertised as Notices of Proposals (NoPs) in the local press and on site. The NoPs provide the public and users of the car park with 21 days notification of the changes in which they can object.

3. Results of consultation undertaken

3.1 No consultation has been undertaken. The NoPs referred to above are in line with our obligations to consult the public. This process affords the public and any other users with a 21 day objection period.

4. Timetable for implementing this decision

4.1 If the recommendations in this report are approved officers will progress immediately with the relevant adverts to advertise the NoP's on site and in the local press.

5. Comments from Executive Director, Resources

5.1 Financial implications

The estimated positive financial impacts associated with the opening / re-opening of Spon Street, Watch Close and Grosvenor Rd car parks are not expected to be significant. The effect of the closure of Christchurch basement car park is also not expected to be large; it is hoped that the displacement of users into other nearby car parks should mitigate any adverse impact on car park income.

An estimate of the financial impact of the changes is presented in the table below:

Car Park	Annual Income (Current) £000	Est. Annual Income (Projected) £000	Est. Costs to set up	Est. Impact of Change £000	Comment
Christchurch	5	0	0	(5)	
Spon St	0	18	0	18	Assumes income equivalent to £4 per space per day
Watch Close	7	10	(2)	1	Costs for additional signage. Income from traders' permits
Grosvenor Rd	6	8	(10)	(8)	Repairs to surface and lining
Total	18	36	(12)	6	

The costs of advertising the proposed amendments to the OSPPO will be met from existing revenue budgets.

5.2 Legal implications

Under section 32 of The Road Traffic Regulation Act 1984 the Council has powers to enable it to provide off-street parking places. The Council can choose to use its land as an off-street car park and can choose to stop doing so.

It can also choose whether to regulate the use of that car park through an Off Street Parking Order which gives the Council charging and enforcement powers. The subsequent removal of parking controls is subject to a statutory notice/objection process and the due consideration of any objections received.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The construction of the new leisure centre and water park facility will contribute to the regeneration of the city and specifically the city centre.

The management of car parks including the enforcement of restrictions in car parks contribute to the expeditious movement of traffic on the city's road network which improves the accessibility and reliability to the city centre.

6.2 How is risk being managed?

There is a financial risk associated with the Do Nothing option that could result in a loss of car park income to the Council.

6.3 What is the impact on the organisation?

There is a potential negative reputational damage if the Council does not effectively tackle the issues of illegal parking in car parks.

6.4 Equalities / EIA

No formal equalities impact assessment has been carried out. However, it is not expected that there will be any disadvantage to persons with disabilities or any other relevant characteristics if the proposed changes are introduced.

Disabled Blue badge holders are entitled to free parking within the Council operated public car parks.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None

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