

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 05 November 2018

Portfolio:	Health & Public Protection
Subject:	Review of Off-Street Car Parks TRO
Report of:	Director of Planning and Regulation
Corporate Priorities:	Maintain and Extend Prosperity

Purpose:

To consider the introduction of a Traffic Regulation Order (TRO) to amend the current Borough of Fareham (Off-Street Parking Places) Consolidation Order 2017.

Executive summary:

This report considers the reasons for proposing amendments to the current TRO governing the use of the Council's Off-Street parking provision.

Recommendation/Recommended Option:

It is recommended that the Executive:

- (a) delegates authority to the Director of Planning and Regulation to make any necessary minor amendments to the draft TRO as deemed necessary prior to public consultation;
- (b) approves the statutory public advertisement of the proposed Traffic Regulation Order (TRO); and
- (c) delegates authority to the Director of Planning and Regulation, in consultation with the Executive Member for Health and Public Protection, to undertake the public consultation the proposed Traffic Regulation Order, consider any representations received in relation to the proposals, and implement the Traffic Regulation Order.

Reason:

To enable appropriate enforcement measures to be undertaken to maintain the use of the car parks for which Fareham Borough Council is responsible.

Cost of proposals:

The cost of the proposals will be met by the existing Off-Street Parking budget.

Appendices:

A: Map of locations of car parks for consideration in this report

B: Meon House Letter for Unauthorised Vehicles

C: Draft of The Borough of Fareham (Off Street Parking Places) Consolidation Order 2017 (Amendment)

Background papers:

Report to the Executive for Decision on 04 June 2018, titled 'Provision of Overflow Parking for Burr ridge Village Hall'

Reference papers:

None

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Executive Briefing Paper

Date:	05 November 2018
Subject:	Review of Off-Street Car Parks TRO
Briefing by:	Director of Planning and Regulation
Portfolio:	Health & Public Protection

Introduction

1. Fareham Borough Council owns, maintains and enforces numerous off-street car parks within the Borough. These car parks are subject to the Borough of Fareham (Off Street Parking Places) Consolidation Order 2017 Traffic Regulation Order (TRO), a legal document governing the use of the car parks and brought into operation on 16th June 2017.
2. Requests have been received from the Leisure & Community, Parking & Enforcement and Property Services Teams to implement or amend restrictions in a number of car parks in the Borough. This report details those requests individually, however the resulting TRO will amalgamate them into one proposed amendment to the 2017 Consolidation Order.
3. The locations of the affected parking areas are shown geographically in Appendix A and are detailed in the remainder of the report. The locations are:
 - Meon House Car Park (off Civic Centre Road);
 - Burridge Village Hall (Main Car Park);
 - Middle Road Car Park, Park Gate;
 - The Green Car Park, Stubbington; and
 - Car Park to the rear of Standen House, Stubbington.
4. In addition to the above amendments, it is seen as an opportune time to also change the articles within the TRO to reflect:
 - the discontinuation of swipe cards for disabled access to the Town Centre barrier operated car parks (Osborne Road Multi-Storey, Shopping Centre Multi-Storey & Market Quay), in favour of the use of the ANPR system for registered users;
 - the discontinuation of physical paper permits for staff within the Civic Offices and season tickets, which are to be virtual permits, whereby Civil Enforcement Officers are able to use their handheld devices to check a vehicle's permit status; and

- the necessary amendments and additions to the expressions and their description used within the Order to better reflect the meanings behind the text governing the Order.

Meon House Car Park - Background

5. Fareham Borough Council Estates acquired the site in 1975 and granted a lease for the car park to the County Council of the Royal County of Berkshire who owned Meon House at the time and used the property as offices for a term of 25 years. The lease was then assigned to Evergreen Properties in the 90's, then Eastleigh Housing Association and later transferred to Atlantic Housing Association in 2007.
6. In 1998 Eastleigh Housing Association were granted Planning permission to convert Meon House from offices to 15 flats and as part of the planning consent there was a requirement to provide parking spaces. However, in March 2009 the Housing Association served notice to terminate the lease of the car park as it wasn't being utilised by the tenants. The Council Planning department confirmed that there was no ongoing requirement for Atlantic Housing to provide car parking to their tenants and so the lease was not renewed, and the car park was handed back to FBC. Since then, FBC have been issuing annual car parking permits to a number of the businesses along High Street allowing the permit holders to park in the Meon House Car Park.
7. The Car Park consists of 21 spaces, of which 14 are exclusively for permit holder use, 3 are used by the Depot, 2 spaces are vacant and 2 are unusable. A map of the car park can be seen in Appendix A. The current permit fee is £521.49 per annum, and generates an annual income of £7,300 for FBC.
8. FBC Estates also permit access across the car park to Truffles restaurant for their deliveries. In addition to this consented access, there also appears to be a presumed pedestrian right of way through the car park to High Street.
9. It became apparent from the outset of Councils management of the car park that regular problems with unauthorised vehicles using the car park were occurring, and it was agreed in March 2010 that the Council would use the barrier and a combination padlock at the entrance of the car park to restrict access. On several occasions, the padlock was forcible removed and resulted in a number of confrontational situations between permit holders and some tenants of Meon House and the use of the barrier to control access was abandoned.

Meon House Car Park – Previous Enforcement

10. In November 2010, the Council instructed Shoal Enforcement to undertake clamping enforcement in the carpark, however this proved to cause more issues than it solved and therefore in April 2011 the enforcement methods were changed. The contract was transferred to a company called capital2coast who issued Penalty Charge Notices to vehicles infringing the parking rules.
11. This was successful for a period, however in 2014 capital2coast appeared to stop regular monitoring and patrolling of the car park and FBC would have to request enforcement visits following notification by permit holders of unauthorised parking. Vehicles that had been reported would have inevitably moved on by the time enforcement officers attended.

12. In 2016 capital2coast was taken over by One Parking, and FBC had hoped enforcement patrols would improve. However, since taking over One Parking have proved to be increasingly more difficult to contact. The contract has since expired and despite numerous requests for a new contract, nothing has been received. As a result there are currently no enforcement patrols of the car park and there has been a significant increase in the number of unauthorised vehicles using Meon House Car Park in the last 18 months.

Meon House Car Park – Enforcement Options Discounted

13. Several options have been considered and subsequently discounted. These options are detailed below.
14. From an enforcement point of view, all the Estates Department is able to do is to place a letter on the windscreen of an offending vehicle. A copy of the letter can be seen in Appendix B. However, this is proving ineffective, and FBC is aware of persistent offenders. Estates have also written to all the residents of the Meon House to explain that the car park is not for their benefit/use. However, the parking of non-permit holder vehicles is still rife.
15. Barrier & Padlock – Communications with permit holders have been sent indicating that an option open to the Council is to reinstate the existing barrier gate at the car park entrance along with a combination padlock, however this was met with resistance from a number of the businesses who feel that this would inconvenience them as car park users, especially in inclement weather where they would have to exit their vehicle to open the padlocked gate, drive into the car park and then have to lock the gate again. They also raised safety concerns, in that whilst opening the barrier to access the Car Park, their vehicles would be protruding onto the access road to the Shopping Centre Multi-Storey Car Park and cause an obstruction.
16. Conversion to Public Car Park - An on-site meeting was held between Estates and Parking teams to discuss possible solutions. The Parking Team indicated that to bring the car park up to an acceptable standard for use as a public car park would be very costly given the condition of the car park and the lack of electricity supply which would be needed to install an automatic or remote-control barrier system.
17. Understandably, the permit holders are becoming increasingly frustrated that this longstanding issue is still not resolved especially as they are the ones who are regularly inconvenienced.

Meon House Car Park – Proposed Solution

18. Following further discussions between Planning Strategy & Regulation, Estates and Parking Teams on the most efficient and best value for money enforcement solution, it is proposed to implement a Traffic Regulation Order to govern the use of the car park the Car Park.
19. The TRO would enable the Council to specify the Car Park as a Permit Holders Only Car Park, and allow timely and effective enforcement from FBC Civil Enforcement Officers, permitting the issuing of Penalty Charge Notices to vehicles in contravention of the Order.

Burridge Village Hall - Background

20. On the 4th June 2018, the Executive approved the recommendations in the Report on the Provision of Overflow Parking for Burridge Village Hall. Paragraph 3 of that report stated that, "The Council is currently determining community opinions regarding the introduction of Traffic Regulation Orders (TROs) for this site, which will reduce the misuse of the carpark by the vehicles from the Industrial Park".

Burridge Village Hall – Surveys and Outcomes

21. An online survey was undertaken between the 6th and 25th June 2018 requesting comments on the concept of introducing parking restrictions in the car park for the purpose helping to ensure there is enough space available for Village Hall users. The survey requested that respondents considered the following issues:
 - Some local businesses and employees appear to park their vehicles in the car park
 - The recreation ground has been damaged by cars parking on the grass when the car park is full
 - There are no other public car parks close by
 - Parking on the main road could lead to safety concerns
 - Extending the tarmac car park would be expensive and there is little available space to do so
 - The Council has been working with the Village Hall to identify overflow parking possibilities
22. Views were sought on the introduction of a time limits on vehicles parking in the Village Hall Car Park; it was as also suggested that the Council would make a number of Parking Permits available to the Village Hall and Sports Clubs for their members to use when they have legitimate reasons to exceed this time limit.
23. A total of 46 responses were received in which 34 (74%) were in support of the idea of implementing restrictions; 2 (4%) respondents were against; and the remaining 10 (22%) respondents were neither for or against.

Burridge Village Hall – Proposal

24. The proposal is for the introduction of a 4 hour maximum waiting period, combined with a no return period of 2 hours, which will enable a turnover of vehicles and effective management of the limited parking spaces within the Village Hall Car Park, whilst limiting the parking of vehicles by drivers who utilise the car park for their convenience rather than legitimate Village Hall business.

Middle Road (Park Gate), The Green (Stubbington) & Rear of Standen House (Stubbington) Car Parks - Background

25. The Parking and Enforcement Team has requested an amendment to the TRO governing the use of Middle Road (Park Gate), The Green (Stubbington) & Rear of Standen House (Stubbington) Car Parks.
26. The car parks are located in areas close to local district centres and provide crucial off-street parking facilities, primarily for the use of customers of local shops, in areas where there is limited on-street parking facilities.

27. Middle Road car park, located near the junction of Middle Road and Botley Road, Park Gate, Fareham has 33 spaces (including 1 disabled bay), and is subject to a maximum waiting period of 2 hours.
28. Located in the centre of Stubbington, The Green car park, comprising of 19 spaces including 1 disabled bay, and the car park to the rear of Standen House with 24 spaces including 3 disabled bays, are both subject to a maximum waiting period of 1 hour.
29. Although the maximum waiting periods are short for the Middle Road, The Green and Rear of Standen House car parks, and should provide a good turnover of vehicles, it has been noted that the car parks are regularly used by staff from local business that park for the maximum permitted period, and then move the vehicles from one bay to another, or leave the car park to conduct business and then return to the car park, effectively using the car park as a free business car park.
30. The effect of this behaviour restricts the number of spaces for legitimate customers of the shops and small businesses within the local areas and results in lower footfall and jeopardises the financial viability of some businesses through less trade.
31. The on-street parking provision in immediate vicinity of The Green, Rear of Standen House and Middle Road car parks, is restricted to 1 hour maximum stay between 8.00am to 6.00pm Monday to Saturday with no return within 2 hours. This caters to support a high turnover of vehicles and good footfall to the local shops.
32. The introduction of a longer no return in the car parks is suitable as the car parks should be used in supporting footfall to the shops and the lengthier no return period will ensure all day parking does not occur, benefiting the business and the shops in the local area.

Middle Road, The Green & Rear of Standen House Car Parks - Proposals

33. To prevent all day parking by facilitating a turnover of vehicles by providing increased availability of spaces, and in so doing giving rise to additional footfall in the area, it is proposed to introduce a 'no return within' period to the car parks.
34. The proposed 'no return' period is shown below for each car park:

Car Park	'No Return' period
Middle Road (Park Gate)	4 hours
The Green (Stubbington)	4 hours
Rear of Standen House (Stubbington)	4 hours

Conclusion

35. The proposed changes to Off-Street Parking provision in the aforementioned car parks necessitates the introduction of the amendment TRO, and allows for the effective enforcement of the car parks to encourage improved parking practices to be put into place for the benefit of the car park users and the local shops and businesses by encouraging higher footfall within the area.

Enquiries:

For further information on this report please contact Ian Rickman. (Ext 4773)