

**EXECUTIVE – 5 April 2007**

**AMENDMENT TO OFF STREET PARKING PLACES ORDER 2007**

**Report of the Head of Business Development**

**Statutory Powers: Road Traffic Regulations Act 1984, s44 Control of Off Street Parking (England and Wales) Order 1978.**

**Financial Implications:** None in terms of consultation on an amendment other than advertising costs which is within budget.

**Purpose**

The Car Parks service contributes to the following Council priorities:

- CP2: Create the conditions for the growth and maintenance of quality economic activity.
- CP5: Working with others to improve access to key services.
- CP6: Improve core service performance in a cost effective way.

**Recommendations**

**That the Executive RESOLVES to consult on the proposed amendment to the Off Street Parking Places Order (Amendment 2007) as set out in this report.**

**Background**

1. Due to the current Totnes Southern Area development taking place, holders of Annual Residents Permits have been displaced by the loss of parking bays in Leechwell Street area of Totnes. It is believed that approximately 30 spaces have been lost due to the development works going on in this area.
2. Members will be aware that the car parks in question in this vicinity are Heaths Nursery which has 83 parking spaces and is currently a Short Stay car park and The Nursery which has 93 spaces and is a Long Stay car park.
3. Since the displacement a number of approaches have been received by the Council's Street Scene Team from residents regarding the lack of available parking bays. Concerns have been raised in particular regarding the appropriate use of the long stay The Nursery car park as an alternative parking area for residents particularly during the night given its enclosed nature.

## The Proposal

4. To assist residents parking in this area Members may wish to consider altering the status of Heaths car park and that of The Nursery car park in Totnes. This would mean changing Heaths Nursery car park into a Long Stay car park where by permit holders would then benefit from having a more open facility for overnight parking. Consequently The Nursery car park could be designated as a Short Stay (4 hour maximum stay) car park instead of what it is currently which is Long Stay.
5. The proposal is therefore to enable holders of Annual Residents Permits to park in Heaths Nursery car park, Totnes (as it is currently designated a Short Stay car park, this is not permitted under the current Off Street Parking Places Order). The Nursery Car Park, Totnes, would then be changed from its current state as a Long Stay car park to a Short Stay (4 hour maximum stay) car park. Pay and display charges would be changed to those currently charged in the short stay car park, Heaths Nursery.
6. By swapping the use of these two car parks, the Annual Permit holders would have access to a superior parking area and making The Nursery a Short Stay car park would help towards making the area safer in that it may lead to a higher footfall of customers during the day. Also, as there are more spaces in The Nursery, utilising them as Short Stay would create a higher turnover of spaces available for Short Stay users.
7. Members have already agreed that the 2007 Off Street Parking Places Order will introduce a £1 overnight charge in Heaths Nursery car park which may free up spaces during the evening for Annual Permit holders. This has already been agreed and will be implemented in Heaths Nursery and Steamer Quay car parks in Totnes under the new Off Street Order which takes effect on 25<sup>th</sup> March 2007. Members will be aware that overnight charging has been in place in Victoria Street car park, Totnes, for the past two years.

## Next Steps and Timescale

8. Should Members wish to make an alteration to the status of these car parks it will be necessary to formally consult for 21 days on the agreed amendment as part of the Off Street Parking Places Order (Amendment 2007). Council will then need to consider all views expressed and resolve to amend the Order or not.
9. It is anticipated that views from the consultation process could be available for Members to consider this amendment at Council on 21<sup>st</sup> May.

## Risk Assessment

Risk	Mitigation
The Nursery car park (proposed to become Short Stay) will be further away from the town by a few minutes and shoppers may not wish to use it.	Distance involved is negligible and there will continue to be Disabled bays in Heaths Nursery available to Blue Badge holders.
Heaths Nursery may become full.	Permits do not guarantee a space for holders, however this course of action would provide more suitable parking for Permit holders than currently exists.

<p>Potential loss of income due to The Nursery's Short Stay tariff being higher than the Long Stay Heaths Nursery car park nearer to town.</p>	<p>The Nursery car park has more bays than Heaths Nursery and as it will be a Short Stay car park, the turnover of customers should be greater than that of a Long Stay car park. This should balance out the difference in charges.</p> <p>Also, as Heaths Nursery will become Long Stay, there will be less spaces available for short stay customers so parking there may not be an option for them.</p>
<p>Permit holders will not utilise the spaces.</p>	<p>There are approximately 230 Permit holders living in Totnes, most of whom utilise the permitted car parks on a daily basis, therefore demand for Permit parking is high. The loss of parking spaces due to the Southern Area development means even less spaces available.</p>

## Human Rights Act

10. There are no significant Human Rights Act implications that we are aware of in this report.

## Conclusion

11. Inevitably the Totnes Southern Area development is causing some local disruption for residents on top of an already limited supply of parking spaces. An amendment to the Off Street Parking Places Order (Amendment 2007) could be a simple and low-cost solution which should help ease the current situation.

Lorraine Bulloch  
Street Scene Officer

Executive  
5 April 2007

Chris Lucas  
Head of Business Development

**Background Documents:** None