

## **PORTFOLIO HOLDER – ENVIRONMENT & TRANSPORT**

<b>DATE</b>	21 March 2022
<b>REPORT OF</b>	Councillor Stewart Swinburn, Portfolio Holder for Environment and Transport
<b>RESPONSIBLE OFFICER</b>	Sharon Wroot – Executive Director for Environment, Economy and Resources
<b>SUBJECT</b>	Garden Street Car Park, Grimsby Town Centre – new Order ‘The Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022’.
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	GENERAL EXCEPTION – To be considered under the general exception rules as laid out in the constitution and agreed by the Scrutiny Chair.

### **CONTRIBUTION TO OUR AIMS**

A borough wide Parking Strategy directly supports both the Council’s priorities of “stronger 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. Sustainable transport is integral to this, and the use of private vehicles is one option, which is part of the transport mix.

This report and the appended documents present an approach to the management of land on Garden Street, Grimsby which the Council has contracted to purchase to facilitate longer term regeneration aims.

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek approval to proceed with the making of a proposed new Order ‘The Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022’.

Full details of the parking provision to be included in the ‘The Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022’ are scheduled in Appendix 1 to 2 to this report.

**Appendix 1** – Details of proposed parking provision

**Appendix 2** – Map of Parking place location

## **RECOMMENDATIONS**

It is recommended that the Portfolio Holder

1. Approves the commencement of 'The Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022', for consultation in accordance with statutory requirements. Exercising its powers under Sections 32, 35, and Part IV of Schedule 9 to the Road Traffic Act 1984 (as amended) ("the Act") and of all other enabling power and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act.
2. Subject to no objections being received, the Portfolio Holder approves the making of the Parking Places Order, as detailed in attached appendices.
3. 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**

The purchase of Osborne Street buildings, which includes the Garden Street car park and will support the regeneration of Grimsby Town Centre, has provided an opportunity to utilise the car park as a Pay and Display car park for an interim period. The making of the new Off Street parking Order will enable its use as an operational car park.

### **1. BACKGROUND AND ISSUES**

- 1.1 Garden Street car park was previously leased by the Council for twenty-five years to operate it as a pay and display car park. When this agreement came to an end in 2012 there was a requirement to remove the car park from the 'The Borough of North East Lincolnshire Council (Off-Street Parking Places) Order 2012'.
- 1.2 A private parking operator has controlled the car park on this land since January 2019. The Council has now contracted to purchase land and buildings on Osborne Street, including the Garden Street car park, for longer term redevelopment and the intention is to operate the car park as a pay and display facility in the intervening period.
- 1.3 It is therefore necessary to proceed with the proposed new Order 'The Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022'. This will allow the car park to be a Council managed car park during the intervening period.

### **2. RISKS AND OPPORTUNITIES**

- 2.1 Managing the Garden Street car park as a council owned car park, rather than managing as a void property, will reduce the risk of attracting ASB activities, and it will generate income which will offset the cost of enabling works.
- 2.2 The proposed parking restrictions can be enforced under the Council's Civil Parking Enforcement (CPE) powers.

- 2.3 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.
- 2.4 The 2022 Order will allow the councils car parks to support other council strategies, including the Carbon Roadmap, Bus Service Improvement Plan, Town Centre, and Resort Masterplans, and the 2018 adopted Local Plan.

### **3. OTHER OPTIONS CONSIDERED**

Do nothing – The land at Garden Street, if not used as a car park, will be required to be managed as a void property until any regeneration development commences. This will add a financial pressure to the council and therefore this option has not been explored further.

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1. To enact certain aspects of the review orders will be formally advertised in accordance with legislation. Public notices 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 Borough of North East Lincolnshire Council (Off-Street Parking Places) Garden Street Order 2022.
- 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 and Town/Parish Councils 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 are received where a resolution is not possible. Should this occur the Portfolio Holder will resolve.
- 4.4. Once approval has been given the timescale for implementation is expected to be approximately five weeks. This will be dependent on the lead times for new ticket machine software and the acquisition of a new tariff board. This is also dependant on the resolution of any objections to the making of the order.

### **5. FINANCIAL CONSIDERATIONS**

- 5.1. The recommendation does require minimal capital expenditure. The use of the land as a car park will generate additional revenue which will offset any capital expenditure.

- 5.2. There will be an estimated cost for £6,000 for repairs to the surface of the car park, signage, grounds maintenance and the relocation of a ticket machine to allow payment to be made. Improvements to the car park will ensure the car park is safe to use for drivers.
- 5.3. The revenue for this car park during the financial year 2018/19 was £91,858.47. Future revenue would depend upon parking trends, and it is considered could be materially lower given the adjacent building is no longer occupied.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

The proposals have limited implications for children and young people but deliver improvements to road safety by encouraging vehicle road users to utilise properly designated off road parking facilities.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

The proposals are not expected to significantly impact on climate change.

## **8. CONSULTATION WITH SCRUTINY**

There has been no consultation with Scrutiny in relation to the matter although the Economy Panel was engaged in the development of the Masterplan.

## **9. FINANCIAL IMPLICATIONS**

- 9.1. The recommendations will allow the Council to generate additional car parking revenue income for a period and up to when the wider regeneration of the site is undertaken.
- 9.2. As outlined above, there will be a requirement for some initial investment to allow the Council to operate the car park.

## **10. LEGAL IMPLICATIONS**

- 10.1 Under section 32 and 35 traffic authorities are entitled to make off street parking orders.
- 10.2 The procedure for making orders 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 Order.
- 10.3 Regulation 8 makes provision for objections and regulation 14 allows the Council to modify an Order before it is made.

## **11. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications.

## **12. WARD IMPLICATIONS**

The proposals affect West Marsh ward.

### **13. BACKGROUND PAPERS**

- The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2012.
- The North East Lincolnshire Borough Council (Off-Street Parking Places) (Amendment No.1) Order 2012.
- The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2012 (Amendment No. 2) Order 2013.
- The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2012 (Amendment No.3) Revocation Order 2019.
- North East Lincolnshire adopted Parking Strategy December 2017
- Traffic Management Act 2004  
[http://www.legislation.gov.uk/ukpga/2004/18/pdfs/ukpga\\_20040018\\_en.pdf](http://www.legislation.gov.uk/ukpga/2004/18/pdfs/ukpga_20040018_en.pdf)
- Road Traffic Regulation Act 1984  
[http://www.legislation.gov.uk/ukpga/1984/27/pdfs/ukpga\\_19840027\\_en.pdf](http://www.legislation.gov.uk/ukpga/1984/27/pdfs/ukpga_19840027_en.pdf)
- The Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996.  
<http://www.legislation.gov.uk/uksi/1996/2489/made>
- Grimsby Town Centre Masterplan<https://www.nelincs.gov.uk/assets/uploads/2020/12/Grimsby-Masterplan-Report.pdf>

### **14. CONTACT OFFICER(S)**

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**COUNCILLOR STEWART SWINBURN**

**PORTFOLIO HOLDER FOR ENVIRONMENT AND TRANSPORT**

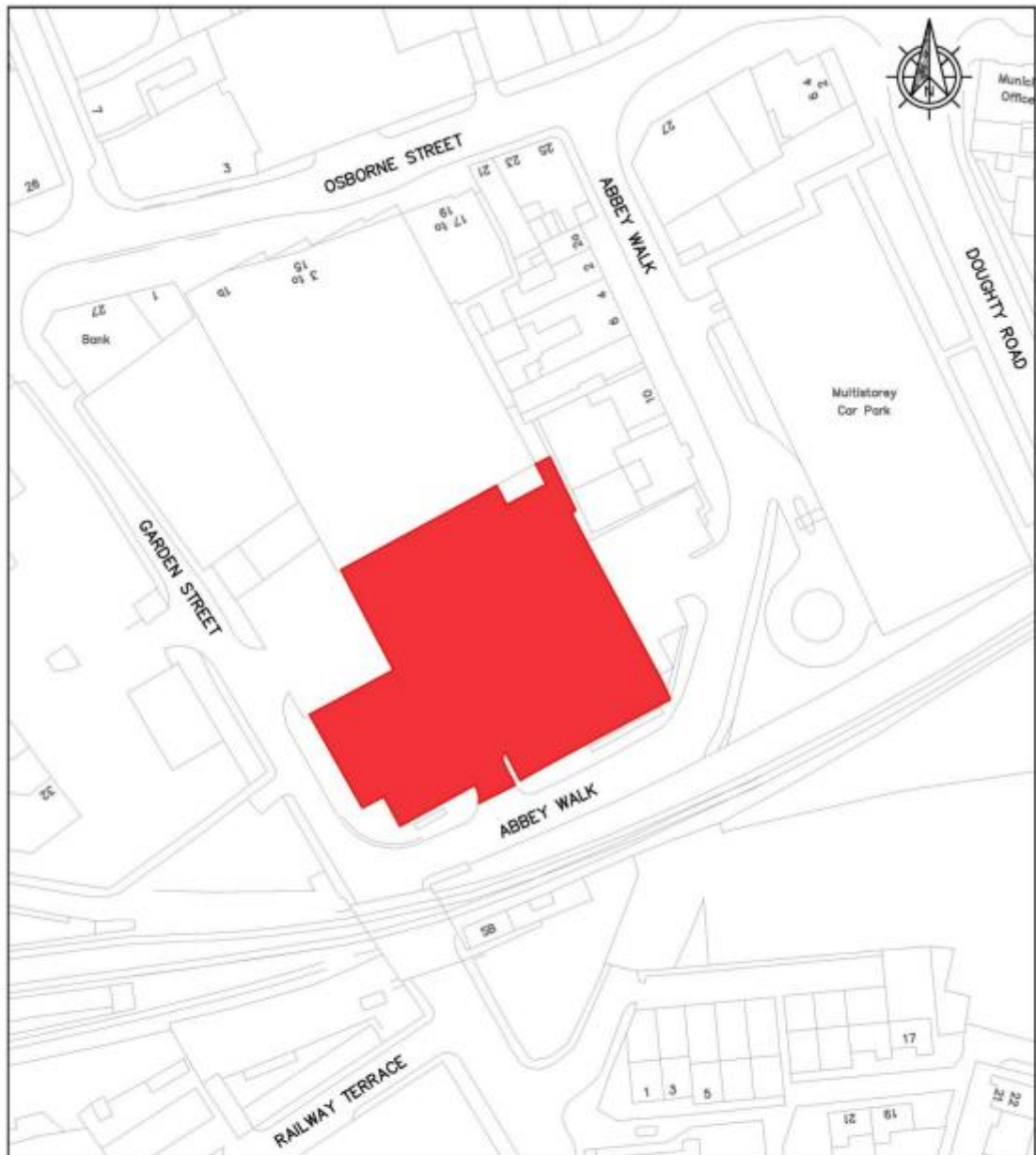
## Appendix 1

### “SCHEDULE OF PARKING PLACE, TARIFF, 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
1  Garden Street, Grimsby	Motor Vehicles licensed as private or private/light goods, Vehicles not exceeding 2.5 tons in weight and or 2 metres in height, solo motorcycles, and disabled persons Vehicles. No Caravans, Camper vans, Motor Caravans or Quad Bikes permitted.	Wholly within one of the Parking Bays indicated by surface markings and clear of the driveways, entrances and exits.	Monday to Sunday inclusive.	Charges apply Monday to Sunday 8am – 6pm including Bank Holidays	All day	Up to 1 hour £1.00 1 to 2 hours £2.00 2 to 4 hours £3.00 4 to 10 hours £5.00	General Use Season Ticket  Council Permit

## Appendix 2

### Garden Street Car Park, Grimsby



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 Working in partnership New Oxford House, George Street, Grimsby, North East Lincolnshire, DN31 1HB Tel: 01472 313131	PROJECT Off-Street Parking Places Car Park Location		
	TITLE Garden Street Grimsby		
	DRAWN JT	APPROVED	FILE NAME
	FILE REF.	DATE	DRAWING No.
CLIENT NORTH EAST LINCOLNSHIRE COUNCIL	ORIGINAL SIZE A4 (210 x 297)	SCALE NTS	