

PORTFOLIO HOLDER – HOUSING, INFRASTRUCTURE AND TRANSPORT

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| DATE | 24 th March 2025 |
| REPORT OF | Councillor Stewart Swinburn, Portfolio Holder for Housing, Infrastructure and Transport |
| RESPONSIBLE OFFICER | Carolina Borgstrom, Director for Environment, Economy, and Infrastructure |
| SUBJECT | The Borough of North East Lincolnshire Council (Off-Street Parking Places) Order 2022 (Amendment No.9) Revocation Order 2025. |
| STATUS | Open |
| FORWARD PLAN REF NO. | PHHIT 03/25/01 |

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.

The removal of the Market Hall Roof car park will allow the delivery of the Freshney Place leisure development and directly contribute to the Council's key objectives around Stronger Economy and Stronger Communities.

EXECUTIVE SUMMARY

This report and the appended documents present the approach to revoking the off-street parking place known as the Market Hall Roof car park, as an operational parking place from The Borough of North East Lincolnshire Council (Off-Street Parking Places) Order 2022.

Approval is sought to revoke The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022 in part only so that the 2022 Order does not impose any restrictions in relation to the parking place Market Hall Roof, Grimsby as shown on Plan Offstreet-2022-30, which is attached to the 2022 Order. The 2022 Order will continue in force except for Market Hall Roof car park, as shown on Plan Offstreet-2022-30. All other parts of the Order remain unaffected.

To follow with consultation in accordance with statutory requirements and proceed with the making of the Revocation Order if no objections are received.

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

Appendix 1 – Details of revoked parking provision

Appendix 2 – Map of parking place location

RECOMMENDATIONS

It is recommended that the Portfolio Holder

1. Approves the commencement of the formal consultation process for Revocation Order listed in Schedule 1 of this report, in accordance with the requirements of the Road Traffic Regulation Act 1984.
2. Subject to no objections being received, the Portfolio Holder approves the making of the Revocation Order, as detailed in attached appendices.
3. If there are unresolved objections to the proposed Revocation Order, these are referred to the Portfolio Holder for determination and decision as to whether the Revocation Order be confirmed.

REASONS FOR DECISION

The car park is part of the existing market hall building, which is being demolished as part of the new construction and implementation of the Freshney Place Leisure scheme.

1. BACKGROUND AND ISSUES

- 1.1 The Market Hall Roof parking place has been removed from operational use to allow the construction phase of the Freshney Place leisure scheme and support the continued delivery of the Grimsby Town Centre Masterplan.
- 1.2 To lawfully implement the proposed changes to the car park and current parking restrictions, the Council is required to revoke that part of the 2022 Order, which relates to the Market Hall Roof parking place. All other provisions of the 2022 Order will remain in force.
- 1.3 The car park ceased to be an operational car park on Saturday 1 February at 6pm.

2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

- 2.1 The Council could be subject to legal challenge if it does not revoke that part of the 2022 Order, which relates to the operation of a pay and display car park at Market Hall Roof, Grimsby.
- 2.2 There are also financial implications, which are set out in section 5 of this report.

3. OTHER OPTIONS CONSIDERED

- 3.1. Do nothing. The Council could have chosen to do nothing and not revoke those parts of the 2022 Order applying to the Market Hall car park. However, this would not support the necessary operational and contractual changes to the Market Hall Roof car park and could generate legal risks for the Council.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1. The Revocation 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 Place 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. The 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.9) Revocation 2025.
- 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 proposed Order are received where a resolution is not possible. Should this occur the Portfolio Holder will resolve.
- 4.4. The Council will be responsible for the development and management of communications for the project.

5. FINANCIAL CONSIDERATIONS

- 5.1. The cost of advertising the Revocation Order are covered through the Council's Regeneration Partnership arrangement with Equans.
- 5.2. The annual net revenue received from parking charges by the Council for this car park during 2024 was circa £60k.
- 5.3. The cost to remove the two ticket machines from the car park was £971.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

- 6.1. The proposals no implications for children and young people.

7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

- 7.1. The proposals are not expected to impact on climate change.

8. CONSULTATION WITH SCRUTINY

- 8.1. The Freshney Place Leisure scheme was at the Economy, Culture and Tourism Scrutiny Panel on December 5, 2024.

9. FINANCIAL IMPLICATIONS

- 9.1. Whilst no further income will be generated by this site, the removal of the car park is not anticipated to result in any significant loss in total parking revenue as alternative Council parking facilities are available for use within the town centre.

10. LEGAL IMPLICATIONS

- 10.1 Under Section 1 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. Section 2 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

- 11.1. There are no direct HR implications arising from the contents of this report.

12. WARD IMPLICATIONS

- 12.1. The proposal relates specifically to the West Marsh Ward.

13. BACKGROUND PAPERS

Local Authorities' Traffic Orders (Procedure) Regulations 1996

<http://www.legislation.gov.uk/ukxi/1996/2489/made>

The North East Lincolnshire Borough Council (Off-Street Parking Places) Order 2022

<https://www.nelincs.gov.uk/assets/uploads/2022/12/Off-Street-Parking-Places-Order-2022-Sealed.pdf>

14. CONTACT OFFICER(S)

- 14.1. Carolina Borgstrom, Director for Economy, Environment, and Infrastructure
01472 326207

- 14.2. Paul Evans, Assistant Director for Infrastructure

01472 323029

14.3. Jason Papprell, Partnership Director, Equans
07368 915571

COUNCILLOR STEWART SWINBURN

**PORTFOLIO HOLDER FOR HOUSING, INFRASTRUCTURE AND
TRANSPORT**

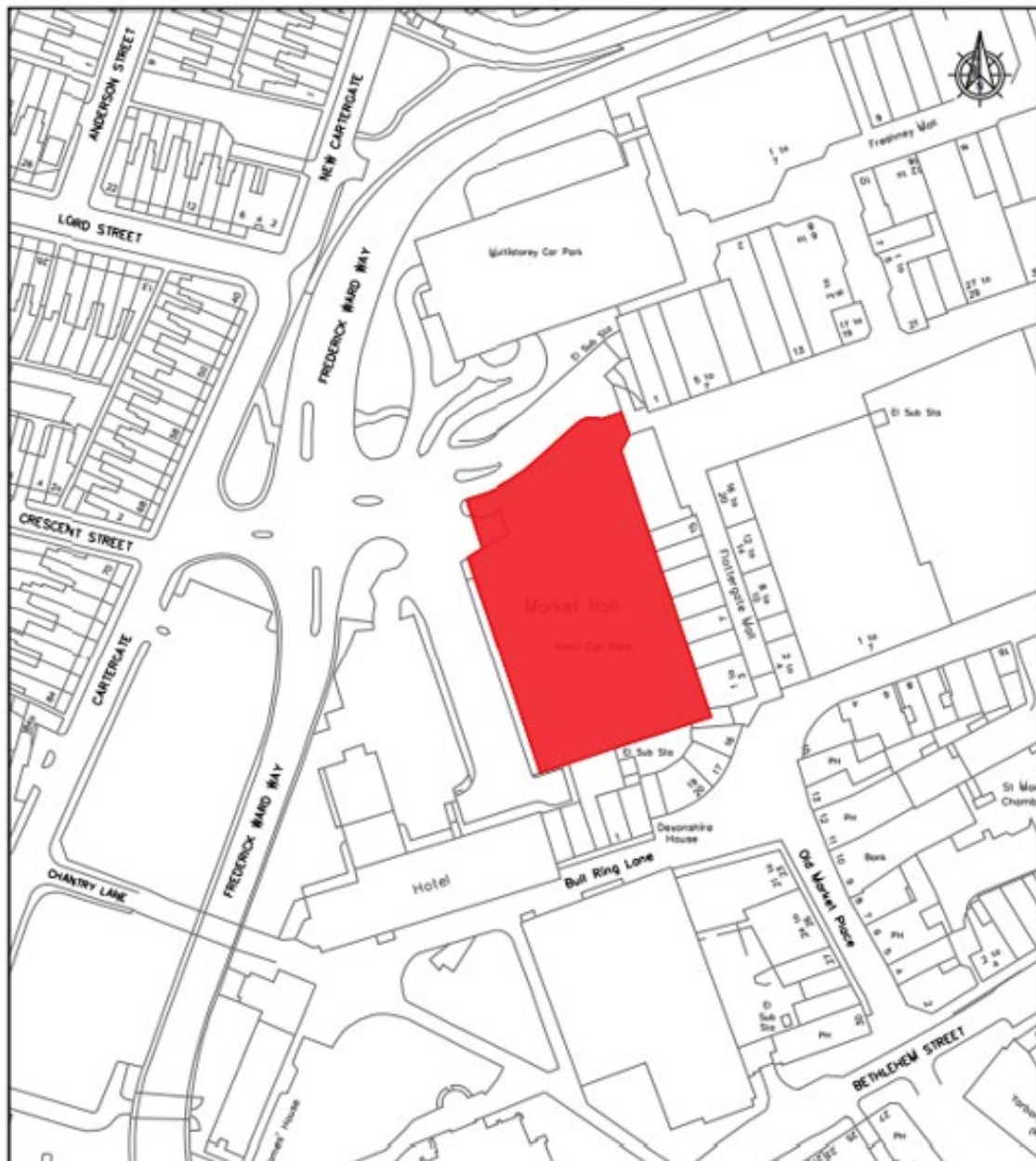
Appendix 1

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


| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--|--|---|---|---|--|---|--|
| NAME OF PARKING PLACE | CLASSES OF VEHICLE | POSITION IN WHICH VEHICLE MAY WAIT | DAYS AND HOURS OF OPERATION OF PARKING PLACE | CHARGING PERIOD | MAXIMUM PERIOD FOR WHICH VEHICLES MAY WAIT | PARKING CHARGES | SCALE OF CHARGES AS SHOWN IN SCHEDULE 4.1, 4.2 and 4.3 |
| 30 Market Hall Roof, Grimsby | 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. | Within one of the Parking Bays indicated by surface markings and clear of the driveways, entrances and exits. | Monday to Saturday inclusive. Open on certain Sundays by notice. | Charges apply Monday to Saturday 8am – 6pm including Bank Holidays. | . All day. | Up to 1 hour £1.50 1 to 2 hours £2.50 2 to 4 hours £3.50 4 to 10 hours £5.00 | Not Applicable. Concessionary Permit. |

Appendix 2

Map of parking place location. (30)



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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 | |
| | | TITLE | | Car Park Location | |
| CLIENT | | DRAWN | | FILE NAME | |
| | | JT | | | |
| | | DATE | | DRAWING No. | |
| | | October 2022 | | | |
| NORTH EAST LINCOLNSHIRE COUNCIL | | ORIGINAL SIZE | | SCALE | |
| | | A4 (210 x 297) | | NTS | |
| | | | | OffStreet-2022-30 | |