

Hambleton District Council

Report To: Cabinet

Date: 10 August 2021

Subject: **Thirsk and Sowerby Leisure Centre – Car Park Amendment Order**

Portfolio Holder: Leisure
Councillor Mrs I Sanderson

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 Cabinet approved the extension and refurbishment of Thirsk and Sowerby Leisure Centre in July 2020. That report also stated that there would be ‘no increase in car park capacity, although improved management will be necessary to protect spaces for customers and Flatts users’. This report recommends actions to be taken as part of this improvement process.
- 1.2 The principal purpose of the car park at the Thirsk and Sowerby Leisure Centre is to provide parking for users of the leisure centre and Flatts. The car park is currently free to use, has no restrictions on parking duration and no legislative means to manage parking usage. The lack of legal parking regulations and hence the limited deterrent to inappropriate use can be an invitation to some motorists whose purpose is not to visit the leisure centre or the Flatts. This in turn reduces the parking available for legitimate use by customers of the leisure centre and visitors to the Flatts.
- 1.3 A number of voluntary measures to control parking have been tried, including improved signage and a periodic physical officer presence. These control measures without the weight of legislation to back them up are thus reliant on voluntary compliance by motorists, in time the measures become less effective and so inappropriate use of the car park returns.
- 1.4 The introduction of a Parking Order will provide a legal mechanism to support improved management of parking, act as a deterrent to inappropriate use and thus protect the parking for use by leisure centre customers and Flatts users.
- 1.5 The proposed Parking Order will operate under Civil Parking Enforcement legislation and will be structured in a similar fashion to our existing Off-Street Parking Places Orders with regulations specific to the Thirsk and Sowerby Leisure Centre Car Park as identified within Annex A.

2.0 Link to Council Priorities

- 2.1 To contribute to the delivery of services in accordance with our Enhancing Health and Wellbeing priority the Council operates high-quality leisure facilities. Car Parks are provided at each of our leisure centre for use by customers. The creation of the Parking Order at the Thirsk and Sowerby Leisure Centre will help towards the improved management of the car park and ensure parking is protected for use by leisure centre customers and visitors to the Flatts.

3.0 Risk Assessment

- 3.1 The key risk is in not approving the recommendations as shown below:-

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
There is no legal means to manage and deter parking by motorists who are not leisure centre customers or visitors to the Flatts	Insufficient parking for customers using the leisure centre and visiting the Flatts resulting in dissatisfaction and reduced number of visits	4	3	12	Introduce parking order to enable improved control and management of parking to protect parking for legitimate users of the leisure centre and Flatts	2	2	4

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

- 3.2 The risk of not agreeing with the recommendations outweigh the risk of agreeing with the recommendations. It is therefore considered acceptable to approve the recommendations.

4.0 Financial Implications

- 4.1 Two ticket dispensing machines will be provided, an extension to our existing comprehensive maintenance contract will cover virtually all maintenance except in the event of vandal damage. Enforcement will be provided under our existing agreement with Scarborough Borough Council and ticket stationery again under an existing supply contract.
- 4.2 Car parking will continue to be provided free of charge so there will be no direct income from use by leisure centre customers and visitors to the Flatts. The Council's very strong preference is that car park users comply with parking regulations so that enforcement notices do not have to be issued. Historic experience indicates that a modest number of Penalty Charge Notices will be issued as a last resort, this income combined with a contribution from the Leisure Centre base budget will mean a neutral revenue effect.

Overall, the revenue effects of the introduction of a Parking Order will be as follows:

Revenue Effects	2021/22 £	2022/23 £	2023/24 £	2024/25 £
Cost of:				
• Machines maintenance contract (under guarantee year one)	0.00	800.00	830.00	860.00
• Ticket stationery	125.00	450.00	450.00	475.00
• Enforcement (120 hours per year)	800.00	2,400.00	2,450.00	2,500.00
Financed by:				
• Amount in base budget	175.00	650.00	780.00	835.00
• Income from penalty charge notices (indicative) 100 per year	750.00	3,000.00	3,000.00	3,000.00
	0.00	0.00	0.00	0.00

- 4.3 The capital expenditure of approximately £9,500.00 for the purchase and installation of equipment to enable the introduction of the Parking Order is included within capital expenditure of £60,500 already allocated to the Thirsk and Sowerby Leisure Centre Car Park and Access Road scheme in the 2021/22 capital programme.

5.0 Legal Implications

- 5.1 The procedure to introduce a Parking Order includes a consultation exercise involving the public and several statutory consultees including North Yorkshire County Council and the emergency services. The District Council will be required to consider any representations made during the consultation process. In addition to their inclusion in the consultation process, North Yorkshire County Council as the Local Highway Authority will be required to give their consent to the introduction of the Parking Order.

6.0 Equality/Diversity Issues

- 6.1 Equality and Diversity Issues have been considered and no negative consequences have been identified.
- 6.2 The Parking Order will include reference to parking by disabled drivers and those who have membership of the blue badge disabled parking scheme. The Parking Order introduction will afford a means to undertake enforcement against inappropriate use of the designated disabled parking bays where none currently exists.

7.0 Health and Safety Issues

- 7.1 Health and Safety issues have been considered, all works undertaken in the car park to allow introduction of the Parking Order will comply with the relevant health and safety legislation.

8.0 Recommendations

- 8.1 That Cabinet approves and recommends to Council that:-
- (1) the making of a new Parking Order is authorised to proceed subject to consultation and includes the provisions set out in Annex A of the report, and
 - (2) the procedures and subsequent implementation are delegated to the Director of Leisure and Communities to deal with.

Steven Lister
Director of Leisure and Communities

Background papers: None

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Provisions Specific to Thirsk and Sowerby Leisure Centre Car Park

- a) The Thirsk and Sowerby Leisure Centre Off-Street Car Park is provided for users of the Leisure Centre and the Thirsk and Sowerby Flatts Preservation Trust Recreation Ground;
- b) The Order is a new Off-Street Parking Order and is intended to introduce powers to manage parking in the Thirsk and Sowerby Leisure Centre Off-Street Car Park;
- c) The area of the car park subject to the powers set out in the Order will be described on a plan annexed to the Order and the car park will be indicated by a red line boundary;
- d) The parking will be free of charge during the restricted hours and at all other times;
- e) The regulations will be applied during the restricted hours which will be 0700 hours to 2200 hours Monday to Friday and 0800 hours to 1400 hours on Saturday and Sunday;
- f) During the restricted hours there will be a 3-hour limit on parking and on expiry of this period a no return period of two hours will apply;
- g) Ticket dispensing machines will be provided within the car park and will dispense tickets indicating the date and time by which a vehicle must leave the car park;
- h) Car park users shall evidence their use of the car park by exhibiting a valid ticket, permit or season ticket or have a valid parking session obtained via an electronic parking system should one be introduced;
- i) There will be no restriction on the duration of the waiting time during the prescribed hours or at any other time for a vehicle displaying a valid blue badge in accordance with the disabled parking scheme.