

Report to: Cabinet
Date of Meeting: 8 January 2020
Public Document: Yes
Exemption: None
Review date for release None



Subject: Honiton Dowell Street car park

Purpose of report: The purpose of this report is to advise Members of representations received in response to proposals to manage Honiton's Dowell Street car park on behalf of Honiton Town Council.

Recommendation:

1. To include Honiton Dowell Street Car Park in East Devon District Council's Off-street Parking Places Order (subject to there being in place a lease in favour of East Devon District Council).
2. That EDDC enters into a ten year full repairing and insuring lease of 'Dowell Street' car park,
3. To delegate to Chief Executive and Portfolio Holder the authority to enter into a detailed agreement with Honiton Town Council to provide car park management services on terms to be agreed.

Reason for recommendation: There is demand for additional public car parking in the town and at present the use of the car park is unrestricted. The Town Council has considered the issues raised in the representations and has requested that the Council proceed with putting in place measures to enable us to manage the car park as a public pay and display car park.

Officer: Andrew Ennis, Service Lead, Environmental Health and Car Parks
aennis@eastdevon.gov.uk, 01392 517452.

Financial implications: The Financial implications are contained within the report. There is no provision in the current budget for this carpark, there for all cost associated with Installation of the parking machine and other costs incurred with the running of the carpark will be need to be met by the existing budget.

Legal implications: Dowell Street car park should only remain in the Council's Parking Places Order ('PPO') for the duration of this arrangement or any extension of the same. Therefore, if there is provision for early determination in the proposed lease which is exercised or the lease is not 'held over' or renewed, then Parking Services should instruct Legal Services to seek removal of this parking place from the PPO. Under relevant legislation, Honiton Town Council can then look to Devon County Council to include it within their Town & Parish Council's Parking Places Order (if Honiton Town Council still wish to use it as a public car park).

The wording of the proposed new lease to be agreed between Legal Services and Property Services. The wording of the proposed commercial agreement to be agreed between Legal Services and Parking Services.

It is noted that each party is to be responsible for their own legal costs in documenting this arrangement.

As part of the statutory process of amending EDDC's Parking Places Order, Legal Services proposes to send to each objector a copy of Appendix 14A (accessed via the link in this report), as this document looks to address all of the objections raised.

Equalities impact: Low Impact

Climate change: Low Impact

This is a small car park and it is already well used. The proposed management arrangements are not anticipated to result in any increase in emissions of greenhouse gases locally. However in the longer term this and other car parks will need to be reviewed as part of our climate emergency action plan to ensure that opportunities for introducing incentives to discourage the use of petrol and diesel fuelled vehicles in our towns and to consider the provision of electric vehicle charging infrastructure at this site are not overlooked.

Risk: Low Risk

Links to background information: .

Link to Council Plan: This report helps to address the four Council priorities:

- Encouraging communities to be outstanding
- Developing an outstanding local economy
- Continuously improving to be an outstanding council

Report in full

Honiton Dowell Street

Introduction

1. Further to a report to Members back in [January 2019 \(item 136\)](#), Officers began the process of implementing those recommendations. However, a substantial number of representation were received in response to the proposals that were duly advertised. Those representations relate to Town Council's reasons for requesting us to manage their car park in this way and that Council subsequently received a report from its Town Clerk addressing these issues. The outcome is that the Town Council has now reaffirmed its request for us to manage their car park on the tariffs that had been advertised.

2. The car park remains the property of Honiton Town Council and although the mechanism that enables East Devon District Council to manage the car park using civil parking enforcement rules involves leasing the car park back to us for the duration of our contract, there will be clearly stated branding within the car park advising that the car park is being managed by East Devon District Council on behalf of Honiton Town Council.
3. This Council has received thirty-nine written representations. For ease of reference I have summarised the issues raised in those representation in the 37 numbered points below:
 1. Objecting to the introduction of pay and display charges
 2. The proposed charges will have a detrimental effect on attendance at theatre classes
 3. The proposed charges will harm the activities taking place at the Beehive and will cause financial hardship for some older people who may not be able to continue to attend.
 4. The proposed charges will be financially harmful for young families who wish to attend Beehive activities on a frequent basis.
 5. The management of "unauthorised" parking is unnecessary. Parking is always available so this is unnecessary to manage demand.
 6. The pay and display charges will put-off organisations who currently hire the Beehive.
 7. The charges will add significantly to the cost of attending activities at the Beehive.
 8. The charges will affect both those who run activities at the Beehive and those who attend those activities.
 9. The charges will impact financially on musicians who need to park here whilst rehearsing for and performing at concerts.
 10. The charges will discourage people from coming to Beehive events.
 11. Car Parks should be paid for by residents' Council tax payments not by pay and display.
 12. The charges will damage community spirit. They will be detrimental to the community and will make parking here more difficult.
 13. The charges will have a detrimental impact on members of charitable groups using the Beehive.
 14. There is no proposal for free parking for volunteers.
 15. The car park should be reserved exclusively for Beehive users and volunteers.
 16. Shoppers will use Lace Walk car park and will not want to park here.
 17. The income generated should be shared with the Beehive on a 3-way split between HTC (as site owner), EDDC (as operator) and the Beehive.
 18. The current parking is not unauthorised and this car park will not provide additional parking for local amenities.
 19. This is just another money grabbing exercise.
 20. EDDC car parking permits will not be valid here.
 21. "I agree that a parking charge should be made... because there are a lot of people who park there and then go into Honiton Town...and... people who attend the Beehive for genuine reasons sometimes cannot get a space"
 22. We will stop using the café if we have to pay to park here whilst waiting for our children.
 23. Could we have a 15 or 20-minute free parking period?
 24. Parents will not want to leave their cars so children will walk to and from the Beehive unaccompanied raising possible safeguarding concerns.
 25. Issue free tickets to Beehive users via the reception desk.
 26. The costs of managing and maintaining the car park will be greater than any anticipated profit.
 27. The Beehive already costs £17 per council taxpayer. It is unreasonable to impose a further tax in the form of a parking charge.
 28. A small area of the car park has already been leased to Honiton Community Complex so should be excluded from the land to be leased to EDDC.
 29. Notes that pay and display car parking works well elsewhere but requests that the Town Council issues free of charge permits to Beehive staff and volunteers.

30. Parking charges here are unnecessary and there are other ways of raising revenue to pay for car park maintenance.
31. The parking charges will impact negatively on Beehive users and on the financial viability of the Beehive itself.
32. There has been no impact assessment on the viability of the Beehive and no consultation with Beehive clients and patrons.
33. The Council should consider “capping” the maximum daily charge and should also consider a less expensive tariff than EDDC’s nearby Lace Walk car park.
34. The costs of maintenance should be met by a Honiton Town Council precept enabling car parking to continue to be offered here free of charge for the benefit of the community.
35. Consider a 4-hours maximum stay restriction to prevent the use of the car park by commuters.
36. The proposed charges will have a significant detrimental effect on the viability of small businesses operating from the Beehive.
37. The proposed maximum stay restriction would mean that family therapy and child protection activities may be at risk.

Discussion

This car park is owned by Honiton Town Council and that Council has asked this Council for assistance in managing it on a pay and display tariff. The issues particularised above are all legitimate concerns that have been considered by the Town Council and I would comment only that there are a number of misunderstandings here and these have already been addressed by the Town Council and do not require further scrutiny by this Council. Having considered all representations in detail on the 9th September the Town Council has formally [resolved](#) that it does want the District Council to go ahead and introduce the pay and display regime as agreed.