

Report to: Cabinet



Date of Meeting 31 March 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Exmouth, Sideshore car park

Report summary:

Members are being asked to consider a proposal to provide car park management services at Sideshore car park in Exmouth. The Council's car parks' team would enter into an initial six month legal agreement with the site operator to provide civil parking enforcement services. This will be the first time that this Council has entered such a commercial agreement and the initial period will be extended if the relationship is found to be mutually beneficial.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet recommend to Council to;

(a) enter into an agreement with Sideshore to deliver car parking management services for their car park on the basis of an initial period of six months which can be extended by up to 10 years and delegated authority be given to the Strategic Lead Housing, Health and Environment to agree terms and to enter into the contract in consultation with the Strategic Leads for Finance and Governance and Licensing.

(b) Agree to amend the East Devon (Off Street) Parking Places Order as necessary to include the car park.

Reason for recommendation:

To enable this Council to work with the Community Interest Company (CIC) to deliver services based on a commercial style model. This will provide revenue to support the ongoing work of the CIC in developing the Watersports Centre but will also deliver additional funding for the CIC's charitable and community initiatives with the Council retaining a small proportion of overall revenue to sustain a fair and proportionate management service using transparent civil parking enforcement rules.

Officer: Andrew Ennis, Service Lead Environmental Health and Car Parks

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency

- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; The proposal requires a small initial investment of under £7,500 for the whole year by the Council, mainly in the form of a new pay and display machine. This either could be relocated and reused elsewhere in our ongoing replacement programme – or transferred for an appropriate consideration to any new site operator on termination of the proposed agreement. The cost of the machine is within our existing equipment replacement revenue budget.

Links to background information

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

- 1) The Council's car parks team has consistently expressed an interest in managing this car park on behalf of the site operator throughout the last three years. I understand that alternative private sector management options have been under consideration but following an approach from the newly appointed Sideshore Venue Manager on 3 March 2021, the Council has been invited to submit a proposal for providing car park management services at the site from an anticipated opening date of 12 April 2021.
- 2) The arrangements will be the subject of a legal agreement (the agreement), the details of which are still being negotiated between the parties. However, it is Officers' opinion that there are clear benefits for both the Council and Sideshore in operating the car park using fair and transparent Civil Parking Enforcement procedures including:
 - a. the generation of useful revenue for the site operator (Sideshore is operated by Queen's Drive Exmouth Community Interest Company (CIC)) to ensure the ongoing viability of the development;
 - b. a commitment by the CIC to use surplus revenue to help raise money for a free learn to swim project to support under privileged children in Exmouth and
 - c. a small revenue stream to be retained by the Council to cover its costs in providing the service which in turn strengthens the resilience of our own in-house service and provides a service that is not in any way dependent upon penalty charge revenue to support the viability of the enforcement model.
- 3) The car park comprises 41 standard car parking spaces (6 Electric Vehicle spaces, 2 disabled spaces) and will be generally open to the public as a pay and display car park with Sideshore retaining the option to reserve spaces for specific tenants and Members.
- 4) Under the agreement, the tariff for public use of the car park along with the terms and conditions for any reserved spaces will be specified by Sideshore and the Council will manage the car park in accordance with these rules.

5) We anticipate that Sideshore will want to offer flexibility on charges and to allow for seasonal swings etc. but the fees to be charged would need to remain below the maximum level to be specified in the East Devon (Off Street) Parking Places Order. It seems likely that Sideshore will specify the following for the Order:

- Charges apply 7 days a week from 7am to 11.30pm
- No overnight parking permitted.
- Car parking fees:
 - £2.00 for one hour
 - £5.00 for 4 hours
 - £9.00 per day
 - £3.00 6pm to 11:30pm.
- *No motorhomes will be permitted unless they can comply with the following restriction:*
 - Customers will be allowed to park a short wheel base van that is capable of parking wholly within one of the car park's marked bays and without causing obstruction to any other bays or compromising safe vehicular or pedestrian use of the car park. For this reason (and for clarity) there will be no parking permitted by vehicles over 5.1 metres in length.

6) **Costs**

We estimate the Council's direct costs,(that we will seek to recover in full through the agreement) to be as follows:

Supply pay machine	£4,029
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Install pay machine	£885
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Legal advertisemnt and consultation costs associated with the Parking Order	£500
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Annual machine maintenance contract	£477
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cash collection charge	£700
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bank charges	£700
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software charges	£200
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£7491

There will also be a commitment in terms of Officer and Management time required to deliver the services but on the basis that we already manage several public car parks in the vicinity, these are not direct costs and through the agreement we would seek to retain sufficient revenue to ensure that the Council's receives proportionate compensation for Officer time.

Financial implications:

As detailed within the report the Council will retain revenue to cover costs in providing the service and seek to recover estimated costs in full.

Legal implications:

It is permissible for the Council to enter into the proposed arrangement. Legal Services will assist in the negotiation of the contract and advise on terms.