Body: **CABINET**

Date: **25 October 2006**

Subject: **CIVIL PARKING**

Report of: **Director of Economy, Tourism & Environment**

Ward(s): All

Purpose: To advise on progress with the implementation of Civil Parking within the Borough and to seek agreement to include the Council's Off-Street Car Parks within the Civil Parking Scheme.

Contact: Mark Probyn, Assistant Director – Amenities & Contract Management, Tel: 01323 415240 or internally on extension 5240.

Recommendations:

That Cabinet notes progress with the implementation of Civil Parking within the Borough and agrees to:

(a) include the Council's Off Street Car Parks within the Civil Parking Scheme to be implemented within the Borough subject to satisfactory financial arrangements being agreed with East Sussex County Council; and that the financial arrangements shall be agreed by the Council's Director of Financial Services in consultation with the Lead Cabinet Spokesperson for Finance; and

(b) include the car parks referred to in Appendix B of this report, in addition to those in Appendix A, in the Civil Parking Scheme subject to the setting in place of required Parking Orders.

1.0 Introduction

1.1 Having rejected initial proposals for Civil Parking Enforcement (CPE) in Eastbourne, the Council at its meeting on the 26 July 2006 resolved to call for the County Council to re-enter talks with the Borough to review the scheme, and to come forward with joint recommendations that reflect the need for CPE in Eastbourne and which would find broad agreement with residents, business and the voluntary sector.

1.2 Arising from this, a number of meetings have taken place between Cabinet Members and officers of both Councils and a viable Scheme has now been agreed for implementation.

1.3 The Scheme will involve defining on street parking restrictions and parking

arrangements within an area consisting of the existing Controlled Parking Zone (CPZ) plus Seafront Areas, which further to monitoring and further consultation on a street by street basis will in time be extended to a wider Town Centre Area; with a satellite CPZ to be defined within Meads.

1.3 Parking restrictions across the Borough, including within the CPZ, will be enforced by Parking Attendants through the Civil Parking Scheme.

1.4 In consideration of the Eastbourne Civil Parking Scheme the Secretary of State for Transport (DfT) has the expectation that parking restrictions and controls will be exercised by the same operator for both on-street parking and off-street parking where this parking is controlled by the Council.

1.5 It is therefore a pre-requisite of the DfT that if the Council is to work jointly with East Sussex County Council in implementing and running such a Scheme that the Council's off-street car parks will also be included within the Scheme and therefore be subject to the same parking controls.

2.0 The Car Parks

2.1 The Council's car parks and coach park to be included within the Scheme are shown in Appendix A.

2.2 Additionally, at Appendix B is a list of car parks which although currently used as car parks are not subject to Car Parking Orders that provide necessary controls for enforcement in those car parks.

2.3 It would therefore be proposed that the Assistant Director – Amenities & Contract Management would consult, in accordance with the delegation to his post, on the making of Orders to control these additional car parks considered necessary for the purposes of the Civil Parking Scheme.

2.4 The extent of the controls to be exercised in these particular car parks will be determined through required consultation and due legal process.

3.0 Further Consideration

3.1 Parking Orders currently applied to the Council's Car Parks are made under the Road Traffic Regulation Act 1984 and any failure to observe these Orders by a user of the car parks can result in financial penalty which if not settled can result in prosecution.

3.2 When the Eastbourne Civil Parking Scheme is introduced current parking Orders will be made into Traffic Regulation Orders and will be subject to the same controls applied to on-street parking.

3.3 Under Civil Parking the non observance of Orders, including the failure to settle any penalty incurred, is recoverable through the County Court as a civil debt and ceases to be a prosecutable offence.

4.0 Recommendations

4.1 In furthering the implementation of Civil Parking Cabinet is recommended to note progress with the implementation of Civil Parking within the Borough and agree to:

(a) include the Council's Off Street Car Parks within the Civil Parking Scheme to be implemented within the Borough subject to satisfactory financial arrangements being agreed with East Sussex County Council; and that the financial arrangements shall be agreed by the Council's Director of Financial Services in consultation with the Lead Cabinet Spokesperson for Finance; and

(b) include the car parks referred to in Appendix B of this report, in addition to those in Appendix A, in the Civil Parking Scheme subject to the setting in place of required Parking Orders.

4.2 It is also recommended that the car parks referred to in Appendix B of this report, in addition to those in Appendix A, are included in the Civil Parking Scheme subject to the setting in place of required Parking Orders.

4.3 It is accepted that the Council may cease Orders in certain of its car parks, or to withdraw certain car parks from the Scheme at any time to enable events and other uses its car parks to take place as may be required.

5.0 Legal Implications

8.1 The Council's Solicitor to Council and Monitoring Officer has been consulted over the content of this report and will be involved the future consideration of Car Parking Orders and any agreement with East Sussex County Council over the future operation of the Car Parks.

6.0 Financial Implications

6.1 There are financial implications which are yet to be agreed with East Sussex County Council by the Council's Director of Financial Services in consultation with the Lead Cabinet Spokesperson for Finance.
If suitable agreement is not possible without an additional call on this Council's current budget, a further report will be brought to Cabinet.

6.2 Any costs incurred in the setting in place of new Car Parking Orders will be contained within existing revenue budgets.

7.0 Human Resource Implications

7.1 There are no immediate human recourse implications in addition to those referred to in this report.

8.0 Environmental Implications

8.1 There are no immediate environmental implications arising from this report.

Mark Probyn
Assistant Director – Amenities & Contract Management

Background Papers:

EBC Council: 26 July 2006 – Parking in Eastbourne
EBC Cabinet: 12 July 2006 – Parking in Eastbourne
ESCC Cabinet: 11 July 2006 – Parking in Eastbourne

APPENDIX A

Hyde Gardens
Langney Point (East), Prince William Parade
Langney Point (West), Prince William Parade
Princes Park (Fort Fun), Royal Parade
Fisherman's Green (East), Royal parade
Fisherman's Green (West), Royal Parade
Treasure Island Car Park, Royal Parade
The Wish Tower, Grand Parade
Devonshire Park (South), College Road
Devonshire Park (North), College Road
The Main Car Park - Beachy Head, Beachy Head Road
Car Park 1 - Beachy Head, Beachy Head Road
Car Park 2 - Beachy Head, Beachy Head Road
Car Park 3 - Beachy Head, Beachy Head Road
Car Park 4 - Beachy Head, Beachy Head Road
Car Park 5 - Beachy Head, Beachy Head Road
Car Park 6 - Beachy Head, Beachy Head Road
Car Park 7 - Beachy Head, Beachy Head Road
Car Park 8 - Beachy Head, Beachy Head Road
Car Park 1 – Warren Hill, Beachy Head Road
Car Park 2 – Warren Hill, Beachy Head Road
Church Street
Car Park 1 – Butts Brow
Car Park 2 – Butts Brow
The Coach Park, Junction Road
Ashford Road Car Park, r/o 65/67 Ashford Road

APPENDIX B

Town Hall
Southfields Road
Gildredge Park
Cemetery Car Park, Willingdon Road