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| REPORT TO: | | Cabinet | |
| DATE: | | 06 February 2019 | |
| PORTFOLIO: | | Cllr Paul Cox - Deputy Leader - Environmental Services | |
| REPORT AUTHOR: | | Steve Riley – Executive Director (Environment) | |
| TITLE OF REPORT: | | Vehicular Management within Accrington Town Centre | |
| EXEMPT REPORT (Local Government Act 1972, Schedule 12A) | Options | Not applicable | |
| KEY DECISION: | Options | If yes, date of publication: | |

1. Purpose of Report

- 1.1 To inform Cabinet of the arrangements for vehicular management to the Accrington Market Hall Service Yard, Broadway and the new Town Square and seek approval to utilise Automatic Number Plate Recognition, (ANPR) cameras.

2. Recommendations

- 2.1 Cabinet delegate authority to Executive Director, (Environment) in consultation with the relevant Portfolio Holder to agree appropriate terms (including in respect of data sharing and data protection arrangements) and amend the current agreement with ES Parking Solutions for the Market Hall Service Yard, to include Broadway and the Council's land directly in front of the Market Hall on the new town square as shown edged in blue on the attached Vehicular Management Plan.
- 2.2 Cabinet agree to supplement existing officer patrols with the addition of ANPR cameras where possible on the Market Service Yard, Broadway and in front of the Market Hall to reduce vehicle access/unauthorised parking.
- 2.3 Cabinet adopt the loading/unloading regulations for the Market Hall Service Yard as set out in paragraph 3.9 and delegate authority to the Executive Director, (Environment) in consultation with the relevant Portfolio Holder to make any future amendments to the same.

3. Reasons for Recommendations and Background

- 3.1 The area between the Market Hall and Town Hall is the vehicle access for servicing the Open Market, the Market Hall, the shops on Broadway that back on to the yard and the shops that form part of the Accrington Market Square.
- 3.2 As part of the Broadway development in 2004/05, the Council and the then owners of the Town Hall extension building entered into a Deed of Grant for the area, known as the South Service Yard. This provided for the Service Yard to be just that and for the area not to be used as a car park. The Deed of Grant was dated 26th May 2005. As part of this agreement, there is a loading/unloading policy in line with the terms of the leases issued to both Broadway and Market tenants.
- 3.3 The new paving from the Town Square and the provision of four loading/unloading spaces allocated to Lancashire Police has greatly reduced the number of spaces available for Broadway and Market tenants to use. This is causing difficulties for the tenants in servicing their businesses as there is insufficient availability.
- 3.4 The Council's current parking enforcement agent is ES Parking Solutions, who took over following a number of performance issues with the Council's previous agent in September 2015. The agreement with ES Parking Solutions was procured following expressions of interest being sent to three prominent parking enforcement companies within the area. Out of these three, ES Parking Solutions was the only agent to respond and was engaged at zero cost to the Council. However, there is no agreement with them for the vehicular management on Broadway or the land directly in front of the Market Hall on the New Town Square.
- 3.5 ES Parking Solutions already operate a number of ANPR cameras for other organisations, the nearest being the Arndale Car Park. The company is registered as an International Parking Community (IPC) Accredited Contractor, and member of the Safe Contractors Scheme.
- 3.6 The current method of enforcement involves officers patrolling the different locations. However, this does not deal with the number of vehicles that access the Service Yard, Broadway and the area in front of the Market Hall on the new Town Square out of hours i.e. late night when officers do not patrol. The installation of ANPR cameras linked to a parking charge notice enforcement system would make the process more effective, and greatly improve vehicle management of the areas.
- 3.7 ES Parking Solutions have offered to provide ANPR camera/s and ongoing costs at zero cost to the Council. They are also providing all permits, clear wallets and signage free of charge.
- 3.8 Business owners and marker traders with access the service yard and Broadway will be informed prior to ANPR cameras going live in February 2019 and all old permits and agreements will be withdrawn. New loading/unloading permits will be issued, together with the installation of new signage to inform drivers.
- 3.9 To ensure that sufficient spaces are available and the system is seen to be fair, it is proposed the Council adopts the following regulations.

- Permits must be displayed/affixed to the vehicle windscreen at all times and will be linked to a single vehicle registration which is not transferable, (clear, self-adhesive wallets will be provided).
- 45 minutes loading/unloading period will be enforced for all vehicles correctly displaying a valid permit.
- No return policy of 90 minutes.
- 20 minute grace period for commercial vehicles, and a 5 minute grace period for cars and non-commercial vehicles without permits for deliveries.
- Arrangements for parking in excess of 45 minutes i.e. contractors, traders leaving/staring a new tenancy must be agreed with the Council in advance and will be granted on a case by case basis.
- 3 minute grace period will be permitted for any vehicle that has entered the Service Yard/Broadway without a valid permit to turn around and drive out.
- Replacement of lost permits will be charged an admin fee, replacement permits due to change of vehicle will be supplied at no cost and upon presentation of the previously issued permit.
- Marked Police vehicles will not be issued with a Parking Charge Notice.
- Civilian Counter Staff will no longer be allowed to park in the Service Yard out of hours as previously agreed.

3.10 Where a penalty charge notice is issued to a vehicle for an alleged contravention, the driver or keeper will have a number of methods to pay ES Parking but not the Council. All appeals will be considered by ES Parking Solutions and not by the Market Office.

3.11 A large percentage of the new Town Square is outside the possession and control of the Council but this also requires improved management to reduce vehicular traffic and unauthorised parking. Officers are therefore in discussion with Lancashire County Council to request an increase in the presence of their Parking Enforcement Officers to reduce unauthorised parking to the front/side of the Town Hall and in front of the shops facing Accrington Market Hall.

3.12 Arrangements under the Traffic Regulation Act 1984 are in place to allow the Mayoral vehicle and bridal vehicles to drop off their passengers outside the Town Hall.

4. Alternative Options considered and Reasons for Rejection

4.1 Terminating and/or not amending the existing agreement with ES Parking Solutions could result in abuse of, Broadway, the Council's land directly in front of the Market Hall and the Market Hall Service Yard. It is highly likely it would also lead to congestion, indiscriminate parking, danger to staff/members of the public and breach of covenant included in the Deed of Grant relating to other users of the Service Yard.

4.2 The parking enforcement contractor cannot provide foot patrols to every area 24/7 and there are genuine Health and Safety concerns in deploying lone workers late at night to issue tickets.

5. Consultations

5.1 The Leader of the Council, Portfolio Holder for Environmental Services and Legal Services.

6. Implications

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| Financial implications (including any future financial commitments for the Council) | The installation of ANPR cameras and requesting additional areas to be monitored will be at zero cost to the Council. |
| Legal and human rights implications | <p>Legal Services have been consulted on the extension of the arrangement to the current service yard.</p> <p>A Privacy Impact assessment is attached to the report and members should consider the same when making a decision in respect of the recommendations in this report.</p> <p>We are satisfied that the contractor has appropriate policies and procedures in place for DPA / GDPR compliance and an appropriate data sharing agreement will be put in place with the contractor in accordance with GDPR / data Protection Act 2018 requirements.</p> |
| Assessment of risk | The risk of not employing a company to monitor this area would potentially lead to difficulties in managing the use vehicular access/loading/unloading to the Market Hall Service Yard, Broadway and the Council's land in front of the Market Hall on the new Town Square leading to disruption to the tenants. |
| Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i> | N/A, this is not a new policy. |

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 None