

Agenda Item No:

Report to: Charity Committee

Date of Meeting: 12 December 2011

Report Title: Parking Issues on Foreshore Trust Land

Report By: Richard Homewood
Corporate Director Environmental Services

Purpose of Report

To inform the Charity Committee of a number of evolving issues relating to the use of Foreshore Trust Land for parking and recommend actions to address those issues.

Recommendation(s)

- 1. That the current arrangements for free overnight parking for Residents' Permit Holders continue until such time as the remaining works to the Stade Enhancement Scheme and the Jerwood Gallery are completed, at which time the concession will cease immediately.**
- 2. That the principle of the upgrading the fibre optic link to facilitate more extensive CCTV monitoring and remote access barrier control on The Stade be supported.**
- 3. That the Foreshore Trust contribute £25,000 toward the one of costs of the upgrade as set out in Appendix A.**
- 4. That the situation regarding the future management of Foreshore Trust Car Parks be noted and officers be requested to investigate options for the future operation of the Trusts off-street car parks and submit a further report in due course.**

Reasons for Recommendations

1. To ensure that the arrangements for the management and operation of the Foreshore Trust Car Parks is consistent with the terms of the Trust and do not discriminate in favour of any particular group.

2. To enable effective control of vehicle access to Foreshore Trust Land, protect potential income from Foreshore Trust Car Parks and reduce the incidence and cost of dealing with fly tipping.

3. To ensure that Foreshore Trust Car Parks are managed cost effectively and efficiently.

Introduction

1. Significant areas of Foreshore Trust Land are used for the parking of vehicles associated with tourism, local business activity or residential purposes. There are currently three particular issues relating to the use of Trust Land for parking which Members need to be aware of determine the way forward. These are:
 - a. Free overnight parking for Residents' Permit Holders;
 - b. The control of access to the Stade areas of Foreshore Trust Land;
 - c. The future management of the Foreshore Trust car parks

Free Overnight Parking for Residents Permit Holders

2. In view of the loss of on street residents' parking spaces and the loss of the Fishmarket Car Park as a result of the Stade Open Space and Jerwood Developments, the Foreshore Trust agreed on 10 February 2010 to allow Hastings Residents Permit holders to park free of charge overnight in Rock a Nore and Pelham Place Car Parks. The Trustees resolved that this arrangement would be reviewed in January 2011 but to date no formal review has taken place.
3. As part of the Stade Enhancement Scheme the loss of the coach park on the Stade was to be offset by the creation of a number of coach dropping off bays on each side of the A259 seafront and the creation of coach parking in Falaise Road on the White Rock. This resulted in the loss of seven Residents Parking Bays on the northern carriageway of the A259 seafront near the Cutter public house.
4. The modifications to Rock a Nore Road as part of the Stade Enhancement Scheme and the Jerwood development led to the loss of a further seven Residents Permit Holder bays in Rock a Nore Road itself. The Fishmarket car park was also removed and the new Stade Hall and toilet block built in its place. This car park had free overnight parking, so a limited number of local residents used to park there overnight.
5. In spite of extensive prior consultation many residents claimed not to have realized this was going to happen and as a result there was increasing opposition to the scheme as a whole from people who would be losing 'their' parking spaces.
6. In an effort to retain as much local support for the scheme the Foreshore Trust was approached to see if it was prepared to assist. Whilst to allow Old Town Residents Permit Holders to park in Rock a Nore and Pelham Place car parks during the day would have resulted in a loss of expected income for the Trust by displacement of paying customers, neither of these car parks were heavily used overnight and Rock a Nore is normally almost empty overnight. There would therefore be no loss of expected income by displacement of paying customers if Old Town Residents' Permit Holders were allowed to park in these two car parks overnight. (Albeit there would be a small loss of additional income from these users (£1 per vehicle per night)).

7. This suggestion was put to the Foreshore Trustees on 9 February 2010. The Trustees were uncomfortable about restricting the concession to Old town Residents Permit Holders only and sought advice on this from the Council
8. As a consequence on 10 February the Foreshore Trustees resolved that:

“Holders of Hastings Residents Parking Permits may park overnight without charge in Pelham Place and Rock-a-Nore car parks between 1800hrs and 0900hrs with immediate effect; and that this concession shall be reviewed in January 2011.”
9. This concession has continued to be enjoyed by Residents Permit Holders until now and the original review date which was linked to the anticipated conclusion of the works has long since past. The delay in reviewing the situation is as a result of the delays in completing the works to the Stade enhancement Scheme and the Jerwood Gallery but it is felt that the decision needs to be reviewed as consequence of the change in the administration of the Trust and the change of Trustees.
10. Experience from operating the coach dropping off bays during this summer has demonstrated that there is little or no demand for them during the evenings or overnight. The restrictions have therefore been amended in respect of those dropping off bays on the north side of the seafront. They are now designated coach dropping off bays between 8.00am and 6.00pm only. Residents can park in them from 6.00pm through until 8.00am the next day. The lost overnight on-street parking for residents has therefore been restored.
11. Monitoring of the use of the free overnight parking for residents' permit holders suggests that a limited number of residents permit holders (less than 6 on any one night) take advantage of this concession.

Monitoring Officer's Comments

12. The Trustees were understandably nervous about the special treatment of Old Town resident parking permits holders as it is arguably against the best interests of the Charity and discriminatory because residents parking permit holders, or even all Hastings Residents Parking Permit Holders, are not the only beneficiaries of the Trust. If it is considered in the best interests of the Trust then it should arguably be applied to any and all customers who wish to park overnight to be consistent with the terms of the Trust. Were this so the loss of income would however be significant (£40,000 per annum).
13. The different treatment of resident parking permit holders may be justifiable if there is temporary displacement of permit holders by reason of works undertaken on Trust land but if we now have the position going forward, then a decision has to be made as to whether it is in the interests of the Trust to continue with it and, if so, whether it should be open to all residents and visitors alike. Given the significant loss of income which would occur if the concession was widened as indicated above, officers could not support this approach.
14. The Charity Committee has agreed that, on completion of the works on the Stade, steps will be taken to start to rationalize the long standing problems of parking on

Trust Land outside of car parks. Initial proposals to begin this rationalisation are set out later in this report. Agreeing to continue with or widen this particular free parking concession could therefore set a precedent which would complicate this further.

15. Given this concern, the fact that the 'lost' on-street spaces have been restored and the limited use of the free overnight parking concession, the Trustees are recommended to continue the current arrangements until such time as the remaining works to the Stade Enhancement Scheme and the Jerwood Gallery are completed. It is therefore recommended that the concession ceases on 31 January 2012.

Control of Access to the Stade

16. Since before the commencement of the works to develop the Stade Public open space and Jerwood there has been unrestricted vehicle access onto the winch hut road and the Blue and Pink Stade areas. This was as a result of the removal of existing barriers and the failure of others.
17. This unrestricted vehicle access has become widespread knowledge and has caused significant problems with large numbers of 'unauthorised' vehicles parking routinely in this area, particularly at weekends and during the summer months. This has inhibited the use of the area by legitimate users (e.g. the fishermen, lifeboat personnel and angling club members) and significantly increased the risk of injury to pedestrians and other users.
18. There is also evidence that a significant number of vehicles taking advantage of this 'free' parking would otherwise have parked in Rock a Nore car park and that there has consequently been a loss of potential income for the Trust and the Council.
19. There has also been evidence of increased levels of fly tipping on the winch hut road and Blue Stade as a consequence of unrestricted vehicle access and increasing costs of dealing with it.
20. New rising bollards have been installed to restrict vehicle access to the new Public Open Space and a new rising barrier to control access to the area in front of the lifeboat house as part of the Stade Open space project. Two 'blockers' are being installed each side of the Fishmarket building to control access through these two points. The capital cost of these is being met from a European fisheries Fund (EFF) grant.
21. The rising bollards and rising barrier are currently controlled by a combination of access fobs and access cards issued to legitimate users. The rising bollards only also have a link to the Carlisle Base control room using a mobile telephone service.
22. The 'blockers' each side of the Fishmarket will be operated by different access fobs and it is hoped that the western of the two, nearest to the Jerwood Gallery will also operate via a mobile telephone link at least in the short term.

23. This situation is far from ideal. The fobs are particularly expensive (between £50 and £79 each and the cards (for the rising bollards only) around £15 each. The numbers of legitimate users requiring these is significant and beyond the capacity of any current budget provision.
24. Previous experience has shown that there is likely to be a high demand for fobs. Whilst there are a core of regular users the majority of those requiring access might be described as 'random' or 'periodic' users, (e.g.; fuel and other deliveries, Fishmarket customers etc.) whose access would be more readily controlled by remote monitoring and activation of the barriers than providing them with an expensive fob. The Jerwood Gallery has also indicated that it would wish for the barrier to their service area to be monitored and operated remotely allowing access for deliveries etc.
25. Experience has also shown that if these are issued in large numbers they very quickly gain wide distribution to 'unauthorised' users.
26. Remote control of the barriers with visual monitoring so that the operator can see the person or vehicle wishing to gain access is considered to be the best and most cost effective long term solution. This would ensure stricter control of access to the area and ensure that only authorised vehicles or the emergency services are afforded access.
27. The Jerwood Gallery had indicated from early in the development of the proposals that they would like their 3 external cameras to be monitored by HBC control room.
28. There is a network of existing ducting from the Carlisle Base Control Room and Aquila House to the Stade. The last section of the current fibre optic link to the Stade and the distribution box on The Stade are rented from BT and do not have the capacity to accommodate all of the above requirements. The Council owned fibre optic link requires an extension of 350 metres to replace the BT section, completing the Council owned link between the Stade and the control room at Carlisle Parade. This would allow HBC to install its own control box at the Stade. This would then have the capacity to serve all of the above requirements.
29. Over the past five years BT's pricing structure has meant that prices for lower end fibre optic users has increased considerably and this is likely to be the trend for the future. Paying BT to increase the capacity of the last section of the link and upgrade the distribution box would simply increase these costs still further.
30. It would be more cost effective in the long term, therefore, if the upgrade was carried out by the Council as this would eliminate on going line rentals and maintenance charges from BT for a slightly larger one off expense. It would also eliminate ongoing mobile telephone charges for the rising bollards and the blockers.
31. In conclusion the proposed upgrade to the fibre optic link would enable us to serve all of the CCTV and barrier control requirements on The Stade for the benefit of the Foreshore Trust, Jerwood Gallery, Fishmarket and the Council. It would eliminate ongoing revenue costs for mobile and land line rentals, (estimated at £9500 per annum at current rates), potentially increase car park

income from Rock a Nore Car Park and reduce the incidence of fly tipping and associated clearance disposal costs, making it an invest to save project. It will also significantly reduce the number of access fobs and cards it will be necessary to issue and provide a significantly enhanced access control to the Stade area.

32. Given that a number of organisations will benefit from it, it would seem reasonable therefore for the cost of upgrading the link and ongoing maintenance costs to be shared between those parties.
33. There has been a considerable investment in the systems for controlling access to the Stade area and enhancing security already.
34. The estimated cost of the above works to create a comprehensive CCTV and Access Control system for the Stade area is £73,000, including contingencies. The Jerwood Gallery has agreed to contribute to the one off capital cost in recognition of the enhanced security the system will offer them. The Council will also contribute in recognition of the benefits to the Council and the Foreshore Trust is therefore also requested to contribute in recognition of the benefits it will derive as detailed above. The Charity Committee are therefore requested to approve a contribution of up to £25,000 toward this one off capital cost. A breakdown of the one off capital costs is set out in Appendix A.

Monitoring Officer's Comments

35. The proper control of access by vehicles, parking and fly tipping on the Trust's land would appear to support the Trust's objects of holding for the common use, benefit and enjoyment of Her Majesty's subjects and the public generally. Reduction in vehicular traffic and parking will benefit the health and safety of the public and improve access to the Foreshore. It also reduces the cost to the Trust of clearance of fly tipping and general litter clearance. Displaced parking should also benefit the Trust through increased income from the Trust car parks.
36. Reduced access will benefit not just the Trust, of course, and the allocation of the Trust's share of the costs should be proportionate and the Trust will need to undertake its own cost-benefit analysis.
37. Members are therefore recommended to support the principle of the Council upgrading the fibre optic link to facilitate more extensive CCTV monitoring and remote access barrier control on The Stade be supported.
38. In recognition of the additional protection and control of vehicle access the proposed scheme would offer for the Foreshore Trust land, the Charity Committee are recommended to agree to contribute up to £25,000 toward the one of costs of the upgrade as set out in Appendix A. Provision is already made in the Foreshore Trust Business Plan for contributing to the ongoing maintenance costs of the barriers.

The future management of Foreshore Trust Car Parks

39. Hastings Borough Council (HBC) has historically managed its own off-street car parks and those on Foreshore Trust land. Since 1999 the Council has also

managed on -street parking enforcement in Hastings on behalf of East Sussex County Council (ESCC) under an agency agreement.

40. ESCC has retendered its on-street parking enforcement functions in Eastbourne and Lewes and has 'market tested' the agency agreement in Hastings. As a result of this the ESCC has resolved to terminate the Parking Agreement with HBC and to award the On-street parking enforcement function to a private contractor. ESCC are required, under the terms of the agreement, to give HBC twelve months notice of Termination.
41. The report to ESCC Cabinet also makes reference to greater efficiencies and economies of scale were the same contractor to also carry out enforcement in the off-street car parks on a similar basis to the current service operated by HBC.
42. In the current combined on and off-street parking service provided by HBC the costs are apportioned between on and off-street parking and the off-street costs are then apportioned between HBC and the Foreshore Trust. The costs apportioned to the Trust for 2010/11 were £206,328 (for both enforcement activity and for maintenance) with income of £839,426. It is important to recognize that the County Council contractor would carry out enforcement but not the routine maintenance element included in this cost.
43. The Foreshore Trust will need to take a view on whether it wishes HBC to continue to carry out the parking enforcement in its car parks or investigate the use of the ESCC appointed contractor. HBC will need to consider its own position regarding its off-street car parks also.
44. The Trustees may also wish to consider alternative ways of operating its two car parks, (Pelham Place and Rock a Nore) such as introducing 'pay on foot' instead of pay and display. Pay on foot would eliminate the need for enforcement as people would pay as they left the car park. It might also generate additional income as it would remove the pressure to leave by a predetermined time.
45. Members are recommended to note the report and request officers to investigate options for the future operation of the Trusts off-street car parks and submit a further report in due course.

Wards Affected

Castle, Central St. Leonards, Old Hastings, West St. Leonards

Area(s) Affected

Central Hastings, East Hastings, South St. Leonards

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	No
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

Appendix A - Stade Access Control Enhancements - Cost breakdown

Officer to Contact

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Appendix A

Stade Access Controls Enhancement - Cost Analysis

Item	Cost
Exploratory excavation to locate existing ducting	400
Extension to existing ducting Pelham to Stade (350m)	19200
Allow ducting across Stade entrance	1000
Allow ducting from winch hut road to blockers (2 no)	1500
Provide fibre cabling and connections	7300
Install new fibre cabinet, fibre cage and fibre card	4000
Install 8 metre column (1 no), CCTV Camera (1 no)	10000
BX2 1.5TB recorder (1 no)	7100
BPT Controls for blockers (2 no)	14000
Cabling from ex BT box to new HBC Cabinet	2000
Sub total	66500
Contingencies (10%)	6650
Project Total	73150