

EAST AYRSHIRE COUNCIL

CABINET – 17 JUNE 2009

INTRODUCTION OF SHORT STAY PARKING RESTRICTIONS AND CHARGES TO THE EXTENDED QUEEN STREET CAR PARK, KILMARNOCK

Report by Executive Director of Neighbourhood Services

1 PURPOSE OF REPORT

- 1.1** The purpose of the report is to seek approval to extend short stay parking restrictions (up to 4 hours) and parking charges to the area of ground adjacent to the Queen Street car park, which is currently leased to Tesco. The locations of the car parks is shown in Appendix 1.

2 BACKGROUND

- 2.1** The area of ground, located adjacent to the Queen Street pay and display car park in Kilmarnock town centre is owned by East Ayrshire Council. It was originally leased to Tesco by Kilmarnock Loudoun District Council for use as their supermarket car park. In 2007 the lease was due to expire and Tesco initially declined to renew the lease. The Roads Division promoted an amendment to The East Ayrshire Council (Use of Off Street Parking Places Revocation) (Kilmarnock) Order 2006, on 29 June 2007, to introduce parking charges and time limits to bring the management of the car park into line with other public car parks in the town centre.
- 2.2** Tesco subsequently decided to renew the lease of the car park and the Parking Order was not made. With the opening of their new store in West Shaw Street, Tesco have indicated their intention to close their Fowlds Street store and relinquish the lease as the car park will no longer be required for their customer parking.
- 2.3** The Council will be liable for the payment of rates, water charges, cleansing and maintenance of the car park area when the lease is terminated. It is also likely that an area of uncontrolled free parking would soon become filled by vehicles parked for the whole day, which would be to the detriment of all town centre shoppers. This is also contrary to Council policy to encourage a turnover of spaces in the central car parks to provide an adequate supply of short-stay parking for shoppers and business users.

3 PROPOSALS

- 3.1** It is proposed to make the parking Order, first promoted in June 2007 for the introduction of parking charges and time limits in the extended Queen Street car park. The parking tariff would be the same as the other short stay surface car parks in the town centre.

4 PROCEDURES

4.1 The draft Order has been prepared in accordance with the requirements of the Road Traffic Regulation Act 1984 and the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999.

4.2 **Consultation** – the organisations, representative groups and individuals consulted during the preparation of the Order are detailed in Appendix 2. The Chief Constable has no objections to the draft Order and no objections or adverse comments were received from any of the consultees.

4.3 **Publication of Proposals** – the draft Order was published in the Ayrshire Classified section of the Kilmarnock Standard. Full details of the proposals with plan and Statement of Reason were available for inspection at:-

- Council Headquarters, London Road;
- Roads & Transportation Division, Council Offices, Holmquarry Road,
- Kilmarnock; Registration and Information Point, John Dickie Street, Kilmarnock
- Council Offices, Rigg Road, Lugar.

4.4 **Formal Objections** – Objections were received from three individuals and a summary of their objections are:-

- Free parking should continue to be provided for Tesco customers as they have enjoyed free parking for many years.
- Tesco will be the only supermarket in Kilmarnock that will not have free parking, which could be detrimental to the future of the store and jobs.
- Tesco staff will now have to pay for parking while at work.

The Head of Roads & Transportation responded to each of the objectors to address their concerns. None of the objections were maintained and none of the objections would be relevant when the Tesco store in Fowlds Street closes.

5 FINANCIAL IMPLICATIONS

5.1 The costs associated with promoting the permanent Order, installing pay & display meters and erecting all necessary signs will be met from existing budgets.

6 LEGAL IMPLICATIONS

6.1 The promotion of the Order has been in accordance with the requirements of the Road Traffic Regulation Act 1984, as amended and the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999. As part of the statutory procedures, the Cabinet must determine the proposed Order.

6.2 To comply with the regulations, the Order must be made within two years of it originally being promoted, ie. by 28 June 2009, otherwise it will lapse.

7. PERSONNEL IMPLICATIONS

7.1 Nil

8. POLICY IMPLICATIONS

- 8.1** The proposal will increase the availability of short stay parking spaces in the central car parks and ensure a turn round of the parking spaces which will to improve accessibility to the town centre as a whole in accordance with the Local Plan policy.

9. COMMUNITY PLANNING IMPLICATIONS

- 9.1** The increased availability of convenient parking will enhance the attractiveness of the town centre for shoppers and business users to meet with Community Planning objectives for Improving Opportunities.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1** Failure to make the Order by 28 June 2009 will result in additional costs being incurred to promote the Order again and maintain the car park. There will also be delays in bringing the management of the car park into line with other public car parks in Kilmarnock town centre

11. RECOMMENDATIONS

- 11.1** It is recommended that the Cabinet:-

- (i) agrees to approve the making of the proposed Order to incorporate the land owned by the Council, on the termination of the lease by Tesco, into the existing Order controlling the pay & display car parks in Kilmarnock town centre; and
- (ii) note the content of the report.

William Stafford
Executive Director of Neighbourhood Services

5th June 2009
WS/JB/TSA

LIST OF APPENDICES

Appendix 1 – Plan showing the extent of the proposed car park.
Appendix 2 – Consultation list.

BACKGROUND PAPERS

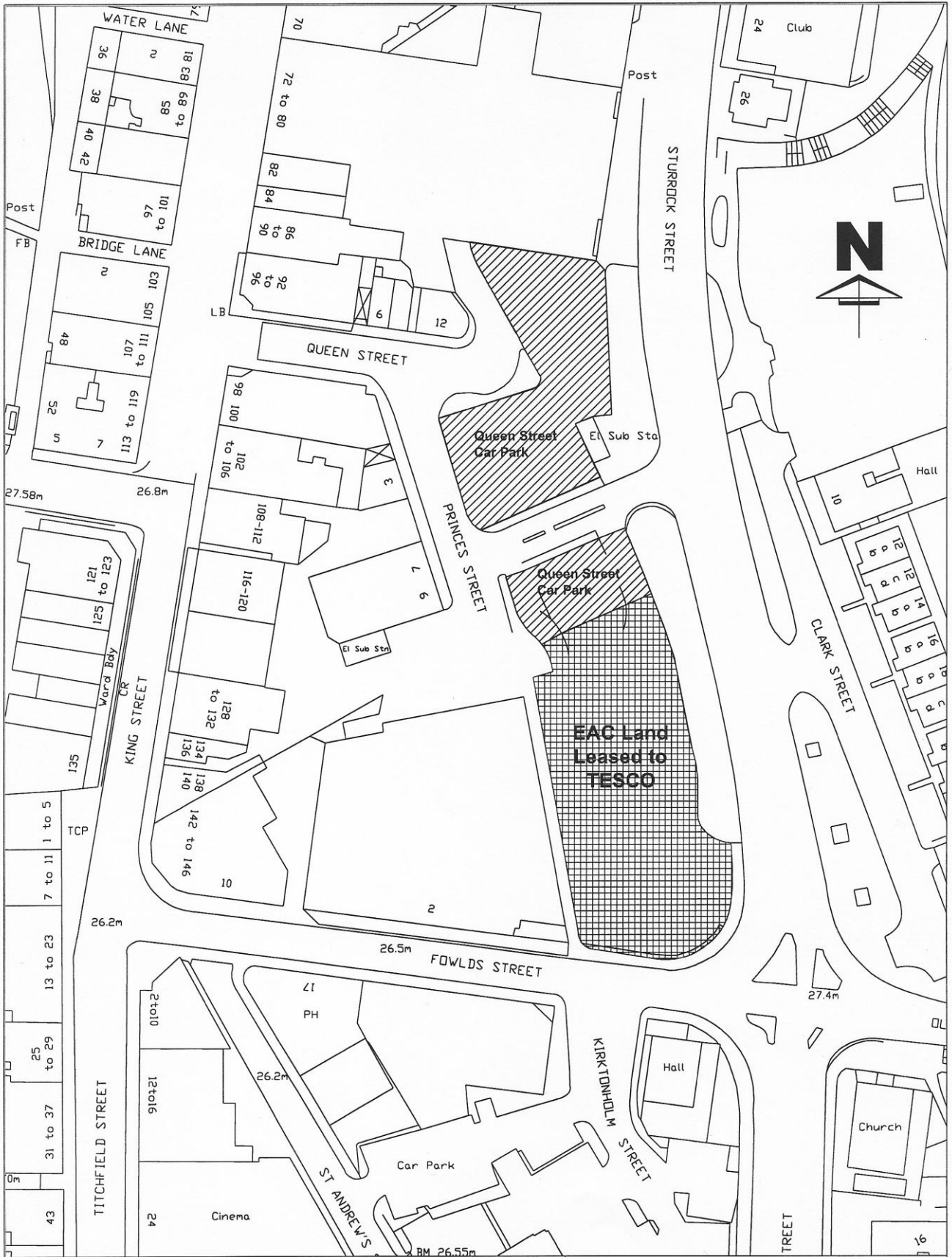
**The East Ayrshire Council (Use of Off Street Parking Places)
(Kilmarnock) (Amendment) (No2) Order 200_**


Copies of the above named draft Order are available from the Head of Roads & Transportation.

For further information on the contents of this report please contact Keith Orton on 01563 576310.

Implementing Officer: Tom Allan

APPENDIX 1



<p>THE EAST AYRSHIRE COUNCIL (USE OF OFF STREET PARKING PLACES) (KILMARNOCK) (AMENDMENT) (No2) ORDER 2____ Proposed Pay & Display Car Park</p>		Head of Roads and Transportation : James T. Kane BSc., CEng., FICE, FIHT	
		Drawing No. : Consultation - 01	
Greenholm Street, Kilmarnock, KA1 4DJ		File No. : T/8/3/9	Scale : 1:1250
		Prep: TSA	Chkd :
		Date : Dec 2006	
		 East Ayrshire COUNCIL DDS:210x297	

Appendix 2

Consultation List

The following organisations, representative groups and individuals were consulted during the preparation of the draft Orders –

Chief Constable
Strathclyde Fire Brigade
NHS Ayrshire & Arran
Scottish Ambulance Service
SPT
Freight Transport Association
Road Haulage Association
The Postmaster
Scottish Power
Transco
British Telecom
Scottish Water
RAC
Cycling Scotland
C.T.C (Ayrshire Section)
Scottish Taxi Federation
Kilmarnock Forum on Disability
North East Ayrshire Access Panel
Kilmarnock Retail Traders Association
Bellfield CC
Bonnyton CC
Grange/Howard CC
New Farm Loch CC
North West Kilmarnock CC
Piersland & Bentinck CC
Ward No2 - Cllr H. Coffey
Ward No2 - Cllr W. Coffey
Ward No2 - Cllr M McKay
Ward No3 - Cllr D. Reid
Ward No3 - Cllr I. Linton
Ward No3 - Cllr R Keohone
Ward No3 - Cllr T Cook
Ward No4 - Cllr D. McIntyre
Ward No4 - Cllr G. Cree
Ward No4 - Cllr J Buchanan
Ward No4 - Cllr J. Campbell
Ward No5 - Cllr H Ross
Ward No5 - Cllr J Todd
Ward No5 - Cllr J. Knapp
Cllr B McDill – Environment & Regeneration
Cllr J Buchanan - Environment & Regeneration
Chief Executive
Executive Director of Neighbourhood Services
Executive Director of Corporate Support
Executive Director of Education and Social Services
Chief Engineer (Operations)
Head of Planning & Building Control