

**REPORT TO: ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES
COMMITTEE ON 23 FEBRUARY 2010**

**SUBJECT: LOSSIE GREEN AND LOSSIE WYND CAR PARKS PAY AND
DISPLAY**

BY: DIRECTOR OF ENVIRONMENTAL SERVICES

1. REASON FOR REPORT

1.1 The Committee is asked to consider introduction of pay and display waiting restrictions for car parking only at Lossie Green and Lossie Wynd car parks, Elgin.

1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to Orders for the regulation of traffic.

2. RECOMMENDATION

2.1 It is recommended that the Committee agrees to instruct the Director of Environmental Services to

- a) **the recommendations set out in Section 2 with regard to introduction of pay and display waiting restrictions at Lossie Green and Lossie Wynd Car Parks and proceed with the statutory process.**
- b) **the proposal to charge a fee of £1 per day per car (or part day).**
- c) **the proposal to fund set up costs from the Capital scheme "Elgin Traffic Management and Car Parking" during 2010/2011.**
- d) **the proposal to split subsequent income between the Council and the Common Good Fund.**
- e) **instruct the Director of Environmental Services and Chief Legal Officer to proceed with the statutory process.**

3. BACKGROUND

3.1 The Moray Council Special Committee meeting on 11 February 2010 agreed the Financial Plan 2010 to 2013 (Item 3) which included provision for income from introduction of pay and display waiting restrictions at Lossie Green and Lossie Wynd Car Parks.

- 3.2 Both car parks were re-constructed in 1986/1987 when Bishopmill Bridge was built. Lossie Wynd has 80 car spaces and Lossie Green has 360 spaces plus 13 lorry spaces. Both car parks are operated under the GRC Car Parks Order and are currently free to use.
- 3.3 The western part of Lossie Green car park and the eastern part of Lossie Wynd car park are owned by the Council with no title restriction on the proposals within this report. The eastern part of Lossie Green car park and the western part of Lossie Wynd car park are held by the Council on a public trust. This trust is administered as part of the Elgin Common Good.
- 3.4 It is proposed to split income proportionally between the Council and Common Good Land. Income from Lossie Wynd would be split 50:50 and from Lossie Green 70:30 respectively. It is proposed that lorry parking remains free since these vehicles mostly use the facility in the evening and overnight when costs to enforce pay and display would outweigh the income generated.
- 3.5 At Lossie Green, there is full time provision for 13 lorry spaces. In addition, a second row of lorry spaces is available at night to provide a lorry park for heavy goods vehicles serving the town. This area is marked for use by cars only during the day.
- 3.6 The Grampian Regional Council (Off-Street Car Parks) Order 1989 stipulates the management and operational arrangements for those car parks within Moray covered by the Order. Whilst it includes Lossie Green and Lossie Wynd Car Parks, both car parks are currently free to use. The Order is currently under review and amendment by Officers and will be the subject of a future report to the relevant Committee. Introduction of pay and display at both car parks would be consolidated into the revision of the Order.

4. SUMMARY OF IMPLICATIONS

(a) Single Outcome Agreement/Service Improvement Plan

The report encompasses the main aims of the Single Outcome Agreement and Service Improvement Plan by reducing costs and increasing efficiency.

(b) Policy and Legal

The Council have powers to provide car parking but no duty. An amendment to the existing Car Park Order would be required to introduce the proposed pay and display restrictions. Advertisement of the proposed changes to the Car Parks Order

would be required. It would be prudent to refer to the public trust provisions in this advert and invite comment from the public on the charging proposals. Profit from those parts of the car parks lying within the public trust land would require to be applied towards the trust purposes.

(c) Resources (Financial, Risks, Staffing and Property)

Financial

There would be significant set-up costs required to make these operate as Pay and Display car parks. It is estimated that the cost of machines, the electrical cabling work and signs would cost in the order of £55,000. It is proposed that the works be funded from the Capital scheme "Elgin Traffic Management and Car Parking" in 2010/2011.

Both car parks are mostly used by workers who park all day. If they were charged £1 per day under current usage, overall income from both car parks to the Council would be £68,000 per year and the Common Good Fund £34,000 per year. Maintenance and supervision, which might be in excess of 30% of the projected income, would be deducted from these sums in the case of the Common Good Fund element. The Council already incurs maintenance charges on car parks and therefore only additional supervision/enforcement would be required from that income stream.

It is proposed to split the set up costs between the Council and Common Good Fund at a ratio of 50:50 for Lossie Wynd and 70:30 for Lossie Green.

Risks

Experience from past increases in car parking dues has shown that initially drivers will park elsewhere to avoid pay and display. This effect will last for longer where regular users are affected and so the prospected income will be less than the maximum figures given above. However it is impossible to quantify this effect in advance.

Staffing

Enforcement of parking restrictions will be carried out by existing car parking wardens.

Property

It is probable that some cars will park on the hardcore area between Borough Briggs Road and the River Lossie to avoid paying charges. This use will be monitored in case it develops into a long term problem. This land is Council owned and in addition there remains unresolved issues resulting from its use by travelling people as a camp site.

(d) Consultations

Lorraine Paisey, Principal Accountant has been consulted and is in agreement with the financial implications.

Scott Mann, Traffic Inspector for Grampian Police has been consulted on this report and is in agreement.

Alistair McEachan, Principal Solicitor (Commercial & Conveyancing) has been consulted and his comments have been incorporated into this report.

Ian Bruce, Environmental Protection Manager has been consulted and his comments have been incorporated into this report.

Mike McClafferty, Senior Area Housing Officer has been consulted and has no comments to make.

5. CONCLUSION

5.1 That the Committee considers:

- a) the recommendations set out in Section 2 with regard to introduction of pay and display waiting restrictions at Lossie Green and Lossie Wynd Car Parks and proceed with the statutory process.
- b) the proposal to charge a fee of £1 per day per car (or part day).
- c) the proposal to fund set up costs from the Capital scheme "Elgin Traffic Management and Car Parking" during 2010/2011.
- d) the proposal to split subsequent income between the Council and the Common Good Fund.
- e) to instruct the Director of Environmental Services and Chief Legal Officer to proceed with the statutory process.

Author of Report: Keith Stratton, Senior Engineer (Roads)
Background Papers:

Ref: GRH/KRS/