

Report for: Cabinet

Date of Meeting:	12 th November 2024
Subject:	Future operation of 5 car parking spaces at The Orchard, Halberton
Cabinet Member:	Cllrs James Bukowski, Cabinet Member for Finance and Cllr Simon Clist, Cabinet Member for Housing & Property Services
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive (S151)
Exempt:	
Wards Affected:	Halberton
Enclosures:	None

Section 1 – Summary and Recommendations

This report considers the current proposal from Halberton Parish Council regarding the future arrangements of the five car parking spaces at The Orchard, Halberton.

Recommendation(s):

That Cabinet agree to operate the 5 car parking spaces at The Orchard, Halberton on the commercial basis identified in paragraph 1.2.

Section 2 – Report

- 1.0 At a Cabinet meeting on the 14/11/23 it was agreed to grant delegated authority to the Council's Deputy Chief Executive (S151) to explore the option of a full repairing lease of five car parking spaces with Halberton PC and then report back to Cabinet.

- 1.1 Since this initial decision a number of exchanges of correspondence and meetings have taken place to discuss/consider a mutually acceptable outcome. Discussions have also been held by Halberton PC with Devon County Council to assess other parking solutions to mitigate some of the traffic related issues experienced at the junction for Sampford Peverell and Willand in front of the Hickory Inn.
- 1.2 The most recent meeting of Halberton PC held on the 25/09/24 outlined their preferred solution, after they had secured external advice as to how this arrangement could operate. This proposal is as follows:
- Halberton PC to operate a ballot for the 5 spaces and thereafter maintain a waiting list for the 5 spaces (this will include decisions on how long the permits will last for)
 - All other management/maintenance/enforcement, etc. to be the responsibility of Mid Devon District Council
 - Mid Devon District Council to operate the 5 spaces as reserved parking at the same pricing points as currently operated across our parking portfolio.
 - It is anticipated that this new arrangement will commence from the 01/04/2025
 - These spaces will need to be added on to Mid Devon's Off-Street Parking Places Order (OPPO)
 - Signage will be commissioned by Mid Devon District Council
 - All ongoing administration/contact with the tenants will be undertaken by Mid Devon District Council

Note: Halberton PC are currently prepared to meet the estimated costs of circa £1.5k to cover the estimated costs of signage.

- 1.3 If the above proposal is accepted a legal letter of this general agreement will be produced for both parties confirmation and understanding. This will include reference to notice periods in case these new arrangements do not progress as currently envisaged.

2.0 Conclusion

- 2.1 Both parties remain hopeful that these new arrangements will mitigate some of the parking challenges associated around this road junction. However, it will be sensible that an ongoing dialogue is maintained during the first 12 months.

Financial Implications

This decision will generate annual rental of circa but the District will still be responsible for ongoing costs of administration, repairs and maintenance.

Legal Implications

These new arrangements will need to be encapsulated in a revised Off-Street Parking Places Order (OPPO)

Risk Assessment

This decision could be seen to create a precedent in terms of current and future asset disposal decisions.

Impact on Climate Change

None identified.

Equalities Impact Assessment

None identified.

Relationship to Corporate Plan

This decision demonstrates the Council's aspiration to foster closer partnership working with the District's Towns and Parishes.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 29/10/24

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 29/10/24

Chief Officer: Stephen Walford

Agreed on behalf of the Chief Executive

Date: 29/10/24

Cabinet member notified: Yes.

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett

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Background papers: None