

DISTRICT OF NEW FOREST (OFF-STREET PARKING PLACES) (AMENDMENT) ORDER 2020, AMENDMENT No. 2 – KEYHAVEN SHORT STAY CAR PARK – INTRODUCTION OF NEW SHORT STAY AMENITY CAR PARK

1. BACKGROUND

- 1.1. The Council's car parks are subject to the District of New Forest (Off-Street Car Parking Places) Order 2005 ('the Order') which sets out the regulations under which car parks in the District can be used. From time to time it becomes necessary to make an Amendment Order so that alterations to the Order can be made to reflect changing circumstances. An Amendment Order is subject to a legal process which includes a statutory consultation process.
- 1.2. This process is set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('the Regulations').
- 1.3. The Council proposes to introduce a new Keyhaven Short Stay Car Park with parking charges. Therefore, an amendment is required to the Order.

2. PUBLICATION OF PROPOSALS

- 2.1. Following the Portfolio Holder's Decision dated 11 September 2020 (**Appendix 1**) which agreed to the proposed amendment, the draft Amendment Order (**Appendix 2**) was advertised in accordance with the Regulations and the Road Traffic Regulation Act 1984 ('the Act').
- 2.2. This involved consulting with statutory consultees, the erection of site notices, publication of the notice of proposals in a newspaper circulating in the area and having prescribed deposit documents available at the Council's offices.
- 2.3. Consent to the making of the proposed Amendment Order was also sought from Hampshire County Council ('HCC') in accordance with section 39(3) of the Act.

3. ITEM FOR DECISION

- 3.1. To consider the representations received as a result of the statutory advertisement and consultation process.
- 3.2. In the light of those considerations, to determine whether the Amendment Order should be made.
- 3.3. If the decision is made to make the Amendment Order, in accordance with the Regulations, following the publication of proposals stage of the Order making process, further advertisements, including a 'notice of making' are required.

4. REPRESENTATIONS RECEIVED

- 4.1. A total of 24 e-mailed responses and 3 handwritten letters were received from members of the public plus a written representation from Milford on Sea parish Council. These are set out and dealt with in this report.

5. REPRESENTATION FROM PUBLIC RESPONSES

- 5.1. Of the 27 public responses, 17 were against the proposal and 10 were in support. Many of the objectors felt that adequate signage of the area would be enough to deter overnight sleeping and camping and that the more prominent display of the (currently unenforceable) 4 hour waiting limit signage would address the issue. There was also concern from 4 of the volunteers who work at Hurst Castle, and the Hurst Castle management, that it would affect their ability to undertake these duties if they had to pay to park. In addition, the Director of the company managing the day to day running of Hurst Castle/Hurst Castle Ferries pointed out the additional costs for his boatmen who currently park there for free when working.
- 5.2. The majority of the respondents welcomed the proposal.
- 5.3. Several people also raised the issue of camper vans in Saltgrass Road and New Lane and asked for action to be taken there as well. These comments were passed to officers at HCC. Officers from HCC have expressed support for our proposal.

6. REPRESENTATIONS FROM MILFORD ON SEA PARISH COUNCIL

- 6.1. The formal representation from Milford on Sea Parish Council raised the following objections:
 - 6.1.1. Saltgrass and New Lanes are the locations of the main issue of long-stay overnight mobile home/ campervan parking, for which the Parish Council receives many complaints. The Parish Council is concerned that by making the Ancient Highway a short-term car park it would drive further traffic to park in Saltgrass Lane and New Lane and in Keyhaven generally.
 - 6.1.2. Conversion of the existing off-road parking to presumably tarmac, would cause disturbance (particularly on the left-hand side) to the Pans which is a key bird and wildlife habitat.
 - 6.1.3. The Parish Council considers that increased signage and parking machines would be an eyesore in this an Area of Outstanding Natural Beauty ('AONB') and National Park Authority area. It would like to see sympathetic signage as in the rest of the National Park. This can then be used to convey other messages such as no BBQs and no overnight parking.

7. COMMENT ON OBJECTIONS RECEIVED

- 7.1. Many of the objections suggested that signage reminding people to only park for 4 hours and no overnight camping or sleeping would be adequate. Unfortunately, these

signs are routinely ignored, and it is felt that in order to exercise full control over our land and make it available to all as a parking area, that this amendment is necessary.

- 7.2. The management and volunteers of Hurst Castle have also claimed it will have an adverse affect on their ability to work at and run Hurst Castle. There is a large long stay car park adjacent to the proposed car park where, by use of the Long Stay parking clock, 20 hour parking is available at less than 50 pence a day throughout the year.
- 7.3. Some objectors were concerned it will lead to parking further up the lane and on verges. The highway is covered by a Hampshire Highways Traffic Regulation Order with a double yellow line right up to the end of the lane. Our colleagues at HCC have stated these parking restrictions will be enforced throughout the year which will stop people parking in contravention of the restriction.
- 7.4. Milford on Sea Parish Council have commented about the proposal forcing traffic onto Saltgrass Lane and New lane. Currently, these are free parking areas and are the responsibility of HCC. In respect of the Parish Council's comments regarding the surface of the proposed car park; the area will remain gravelled (not tarmac). The aim will be to minimise any possible visual impact of the car park.

8. OPERATIONAL IMPLICATIONS

- 8.1. The development will not be detrimental to highway safety and the proposal has the support of HCC officers. There are not expected to be any operational implications arising directly as a result of this decision.

9. STATUTORY CONSULTEES

- 9.1. No objection has been received from the statutory consultees and Hampshire County Council have given their consent.

10. FINANCIAL IMPLICATIONS

- 10.1. The proposal should provide enough revenue to manage, maintain, patrol and where necessary enforce the new off-street car parking area.

11. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 11.1. There will be one (black in colour) solar powered ticket machine whose height will only protrude 1 foot above the sea wall. In addition, the signage will be kept to a minimum necessary to inform the public and after replacing the current signage at the bays there will only be 4 additional signs. The area is not an AONB but its status as a Site of Special Scientific Interest is noted.
- 11.2. The proposed area has suffered from overstaying vehicles, particularly camper vans and other overnight sleepers. Some have stayed for extended periods and whilst most

have respected the environment some have been responsible for litter, nuisance and stopping other vehicles being able to access the site for protracted periods.

11.3. The Council is subject to the public sector equality duty, as set out in section 149 of the Equality Act 2010. The duty covers defined protected characteristics comprising age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex; and sexual orientation. The Council must have due regard to the requirements of the public sector equality duty in the exercise of its functions.

11.4. It is not considered that the introduction of the new Keyhaven short stay amenity car park will have an adverse equality impact. Drivers who display a valid blue badge can park for free in the new parking areas. Due to the nature of the surface of the parking areas it is not possible to mark out disabled bays. The ticket machines are accessible to wheelchair users.

12. CONCLUSION

12.1. The representations have been reviewed and careful consideration has been given to the concerns of those objecting to the proposal.

12.2. However, it has been concluded that the only positive way to control the use of the Council's land in this area, whilst still allowing parking, is by incorporating the area into the off-street parking order.

12.3. The Amendment Order, as advertised, should therefore be made.

13. RECOMMENDATIONS

13.1. That the Amendment Order attached as **Appendix 2** be made to come into force no earlier than 1 January 2021 and further advertisements should take place as required by the Regulations.

14. PORTFOLIO HOLDER ENDORSEMENT

14.1. I agree to the recommendation above.

Sign: Cllr Edward J Heron

Date: 4 December 2020

For Further Information Please Contact:

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Date on which notice given of this decision – 4 December 2020
Last date for call-in – 11 December 2020