

**Agenda Item: ST JOHN'S CAR PARK**

**Submitted by: Debra Townsend (Clerk) Christine Marlow (RFO)**

**1. Approval**

Councillors views are sought.

**2. Purpose of the Report**

To update Councillors on the current situation in St John's Car Park to enable further decisions to be taken to alleviate the situation.

**3. Background Information**

The Council's Abandoned Vehicle Policy has been updated for 2023. The Policy has been accepted by the Finance, Governance & Staffing Committee and is recommended for approval by Council at its March 2023 meeting.

Research for the Policy highlighted that there were five vehicles parked in St John's Car Park which, according to the criteria, could be considered abandoned.

Over the weekend of 4/5 March 2023 three more vehicles were parked which meet the criteria so there are now eight potentially abandoned vehicles filling 25% of the spaces that should be available to users. In addition to this, a car and a low loader are now blocking the area between two rows of parking spaces with people working on the vehicles.

Council staff have received verbal complaints from local residents who use the car park and the craft group who meet in the Chapel. In addition, car park users are not respecting spaces marked as disabled or those reserved for Council use.

Littering has also become a problem in this area with the bin (which is provided by Belper Town Council) regularly overflowing and car parts being left for Council staff to remove.

As the operator of the car park, the Council has a duty of care to all users which could be compromised by the presence of abandoned vehicles without insurance as detailed in Sections 5 and 6 below.

If the Abandoned Vehicle Policy is agreed by Council this policy will be followed to attempt to have the vehicles which meet the criteria removed.

**4. Legislation**

- Refuse and Disposal (Amenity) Act 1978 (Section 2)
- Removal and Disposal of Vehicle (England) Regulations 2002 as amended
- Environmental Protection (Section 33)

**5. Accessibility Implications**

For local residents, visitors and staff:

<ul style="list-style-type: none"><li>• limits number of car parking spaces;</li><li>• potentially causes an obstruction, especially for users who have limited mobility.</li></ul>
<p><b>6. Climate Emergency Implications</b></p> <p>A negative effect on the quality of the local environment in terms of:</p> <ul style="list-style-type: none"><li>• attracting vandalism and rubbish;</li><li>• presenting an environmental hazard;</li><li>• producing a risk of explosion and injury.</li></ul>
<p><b>7. Corporate Plan Implications</b></p> <p>Abandoned vehicles are not in keeping with the Council's vision and core values for the town.</p>
<p><b>8. Financial Implications</b></p> <p>None anticipated.</p>
<p><b>9. Recommendation</b></p> <p>That Council considers the implications of the above report and any further action that may be required.</p>
<p><b>10. Reasons for recommendation(s)</b></p> <p>To:</p> <ul style="list-style-type: none"><li>• remedy the current situation regarding abandoned vehicles;</li><li>• prevent the car park being used as an auto-workshop;</li><li>• minimise the risk of abandoned vehicles in the future;</li><li>• improve the quality of the local environment;</li><li>• tighten up on the use of the car park, ensuring that the Council can fulfil its duty of care and minimise the risk of accident or injury;</li><li>• ensure that the maximum number of spaces are available for legitimate users.</li></ul>