

NON-EXEMPT

HAVANT BOROUGH COUNCIL

Cabinet

18th December 2019

**Overnight Parking for Motorhomes on Hayling Island
Private Sector Housing Manager**

RECOMMENDATION TO CABINET

**Portfolio: Portfolio Holder for Neighbourhoods, Safety and
Enforcement**

Cllr Narinder Bains

Head of Service: Natalie Meagher

Key Decision: No

1.0 Purpose of Report

- 1.1. This report is submitted to Cabinet for policy decision on the Experimental Traffic Regulation Order the affect of which was to cease overnight parking of motorhomes between 10:00pm and 6:00am in car parks in Hayling Island.

2.0 Recommendation

- 2.1. That the Experimental Traffic Regulation Order be made permanent.

3.0 Executive Summary

- 3.1. Since 2011 motorhomes, (the term 'motorhomes' is used for private vehicles with sleeping accommodation for the motor taxation class 'motor caravan') have been able to park and stay overnight in West Beach car park (although the car park is not a licensed campsite).

Havant Borough Council noted that as the use of the car park by motorhomes has increased, motorhomes were parking too closely together which is considered to have serious health and safety implications in the event of a fire. Therefore, Havant Borough Council commissioned a Fire Risk Assessment [FRA] by Fire Decisions Limited.

- 3.2. The FRA states that to reduce the risk of fire spreading between motorhomes the authority can control this by providing adequate spacing between vehicles, the recommended spacing is a minimum of

4 meters however it is recommended that 6 meters would reduce the risk significantly. To do this the authority would need to tarmac (binder and surface course) West Beach car park, the bays would have to be marked out with box junctions to ensure that the distance was adhered to, which could only be provided at significant cost. In addition to the associated cost, there are other matters to consider.

- 3.3. The Eastern Solent Coastal Partnership (ECSP), of which Havant Borough Council is a member has identified the erosion of this area of beach/ car park.

As the beach erodes (and or gets flooded) we would need to continuously make repairs to the car park, currently any such repairs are not budgeted for.

West Beach car park is situated within the SSSI area. To develop the land to accommodate the spatial requirements needed for motorhome parking would not be conducive to enhancing the natural environment that currently exists. Furthermore, this approach would not be supported by Natural England.

With these issues highlighted and taken into consideration the conclusion made was that it would not be viable or achievable to proceed with any formalised motorhome parking. Therefore, as safety is of paramount importance the recommendation is to ban overnight parking by motorhomes.

- 3.4. In light of the identified issues an Experimental Traffic Regulation order banning the overnight parking of motorhomes between the hours of 10:00pm and 6:00am in Hayling Island Car Parks was approved and implemented.

An experimental order was the chosen option to allow the Council to assess the effects of the Order. Objections to an experimental order must be made within 6 months of the date of the Order. The objection period ended on 10th February 2019. Details of the comments/objections received are given in Part 10 of this report and are included as Appendix A.

- 3.5. Cabinet members were consulted on 27th March, and a draft paper was presented which outlined the overnight parking ban currently in place for motorhomes and discussed the options available to the council.

The options presented were as follows:

1. A suitable site identified and infrastructure put in place, HBC to operate as a caravan site.
2. A suitable site identified and HBC seek an alternative provider to deliver a caravan site.
3. Overnight parking for motorhomes is permanently banned.

During the discussion a number of questions were asked, in response to which further work has been undertaken. The questions are explored under section 6 of this report.

These items are discussed in point 6 below.

4.0 Additional Budgetary Implications

4.1. None

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

5.1. Our values include Customer Focus and Taking Responsibility both of which underpin this work. In addition, the evidence that has been collated since first introducing the Experimental Traffic Regulation Order to ban overnight parking, further support our priority to 'understand the future needs of our residents and visitors and designing our services to meet those needs'.

6.0 Options considered and reasons for the recommendation

6.1 The full risks and benefits of Options 1 and 2 (see 3.5 above)–

1. A suitable site is identified, and infrastructure put in place, HBC to operate it as a caravan site

Benefits: -

- Small amount of revenue generated through fees

The maximum fine through use of a Penalty Charge Notice [PCN] is £70 (£35 if paid within 14 days). A charge for staying one night greater than £35 would not provide any intention to comply.

We are not able to accurately predict the amount of revenue generated through the creation of a site for overnight parking, however based on the limited data we have available the amount of revenue generated from overnight parking in the West Beach car park prior to the implementation of the ban was approximately £16,000 per annum. Please note, at this time the parking was unrestricted and the number of vehicles parking overnight that resulted in the above figure is likely to be far higher than the maximum number we would be able to accommodate in a site created by ourselves. Therefore, the revenue generated is likely to be less than the figure stated above.

Risks: -

- Significant cost to set up the site (discussed further below)
- Significant cost to manage the site
- Lack of existing appropriate skill set / resource to manage site
- Operational risk incurred through responsibility for the health and safety of the users of the site
- Planning permission required for change of use
- Revenue generated is unlikely to match the set up and on-going costs incurred
- Complaints from residents
- Complaints from private caravan site operators
- There is a risk motorhome users will not use this site and instead choose to park illegally in a different car park and risk receiving a PCN
- Potential loss of income from parking versus motorhome income

We are limited in the number of options for a suitable site, however an alternative is discussed below. Costings are also provided. We do not know the cost of managing a site if one were to be created, however it is likely to require an almost permanent presence to ensure compliance (just as most holiday caravan sites provide), and therefore the costs are likely to be significant.

As soon as anyone brings a caravan (including a motorhome/mobile caravan/camper van) on to a piece of land for the purpose of human habitation (rather than simply parking or storage) the land becomes a caravan site. The land on which the overnight parking would take place would be council owned and Section 8 of the Caravan Sites and Control of Development Act 1960 confirms that local authorities should have regard to any standards which may have been specified by the Minister under subsection (6) of section 5 of the Act, which in this case would be the 1989 Model Standards. We must adhere to the same standards that we would enforce on a privately-owned site through the licensing process.

There is a possibility that the council may face complaints from residents who neighbour whichever site is to be used as a caravan site, as well as residents concerned over the council using tax payer's money to fund a project that provides little benefit to the residents. We must therefore be prepared to field any complaints and negative press. Additionally, we may also receive complaints from private caravan site operators on Hayling Island who may have concerns that we are taking business away from them.

Historically motorhome users have displayed a preference to park in the West Beach car park. If the caravan site created by the council is not in the area in which the motorhome users wish to stay, they may not use the designated site and go to a different car park as described above.

2. A suitable site is identified, and HBC seek an alternative provider to operate a caravan site

Benefits: -

- Small amount of revenue generated through fees

As discussed above, there may be some revenue generated through this option. However, for option 2 the amount of revenue is likely to be based on profits made from the site after costs have been met, and due to the high costs and low anticipated revenue there may be no income for the council at least for the first few years.

Risks: -

- Operational risk incurred through responsibility for the health and safety of the users of the site
- Planning permission required for change of use
- Revenue generated is unlikely to match the costs incurred
- Complaints from residents
- No interest from private operators due to lack of profitability
- There is a risk motorhome users will not use this site and instead choose to park illegally in a different car park and risk receiving a PCN
- Potential loss of parking income versus motorhome income

This option would involve the council finding a suitable site to be used as a caravan site in the same manner as above and acquiring the necessary planning permission. However, the next step would involve procuring a caravan site operator who may lease the site from the council and operate it themselves. The start up and management costs could be borne by the operator procured. However due to the possible high start-up cost it may be a while before the site is making a net profit. While the majority of the operational risk would sit with the operator, the council would still retain an element of responsibility for the site.

As with option 1, we must be prepared for complaints from residents who may not be happy should the council make the decision to start using an area of land as a caravan site.

As with option 1, motorhome users may not use the designated site and go to a different car park.

The level of demand at caravan sites on Hayling Island –

Caravan/campsite operators on Hayling Island were surveyed to establish if they may be able to accommodate pitches for touring caravans or motorhomes. The survey was sent to sites officers were able to identify as having pitches for touring caravans/motorhomes from the information we have available.

Officers estimate there ought to be over 350 pitches (not including Fleet Farm or Lower Tye Farm) available on caravan/camp sites on Hayling Island.

Nevertheless it is clear that there is provision for visitors to Hayling Island to stay there overnight in their motorhomes. Privately owned, licensed, and managed sites are present, albeit not on the seafront, and can accommodate motorhomes. Any provision made by the council for such a service, aside from the cost and risk, may also have a negative impact on these existing businesses.

The impact of the ban on the local economy – During the consultation at the implementation of the ban, 1 representation was received from a business (a dry cleaner) on Hayling Island suggesting that their business had been affected by the ban. In addition, we have had feedback from the operator of the café that their breakfast business has been impacted since the ban

The financial impact of the potential loss of car parks - The proposed alternative site as detailed below, does not require the loss of an existing car park. Therefore, if this site were to be pursued, and the recommendation in this report was not approved, there would be no financial impact from the loss of a car park.

Details on any interested partners and confirmation on whether Norse would be interested in working with the Council in this area – As discussed above the caravan/campsite operators we contacted did not respond to our questions, therefore we had no opportunity for additional dialogue.

The matter was raised and discussed with colleagues in Norse, however their position was largely similar to that of the Council in that it is not their area of expertise, and there was unlikely to be much return on investment. Therefore, Norse would not look to take this workstream on.

Details on any options for potential alternative sites or for a number of smaller sites across the seafront – Other car parks in HBC's ownership were discussed during the meeting on 27th March as potential alternative sites. However the car park located between the Hayling Seaside Railway and the Coastguard building was also put

forward as there are more attractions here for holidaymakers (i.e. bars, restaurants etc).

There is an area of land situated to the west of this car park that is not in use at present. To mitigate any loss of revenue through conversion of a car park, it was decided that we would identify this currently unused area as a possible site for motorhome users and acquire the plans and costs for doing so. This area will be referred to as St Andrews hereafter. Please see attached plans indicating the area in question.

Plans have been created for installation of infrastructure taking into consideration spatial requirements, as provided by the Model Standards. The site would allow up to 22 spaces for motorhomes. The set up would involve significant costs to put in place the necessary infrastructure.

The car park proposals have been broken down into two options by our Civil Engineering Team, with each option having a choice of construction.

- Option 1 (Loose Surface) – This proposal consists of the available space within St Andrews being used without impacting the SSSI, with the construction being made up of a loose surface (gravel).
- Option 2 (Hardstanding) – This proposal is similar to above, however the construction consists of a hardstanding (tarmac surface).

Below are the cost estimates,

Option 1 (Loose Surface)	£176,415.20
Option 1 (Hardstanding)	£283,631.35

It should be noted that the Civil Engineering Team confirmed that in maintenance terms and management of the car park the preferred option is option 2 (hardstanding), as this will be a tarmac surface maintenance free for 10 to 15 years and will also be lined to aid enforcement and management of the car park. Plans and estimates provided in Appendix B.

The above costs only represent the improvements necessary to provide adequate bays, they have not taken into consideration further costs that are likely to be necessary such as provision of showers and disposal points for chemical closets.

The council would have to determine how the St Andrews site is to be managed. Whilst the above infrastructure would go some way to ensuring requirements such as separation distances are adhered to, we would need to have plans in place to be absolutely sure that the

site is being used safely. This is especially important in summer months when in previous years motorhomes parked very close to one another wherever they could find some space. Not managing the site closely presents a significant risk to the council. The management plan once created would need to be costed, however it is likely to be a substantial outlay.

In terms of providing a number of smaller sites across Hayling Island, it is likely that the overall cost and risk would be largely the same as a single larger site, it would merely be split across multiple locations.

- 6.1. Ultimately, the council are not currently in a position to provide a site for overnight parking for motorhomes on Hayling Island due to the cost, risk, and provision already exists in the form of privately owned and licensed camp sites.

It is important to note, the seafront is safer with the car parks used only as car parks and not as campsites.

7.0 Resource Implications

7.1. Financial Implications - None

7.2. Human Resources Implications - None

7.3. Information Governance Implications - None

8.0 Legal Implications

- 8.1. It is unlikely that there would be any legal implications resulting from the recommendation.

9.0 Risks

- 9.1. The primary risk relating to the recommendation is that a group of people will be unhappy with our decision, in line with the feedback from the consultation (detailed in point 10 below). The majority of people who made objections to the ban are non-residents

10.0 Consultation

10.1. Following the formal advertisement of the Experimental Traffic Regulation Order a number of representations were received.

10.2. The total number of representations supporting the ban on overnight parking for motorhomes was 5 and all are Hayling Island residents. In addition, there were 2 general comments received.

10.3. The total number of objections to the ban on overnight parking for motorhomes was 68. This number consisted of 56 objections from non-residents, 1 who withheld their address, 7 objections from Hayling Island residents, and 4 objections from residents from elsewhere in the borough. In addition to the above, there was also a complaint to the council from a business in Hayling Island, however they did not make an objection through the appropriate channel. There were no other objections or complaints regarding this matter from businesses, to our knowledge.

10.4. The main reasons for objecting to the ban are as follows:

Loss of local trade/ detrimental to local economy	One objection from a local business as above. No other objections have been received. (see 3.4)
Loss of income to the authority	based on the limited data we have available the amount of revenue generated from overnight parking in the West Beach car park prior to the implementation of the ban was approximately £16,000 per annum. However, we consider this minimal loss would outweigh any risk identified in the Fire Assessment report
Risk of fire during the day is the same as the risk at night	There is no evidence to dispute this – however, it is suspected that the risk is higher during the night due to users sleeping and less people about to spot a fire. We also have officers patrolling during the day.
Could simply mark out bays – rather than an outright ban	Have already identified that marked out bays are not a viable option due to the need for the car park to be properly constructed/ surfaced and the cost identified to do this. The erosion of the beach also makes this not financially viable. Other identified options (posts markers) cannot be used in this location due to lack of lighting and potential trip hazard and collision.
Disagreed with the Fire Risk Assessment report	The authority has an obligation once a potentially dangerous situation has been identified to act in the public interest.
Could designate an alternative area	See 6.1 for further information
Too few camp sites on the Island (for 1-night stay)	From our estimations there ought to be over 350 pitches (not including Fleet Farm or Lower Tye Farm) available on caravan/camp sites on Hayling Island. Also see further information in 6.1
Increase of cost to enforce the overnight ban	We have periodically carried out overnight enforcement patrols at various times of the week, including weekends and bank holidays across the Borough, including beach locations. This overnight enforcement has been paid for from an overtime budget, however, overall PCN income has covered this cost. If this ban is made permanent, then the

	authority may have to consider alternative ways of future enforcement as this is unsustainable with current staffing levels
Displacement of motorhomes to residential roads	Since the ban has been in place the traffic team has not received any significant complaints in relation to this Order where motorhomes have not previously been eligible to park. Any issues raised are being monitored and will be dealt with through the normal Traffic complaint processes.
Motorhomes are no different to beach huts	The beach huts are operated under the same restrictions. There is no overnight stay allowed in the Beach Huts.

10.5 Despite the number of objections received it is recommended that the experimental order be made permanent due to the risks identified by the FRA, the start-up and management costs, and provision of pitches already present in privately owned and licensed existing campsites.

10.6 A number of comments were received through responses to the Say What You Sea survey. The question that resulted in the most comments relating to motorhomes was 'Q11 - What do you feel is missing from the seafront?'. 57 responses related to motorhome provision missing from the seafront.

10.7 The background of the survey respondents was not captured so we do not know if any responses were from local businesses, however from the responses provided we believe this is unlikely. Full comments are provided in Appendix C.

11.0 Communication

11.1. Following confirmation of the recommendation being agreed, the council would be required to publicise our decision.

12.0 Appendices: *(include short summary of each appendix)*

Appendix A: Experimental Traffic Regulation Order consultation responses

Appendix B: Plans from Civil Engineering Team

Appendix C: Say What You Sea survey results

Appendix D: Current Experimental Traffic Regulation Order

13.0 Background Papers: *(provide evidence of any previous report, government guidance, relevant website etc.)*

Agreed and signed off by:

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S151 Officer: 9th December 2019

Director: 9th December 2019

Portfolio Holder: 9th December 2019

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