

Date: 19 April 2022

Dear Joanne Riddle (Clerk to Bingham Town Council)

FORMAL CONSULTATION

PROPOSED INTRODUCTION OF RUSHCLIFFE BOROUGH COUNCIL BINGHAM ARENA AND ENTERPRISE CENTRE CAR PARK CHAPEL LANE BINGHAM CIVIL ENFORCEMENT OFF-STREET PARKING PLACES ORDER 2022

Rushcliffe Borough Council proposes to consider the introduction of the above Order ("the Proposed Order") and my purpose in writing to you is to undertake consultation, as required by the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations").

The Proposed Order relates to a new off-street parking place provided by the Council at the location listed in the Notice of Proposal attached to this letter. A Statement of Reasons for the Proposed Order is also attached.

Nottinghamshire County Council applied to the Secretary of State for an Order under Schedule 8 of the Traffic Management Act 2004 designating various areas of the County of Nottinghamshire including the Borough of Rushcliffe as civil enforcement areas for parking contraventions. Pursuant to that application, The Civil Enforcement of Parking Contraventions (County of Nottingham) Designation Order 2008 brought civil parking enforcement into force in the relevant areas of the County on 12 May 2008.

The Council with delegated powers resolved to introduce a new supplementary parking place order to regulate the parking provisions at the named location to ensure fair use for motorists, maintain consistency, assist vehicular turnover, facilitate electronic payments throughout, maintain compulsory parking charges and permit-holder parking at the parking place listed in the Notice of Proposal and to extend the number of off-street parking places to encompass other land owned/managed by the Council. The Proposed Order will also extend the number and type of parking places available in the Borough of Rushcliffe and surrounding areas.

The council enclose a copy of the formal Notice of Proposal to make the above Order, together with the Statement of Reasons setting out the reasons why the Council is proposing to make the Order.

In order to give full publicity to the proposal, the Notice of Proposal will be advertised in the Nottingham Post on **19 April 2022** and site notices will be displayed at the parking place. In addition, documents providing full details of the proposal, including the proposed Order, will be available for inspection at the Council's offices, as indicated in the Notice of Proposal.

If you wish to comment on the proposal outlined in this letter I would be pleased to hear from you by 2pm on **17 May 2022**. Otherwise, I will assume that you have no comments at this stage. Due to the large number of organisations involved, I regret that it may not always be practical to respond individually to your reply. Should you require further information or clarification on any points arising from the proposals please contact Derek Musto, Parking Manager, Rushcliffe Borough Council at the above address (telephone 0115 917 3620).

On completion of the consultation process, if the Council decides to proceed with the introduction of the Proposed Order, the Notice of Making will be published locally as required by the 1996 Regulations and a copy of the said Notice will be sent to you.

Yours sincerely

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RUSHCLIFFE BOROUGH COUNCIL

NOTICE OF PROPOSAL

**PROPOSED BINGHAM ARENA AND ENTERPRISE CENTRE CAR PARK CHAPEL LANE
BINGHAM CIVIL ENFORCEMENT OFF-STREET PARKING PLACES ORDER 2022**

Rushcliffe Borough Council intends to make the above Order ("the Proposed Order") under its powers contained in the Road Traffic Regulation Act 1984 as amended and under the Traffic Management Act 2004 as amended and all other enabling powers.

The Proposed Order relates to a new parking place provided by the Council at the location listed in the Schedule of Parking Places and Charges below and is intended to come into operation on **Monday 1 August 2022** (or as soon as possible thereafter).

The Civil Enforcement of Parking Contraventions (County of Nottingham) Designation Order 2008 brought civil parking enforcement into force in the relevant areas of the County of Nottinghamshire, including the Borough of Rushcliffe, on 12 May 2008.

The Proposed Order restricts use of the parking place covered by this Order to vehicles of a specified class parked in such positions, on such days, during such times and for such periods as specified at each parking place; and prohibited parking in bays marked for use by disabled persons unless the vehicle is displaying a valid Disabled Persons Badge and currently set time clock.

The Proposed Order will introduce conditions of use for the new parking place, as described in the attached Schedule of Parking Places.

Proposed Penalty Charges

£70 (£35 where paid within 14 days; £105 if paid after service of charge certificate) For contraventions in relation to parking in loading areas; designated disabled person's bays; a restricted area; a permit bay or a bay not designated for that class of vehicle; for using a vehicle in connection with the sale of goods; and for causing an obstruction. For parking in a permit bay without clearly displaying a valid permit.

£50 (£25 where paid within 14 days; £75 if paid after service of charge certificate) For parking for longer than the maximum period allowed; parking beyond the bay markings; returning to the same parking place on the same day within the specified period; parking when the parking place is closed; parking for a purpose other than that permitted; parking with the engine running where prohibited. For contraventions related to parking charges, including: parking without payment of the parking charge; parking after expiry of the paid time; parking without clear display of the relevant ticket(s), voucher or parking clock; and parking without additional payment(s) to extend the parking stay.

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SCHEDULE OF PARKING PLACES, TIMES AND CHARGES OF USE UNDER THE PROPOSED ORDER

1. Pay and Display Car Parks, Category A:

Bingham Arena and Enterprise Centre Car Park, Chapel Lane, Bingham

Waiting period	Charge
Up to 3 hours	£0.00
Over 3 hours	£25.00

Blue badge holders

Up to 3 hours	£0.00
Over 3 hours	£25.00

Permitted Times of Use:

Public parking Monday to Sunday inclusive with no time limit and a continuous period not exceeding 24 hours on all days.

No return within 3 hours.

Blue badge holders up to 3 hours free no charge £0.00, normal charges apply thereafter.

Charges do not apply on Sundays and all bank holidays.

Any person may object or make representations relating to the making of the Proposed Order by **Tuesday 17 May 2022**. Objections and representations must be made in writing, stating the grounds on which they are made and must be sent for the attention of the Executive Manager - Neighbourhoods at the address given below or by email: parkingservices@broxtowe.gov.uk

Documents giving more detailed particulars of the Proposed Order are available for inspection on Monday to Thursday between the hours of 08:30 and 17:00 and on Fridays between the hours of 08:30 and 16:30 (except bank holidays) at Rushcliffe Customer Service Centre, Fountain Court, Gordon Road, West Bridgford, Nottingham NG2 5LN or at the Council's website [Rushcliffe Borough Council Parking](#)

Dated: **19 April 2022**

David Banks

Executive Manager - Neighbourhoods
Rushcliffe Borough Council
Rushcliffe Arena, Rugby Road
West Bridgford
Nottingham
NG2 7YG

RUSHCLIFFE BOROUGH COUNCIL

PROPOSED BINGHAM ARENA AND ENTERPRISE CENTRE CAR PARK CHAPEL LANE BINGHAM CIVIL ENFORCEMENT OFF-STREET PARKING PLACES ORDER 2022

STATEMENT OF REASONS WHY THE COUNCIL PROPOSES TO MAKE THE ORDER

1. Off-street parking places (car parks) are provided by the Council in order to: assist traffic management by reducing the demand for on-street parking places; help meet the needs of people with disabilities; promote the economic vitality of leisure facilities and services within the Borough; enhance access to civil, leisure and commercial facilities within the Borough; assist with the delivery of wider transport plans and to help protect the environment.
2. On 1 April 2008 part 6 of the Traffic Management Act 2004 (TMA) came into effect. Part 6 of the TMA provides for the civil enforcement of most types of parking contraventions. It replaces Part 2 and Schedule 3 of the Road Traffic Act 1991. The TMA transferred the responsibility of monitoring on-street parking enforcement from the Nottinghamshire Police to local authorities.
3. Nottinghamshire County Council applied to the Secretary of State for an Order under Schedule 8 of the Traffic Management Act 2004 designating the Borough of Rushcliffe and other areas of the County of Nottinghamshire as civil enforcement areas for parking contraventions. Pursuant to that application, The Civil Enforcement of Parking Contraventions (County of Nottingham) Designation Order 2008 (the 'Designation Order') brought civil parking enforcement into force in the relevant areas of the County on 12th May 2008. The Designation Order established Rushcliffe as a "Special Parking Area". This enabled on-street parking enforcement to be carried out throughout the area. A condition of the application was that the Council's off-street parking places be included within the "Special Parking Area" to provide a consistent level of enforcement of both on- and off-street parking across the County.

Pursuant to the aforementioned Designation Order, in March 2022 Rushcliffe Borough Council with delegated powers resolved to introduce a new off-street parking places order, The Rushcliffe Borough Council Bingham Arena and Enterprise Centre Car Park Chapel Lane Bingham Civil Enforcement Off-Street Parking Places Order 2022.

4. The Council with delegated powers resolved to introduce a new parking places order to regulate the parking provisions at the named location to improve fair use for motorist, maintain consistency, improve vehicular turnover, maintain compulsory parking charges and permit-holder parking at those parking places listed in the Notice of Proposal and to extend the number

of off-street parking places to encompass other land owned/managed by the Council.

5. The council propose to invoke a new parking places order for the following reasons:
 - a. To maintain high-quality public off-street parking facilities to meet the needs of the community.
 - b. To modernise transaction methods and provide different parking payment options.
 - c. To encourage turnover by regulating parking restrictions: this will also be reflected in the regime of tariffs regulating the period and length of stay.
 - d. To recognise the need for limited regular long-stay parking by the issue of permits for specified groups of users.
 - e. Meet the needs of blue badge holders and use of wheelchair adapted vehicle types.
 - f. To provide a contribution to service costs for the provision of off-street parking facilities in the Borough.

6. The use of the parking place, as provided in the Proposed Order, will be restricted to vehicles of specified classes parked in such positions on such days for such periods and displaying such tickets, vouchers, electronic payments or permits as are advertised at each site. If a vehicle is parked in a parking place without complying with the requirements of the Proposed Order, a parking contravention shall have occurred and a penalty charge may be payable.

Yours sincerely

David Banks
Executive Manager - Neighbourhoods
Rushcliffe Borough Council
Rushcliffe Arena, Rugby Road
West Bridgford
Nottingham
NG2 7YG

Dated: 19 April 2022