

## **Appendix one - Addendum to hire of land - Car parks Policy.**

### **Background**

Chichester District Council manages a range of car parks across the district to assist with meeting parking demand. The intended and main aim of car parks is to provide parking for visitors, residents and businesses which assists with reducing congestion on local roads, supporting businesses, and encouraging tourism.

Car parks are reviewed on a regular basis for capacity, and it is recognised that there are some car parks and some times of year where there is scope for alternative use of car parks on a limited basis for event or land hire. However, the priority for car parks will always be the provision of parking.

Chichester District Council's Parking Order sets out the 'rules' for use of the car park, including a reference to what is or is not permitted in the car parks which enable enforcement to be undertaken under the Traffic Management Act 2004, where there are any contraventions of the activity taking place. A provision within the Parking Order for Chichester District Council enables an exemption to the requirements subject to the authority granting agreement.

The council receives requests to allow a range of events / activities for the use of car parks in a number of different ways, (i.e. other than standard parking) with some of these listed below:

- Food and drink retailers.
- NHS / Health services.
- Public bodies promoting recruitment and employment.
- Entertainment such as Fairgrounds.
- Car Meets – static and moving.
- Compounds / Skips / Scaffolding etc. for building works on neighbouring properties.
- Charity collections or events.
- Bulk parking provision for parking for events for local businesses.
- Car Cleaning Concessions.
- Public stakeholder events – car safety, etc.
- Commercial organisations to advertise or sell a product.
- Community waste collection.
- Filming / Film Crews.
- Sports Events.
- Markets.
- Car Boot Sales.

When such requests are received by the authority they are considered by the Parking Services team on a case by case basis, with decisions made on whether these are accepted being based on a range of factors including whether the proposal will have a significantly detrimental impact on parking provision, other events taking

place in the area and a consideration of issues of concern raised by stakeholders and residents. Action has been taken where there is evidence of use of car parks which has not been authorised by the authority. This is to ensure that the council, as landowner, is being consistent, is able to maintain capacity within car parks and is also to deliver its duties to the public relating to health and safety. This approach is consistent with that which is in place in other local authorities.

Where agreement is given for use of car parks for events or other activities, they will inevitably attract different age and gender mixes and different transport mode types and the specific day or time of year will have an impact on other traffic and activities in the area.

The provision of additional information relating to the policy for use of car parks assists with providing further guidance and information for the public.

### **Operational Requirements**

For all car parks the level of use is impacted by the time of year and other local pressures or events which are taking place. Where a request for the hire of land is received, this will be considered against the known and anticipated pressures on the car park for the duration of the hire and may be refused as a result of concerns. This will reflect the tourist nature of the district.

The acceptance of events or other activities in car parks will require consideration to ensure that businesses, residents, and other regular users of the car parks are not seriously inconvenienced by the event or activity. This is very important at locations where there are frequent events or other activities.

Hire of land in car parks should only be considered where the impact on normal traffic flows can be minimised and to avoid queuing on the highway. Pressure for parking will be considered each time a request for use of a car park is made. Events or other activities should only be considered for car parks where there is capacity. Events or other activities which are considered to cause serious traffic disruption or road safety problems may not be permitted for approval.

Applications will normally only be considered for events which are to be organised by organisations which are incorporated, i.e. to enable the organisation to be responsible for its obligations and for this not to fall to the council.

Event or hire of land organisers must submit a request at least six weeks prior to the event or hire of land, using the council's event application form. The application should include details about the event or activity, its community impact, sustainability efforts (including proposals and methods for cleaning up after the event), and plans for managing parking demand. Where the contact with the council has not been made with the sufficient notice period provided, the council reserves the right to refuse the request. Certain events and activities will require longer consideration. These might include events or activities where there are a number of stakeholders to engage with or where there have been multiple requests for similar events or activities and therefore a tender process is required.

The council will review each application based on the outlined criteria. Approval will be granted by the Parking Services Team (if appropriate in consultation with other service teams / Members or stakeholders) if the event or activities align with the council's values and if the community benefits clearly outweigh the potential loss of revenue from parking fees which includes the time taken for setting up and clearing away of any infrastructure required for the event.

Conditions within the Council's Off-Street Parking Order which governs the use of car parks must be complied with at all times unless an exemption has been provided to the organiser.

Marshalls will be required for certain events and these are to be provided by the event organiser. Risk assessment provided by the organiser will need to include the use of appropriately trained Marshalls. Event organisers are expected to follow current national guidance / best practice.

Where appropriate, the views of the Police will be taken into consideration when reviewing any requests for use of land.

To accommodate hire of land for events or other activities, appropriate warning signs will need to be in place within car parks at least a week in advance of the event to inform the public, this will normally be undertaken by Officers within the District Council.

When considering whether to approve a request, the availability of alternative parking provision will be considered. Consideration will also be given, in particular, to how the hire of land impacts on specific disabled parking bay, along with other specific bays within car parks. The council may not be able to guarantee a clear space due to existing vehicles being parked in the location required.

Consideration should be given to the parking provision for the event organisers, visitors and emergency services where appropriate, this is required to be considered as part of the event plan which must be submitted as part of the application.

Vehicle movement within the event / hire space should be minimal and controlled at all times, particularly where there are potential conflicts with pedestrians. Marshalling of the event will be required.

A deposit is required from the event organiser. Any damage attributed to the hire of land will be reinstated by the organiser, if this is not done the council will arrange for reinstatement and the costs will be charged to the event organiser. If the council is required to undertake any cleansing or reinstatement works that have not been pre-agreed as a consequence of an event taking place, the costs of the works will be recharged to the event organiser, with additional charges over and above the deposit to be charged to the event or activity organiser to cover any damage. The use of any substance at the event which might form a residue on the surface of the car park (for example bubbles or oil, will generally not be permitted if no appropriate containment or cleaning regime is agreed .

Where power is used for the event the costs of this will be charged to the hiring organisation. Use of electrical equipment must be suitably covered with the event risk assessment.

All events shall comply with any noise conditions as agreed.

Engagement with relevant local stakeholders will be undertaken where appropriate.

Where an event has taken place for which a number of issues have arisen, the council reserves the right to refuse any future events by the organiser or from other organisers arranging events similar in nature.

There will be occasions where more than one group or organisation are requesting the use of the land where it may be necessary for a formal expression of interest to be undertaken.

The Council will have absolute discretion to choose whichever group the Council wishes, and that decision will not be on a "first come, first served" basis. They will consider previous experience of use of the land by particular applicants, details of the group and their intended use, the area that a particular use will take and the impact upon other users.

The Council will try to ensure that there is fair and equal access to the opportunity to use the Council's land.

Organisers requesting use of car parks for events or other activities will be required to have their own Public Liability and appropriate Employers Liability (if appropriate) to the level determined by the council, and a copy of this must be provided in advance of the event. An event plan and suitable and sufficient risk assessment, method statement (where appropriate) and fire risk assessment (where appropriate) will also be required. Whilst the council does not formally 'approve' risk assessments produced by third parties, the hire may be refused if key health and safety documentation is felt to be inadequate. Where temporary structures are used suitable risk assessments will be required and signed off as safe by a suitably qualified person. Certain types of equipment – such as ride on equipment used at fairs will need to be suitably certified and risk assessed.

The event / activity organiser will be required to fully and effectively indemnify the council against any third-party claims, costs and actions arising out of the operation or implementation of their event or activity in the car park including set up / take down.

Where an emergency occurs, the council reserves the right to cancel any event or activity due to take place in the car park in order that the emergency can be responded to. Access will be required for emergency vehicles at all times.

### **Exclusions**

The Council will not give approval for events on its land of the following nature (this is an indicative list and may be subject to change):

- a) Any event likely to provoke unreasonable disturbance, public disorder and nuisance.
- b) Any event that includes the use of performing animals, except those which are normally regarded as domesticated in the United Kingdom.
- c) Any event that would cast doubt on the integrity of the Council.
- d) Any event the Council believes may be of questionable public morality or decency.
- e) Balloon and Chinese lantern releases are not permitted for environmental reasons.
- f) Any event which places a significant pressure on parking provision.
- g) Any event that the council considers will place a risk to the public. (This might include fireworks or bouncy castles. Where applications of this nature are submitted to the council, the event organiser would need to follow the latest regulations and submit all relevant health and safety information).
- h) Moving car/ vehicle meets. Static car meets would be permitted, any movement of cars/vehicles to access or exit the event would need to be in accordance with the agreed health and safety marshalling.
- i) Events promoting a particular political party.

Decision making for this policy is delegated to officers. However, the Cabinet Member for Events will have the discretion on determining whether a proposed event falls within the programme exclusions.

The table below sets out the car parks under management of the district council and an indicative approximate guide to the number of spaces which might be considered appropriate for use other than parking. Note this is an indicative guide only and there will be occasions where the allocation of spaces falls outside of the indicated levels as shown in the guidance below.

### Site Specifics

Car Park	Restrictions
<b>Little London, Chichester</b> 81 spaces, 8 disabled, 2 community bus bays and motorcycle parking.	Busy all year round, especially during Christmas period. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.
<b>Baffins Lane, Chichester</b> 86 spaces, 2 disabled and motorcycle parking.	Busy all year round, especially during Christmas period. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.

Car Park	Restrictions
<p><b>Orchard Street, Chichester</b> 25 spaces, 1 disabled (pay and display) plus 38 spaces (season tickets)</p>	<p>Busy all year round, especially during Christmas period. No events other than compounds / skips or maintenance work Car park part owned by WSCC.</p>
<p><b>St Cyriacs, Chichester</b> 50 spaces, 2 disabled.</p>	<p>Busy all year round, especially during Christmas period. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.</p>
<p><b>South Pallant, Chichester</b> 52 spaces, 2 disabled, motorcycle parking.</p>	<p>Busy all year round, especially during Christmas period. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.</p>
<p><b>East Pallant, Chichester</b> 165 spaces, 9 disabled, motorcycle. EV bays.</p>	<p>Busy all year round, especially during Christmas period. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Approximately no more than 30% of car park to be allocated for use other than parking at any one time.</p>
<p><b>Cawley Priory, Chichester</b> 81 spaces, 1 disabled.</p>	<p>Busy all year round, especially during Christmas period. Seasonal pressures to be considered. No events other than compounds / skips or maintenance work.</p>
<p><b>St John's Street, Chichester</b> 29 spaces, 1 disabled.</p>	<p>Busy all year round, especially during Christmas period. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Could consider complete closure for use for events where able to do so.</p>
<p><b>Market Road, Chichester</b> 50 spaces, 3 disabled (season ticket parking only Monday – Friday)</p>	<p>Consideration of events at weekends only when season tickets do not apply, when complete closure could be considered if appropriate. No events other than compounds / skips or for maintenance Monday to Friday.</p>

Car Park	Restrictions
	Seasonal pressures to be considered for weekends.
<b>Market Avenue, Chichester</b> 75 spaces	Busy all year round, especially during Christmas period. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Could consider complete closure for use for events where able to do so.
<b>New Park Road, Chichester</b> 95 spaces, 5 disabled and 3 drop off bays.	Not permitted for alternative use other than parking (car park is not owned by CDC and this is a requirement of the agreement in place). Compounds / skips or maintenance work only to be permitted.
<b>Florence Park, Chichester</b> 20 spaces, 1 disabled.	No events other than compounds, skips or maintenance.
<b>Coach and Lorry Park, Chichester</b> 12 spaces	Only acceptable for coach and lorry parking as only car park of its kind in Chichester.
<b>Avenue de Chartres, Chichester</b> 890 spaces, 5 disabled. Height restricted. EV bays.	Busy all year round, especially during Christmas period. Season ticket customers and daily parkers. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Approximately no more than 30% of car park to be allocated for use other than parking at any one time.
<b>Westgate, Chichester</b> 259 spaces, 6 disabled and height restriction at rear car park, motorcycle parking.	Car park provision for customers visiting Westgate Leisure centre. Limited use for hire when considered appropriate, preferably linked to activities at the Leisure Centre. Consultation required with the Leisure Centre operator. Seasonal pressures to be considered. Approximately no more than 40% of car park to be allocated for use other than parking at any one time.
<b>Basin Road, Chichester</b> 115 spaces, 2 disabled.	Busy all year round, especially during Christmas period. Season ticket customers and daily parkers. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered.

Car Park	Restrictions
	Approximately no more than 20% of car park to be allocated for use other than parking at any one time.
<p><b>Cattle Market, Chichester</b> 836 spaces, 10 disabled, motorcycle parking, height restriction.</p>	<p>Busy all year round, especially during Christmas period. Season ticket customers and daily parkers. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered.</p> <p>Approximately no more than 30% of car park to be allocated for use other than parking at any one time. Currently used for markets and car boot sales on a regular basis in the area more suitable for events.</p>
<p><b>Northgate, Chichester</b> 907 spaces, 13 disabled, motorcycle parking. EV bays.</p>	<p>Busy all year round, especially during Christmas period. Season ticket customers and daily parkers. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered.</p> <p>Approximately no more than 30% of car park to be allocated for use other than parking at any one time. Currently used for Sloe Fair once a year where complete closure is required due to the ancient charter in place.</p>
<p><b>Bosham, Bosham Lane</b> 379 spaces, 2 disabled, 2 coach bays, motorcycle bay, EV bays, bus stop.</p>	<p>Busy all year round, especially during summer season. Season ticket customers and daily parkers. Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered.</p> <p>Approximately no more than 20% of car park to be allocated for use other than parking at any one time. Currently part of car park is used for boat storage.</p>
<p><b>Bracklesham Bay, Bracklesham Bay</b> 97 spaces, 2 disabled bays, motorcycle parking.</p>	<p>Seasonal pressures to be considered. Busy all year round, especially during summer season.</p> <p>Approximately no more than 5% of car park to be allocated for use other than parking at any one time.</p>
<p><b>Crossfield Road, Fernhurst</b> 57 spaces, 2 disabled.</p>	<p>Events or activities to be permitted when considered appropriate.</p> <p>Seasonal pressures to be considered.</p>



Car Park	Restrictions
	Approximately no more than 50% of car park to be allocated for use other than parking at any one time.
<p><b>Grange Road, Midhurst</b> 303 spaces, 16 disabled, 4 community bus bays, 4 WSCC bays, motorcycle parking area.</p>	<p>Season tickets and daily parkers in place. Car park provision for customers visiting The Grange Leisure centre and visitors to the town. Limited use for hire when considered appropriate. Seasonal pressures to be considered. Approximately no more than 40% of car park to be allocated for use other than parking at any one time.</p>
<p><b>North Street, Midhurst</b> 173 spaces, 7 disabled, EV bays.</p>	<p>Busy all year round. Season ticket and daily parking in place. Seasonal pressures to be considered. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.</p>
<p><b>Post Office, Midhurst</b> 43 spaces</p>	<p>Busy all year round. Season ticket and daily parking in place. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.</p>
<p><b>Pound Street, Petworth</b> 484 spaces, 4 disabled, 4 large vehicle bays and service bay, EV bays.</p>	<p>Season tickets and daily parkers in place. Seasonal pressures to be considered. Events or activities to be permitted when considered appropriate. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.</p>
<p><b>Sylvia Beaufoy, Petworth</b> 72 spaces, 5 disabled.</p>	<p>Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Approximately no more than 50% of car park to be allocated for use other than parking at any one time.</p>
<p><b>East Beach, Selsey</b> 181 spaces</p>	<p>Events or activities to be permitted when considered appropriate. Seasonal pressures to be considered. Approximately no more than 50% of car park to be allocated for use other than parking at any one time in winter and approximately no more than 20% of car park to be allocated in summer months.</p>

<b>Car Park</b>	<b>Restrictions</b>
<b>Selsey Marine, Selsey</b> No marked bays	Seasonal pressures to be considered. Approximately no more than 5% of car park to be allocated for use other than parking at any one time.
<b>East Street, Selsey</b> 104 spaces, 2 disabled, EV bays.	Busy all year round. Season ticket and daily parking in place. Seasonal pressures to be considered. No events other than compounds / skips or maintenance work. Approximately no more than 10% of car park to be allocated for use other than parking at any one time.
<b>Marine Drive, West Wittering</b> 65 spaces plus overflow field, disabled bays.	Season tickets and daily parkers in place. Seasonal pressures to be considered. Events or activities to be permitted when considered appropriate. Approximately no more than 20% of car park to be allocated for use other than parking at any one time. Where appropriate during the winter months the use of some of the grass overflow area may be considered.
<b>Northern Crescent, East Wittering</b> 37 spaces, 2 disabled, EV bays.	No events other than compounds / skips or maintenance.

This policy is intended to be used as a guide only and it is recognised that there may be occasions where deviation from the policy is required.

### **Charges**

There are costs associated with enabling the use of car parks for events or activities and it is reasonable that those who either profit from or organise the events or activities should contribute or cover those costs. These costs will vary according to the level of time or resource provided by officers from Chichester District Council.

There will not be a subsidy provided for any event or activity which takes place within the car parks.

A licence for the hire of land will be agreed each time an event takes place on Chichester District Council land. There are costs associated with making any such licence and these costs will be passed on to the event or activity organiser. In addition to this, there are costs associated with the time to administer the hire of land, including for any preparation and introduction of signage to the locations to

enable the site to be clear and ready for the event to take place, along with costs associated once the event has taken place. These costs will be calculated each time and the event organiser will be required to cover the costs as part of the hire of the land. Given that car parks are income generating assets, the level of income that would be achieved should the car parking bays be used will be charged to the event organiser. Fees will be calculated to consider whether the authority would lose income by allowing space within the car park to be used for the event or activity.

All events are charged a refundable deposit fee. This is returned in full if no damage has occurred to the land (or any of its fixings) during the event. An administration charge for all events or activities will be required.