



# LYMPSTONE PARISH COUNCIL

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13<sup>th</sup> October 2015

To All Members of the Parish Council

You are summoned to attend a meeting of Lympstone Parish Council, to be held **7.30pm** on **Monday 19<sup>th</sup> October 2015** in the Village Hall. The business to be transacted is set out below. Members of the Public are cordially invited to attend and to speak in the open session.

**Please note there is no meeting of the Planning Committee.**

A J Le Riche, Clerk to the Parish Council

## AGENDA

<b>1</b>	<b>Public Session</b>	<b>7.30</b>
<b>2</b>	<b>Apologies</b>	<b>7.45</b>
<b>3</b>	<b>To receive any Declarations of Interest</b>	<b>7.45</b>
<b>4</b>	<b>Minutes</b> – To confirm the minutes of the meeting held on 5 <sup>th</sup> October 2015	<b>7.50</b>
<b>5</b>	<b>Planning Applications</b> 15/2123/FUL Replacement single storey extension and loft conversion including dormer window and juliet balcony on north east elevation and 3 dormers to south west elevation Rivendell, Longmeadow Road 15/1838/OUT Outline application with all matters reserved for the construction of 4 no dwellings on land South of Underhill Close	<b>7.55</b>
<b>6</b>	<b>Planning decisions</b> 14/1708/FUL <a href="#">Demolition of outbuilding and part boundary wall, and construction of dwelling including formation of new vehicular access and provision of parking area. - Oak Cottage Church Road</a> : Refusal 15/1503/FUL & 15/1504/LBC <a href="#">Single storey double garage, timber shed, extension to existing drive and single storey kitchen extension and associated works - Hayes Raleigh Burgmanns Hill</a> : Approval with conditions	<b>8.10</b>

	15/1814/FUL <a href="#">Construction of single storey rear extension. - 11 Glebe Close</a> : Approval with conditions 15/1922/FUL <a href="#">Construction of two storey side extension and formation of front balcony - 35 Jackson Meadow</a> : Refusal	
<b>7</b>	<b>Underhill car park</b> To consider the report circulated by Cllr Longhurst	<b>8.15</b>
<b>8</b>	<b>Grant application by the Scouts.</b> Financial information has now been circulated to Councillors. The Council is requested to consider the application for a contribution towards the cost of goal posts.	<b>8.30</b>
<b>9</b>	<b>Councillor Training</b> To set a date for a training session for Councillors to include procedures, finance and neighbourhood plan awareness.	<b>8.35</b>
<b>10</b>	<b>Clerk's Action List - attached</b>	<b>8.40</b>
<b>11</b>	<b>Reports by Lead Councillors</b> NP Delivery Group - Cllr Mrs Clark Estates - Cllr Atkins Facilities - Cllr Acca Community - Cllr Young, with Cllr Everett Links with CTC-RM – Cllr Mrs Rogers. Lympstone Herald – Cllr Carter Village Hall – Cllr Atkins Transport and parking - Cllr Longhurst	<b>8.50</b>
<b>12</b>	<b>Matters raised by other Councillors.</b> (These are not normally discussed in depth but investigated and considered at the next meeting.)	<b>9.05</b>

## Lypstone Parish Council Issues and Options - Management of Underhill Car Park

### Background

The Underhill Car Park is the main car park in the village centre – it is owned (freehold) and administered by East Devon District Council. Over the last few years it has increasingly been unable to cater for local demand, residents who rely on the car park as their only means of parking find spaces unavailable on their return home. Whilst there is no hard evidence on the reasons for the increased use it is generally accepted that it is caused by an amalgam of circumstances:-

- Marginal increase in the number of homes in the area and an increase in their capacity
- Increase in the number of second/third cars attributed to these houses
- Increased use of the railway for commuting causing cars to be left in the car park for extended lengths of time
- Increased use by visitors using the Exe Estuary Trail
- Increased use by local organisations (e.g. Lypstone Band, Football Club)

This list may not be exhaustive but it does give a flavour of the issues to be considered. The consequences of this congestion are

- an increase in illegal parking
- an increase in disruptive (but not illegal) parking
- a disruption to family life to move cars around to occupy empty spaces

In 2011 the Parish Council initiated discussions with EDDC to consider taking over the responsibility for the car park.

In 2012 the EDDC Cabinet agreed, in principle, that Lypstone Parish Council could take over the Underhill Car Park by means of a Freehold Transfer.

Since then “negotiations” have stalled for a number of reasons. EDDC want to close this agenda with a decision from LPC either to proceed or to abort .

This paper sets out a proposed way forward that encompasses all aspirations; in the past the Parish Council has shown a reluctance to take on the operation of the Car Park and therefore this document sets out an alternative arrangement that places operation and control in the hands of the Community but without the Parish Council assuming operational control.

Inevitably there are a number of operational issues to address, but they have no impact on the principle or concept.

### Current Charges

- There are 86 spaces.
- Current charges are £0.40 per hour with a maximum daily pay and display rate of £4.00
- No charge between 6.00pm and 8.00am and on Sundays
- Local Annual Permit £40 – Local Residents Only – we understand there are 120 issued
- East Devon Permit £207 annual £119 six months <sup>1</sup>
- Town/Area Permit £134 annual £81 six months <sup>2</sup>

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<sup>1</sup> See Appendix 1 for definition

- Town(s) Economy Permit £172 annual £102 six months<sup>3</sup>
- 7 day EDDC Permit £25

## Current Income<sup>4</sup>

A detailed breakdown of current Costs and Income is shown in Appendix 2

## Comparable Benchmarks

### Manor Gardens Car Park, Sidmouth

50p per 30 minutes (£1 per hr)

£6 per 24 hrs

### Lime Kiln Car Park, Budleigh Salterton

50p per 30 minutes (£1 per hr)

£6 per 24 hrs

### Exmouth, Imperial Long Term

TBA

### Private Parking, Sidmouth (Personal Permit)

£1,500 per annum

### Garage

Sale price £20,000, 5% return = £1000 pa

## Options - Management

At the highest level we have three choices:-

1. Leave EDDC to manage the Car Park and seek to influence their decision making with a series of proposals to ease congestion (unlikely as they are not flexible in their approach)
2. Accept an offer from EDDC for the Parish Council to take over the freehold of the Car Park and offer it to a “Management Group” similar to the village hall or (more appropriate) a Community Interest Company (CIC) (See Appendix3).
3. Reject the EDDC offer and let the CIC deal directly with EDDC under “Community right To Bid”. (See Appendix 3).

**Option 1.** Is an acceptance of the status quo; this is realistic, achievable but questionably effective.

**Option 2.** Delivers the decision making process into the hands of The Community and also the ultimate effectiveness – it does however carry its own inherent financial risks and operational issues.

- The car park business plan would have to be proven to be financially self funding without any support from the Parish Council Precept.
- Income from parking would need to cover ongoing costs and also long term capital expenditure – for example re-surfacing, ticket machine replacement
- Day to day operation and enforcement would need to be seen to be impartial and include a “right of review”.
- The Parish Council assume all operational commitments

<sup>2</sup> See Appendix 1 for definition

<sup>3</sup> See Appendix 1 for definition

<sup>4</sup> Figures provided by EDDC

- Option 3.** As Option 2 and takes away the operational issues from the Parish Council but is not approved by EDDC and would take time to gain acceptance
- This option still delivers the same advantages as Option 2 but in addition allows the CIC greater flexibility in accounting and distribution of “profits” to Community Projects.

## Options – Physical

To alleviate the congestion problem we have two options:-

1. Expand the car parking facilities in the “Local” area – this must be accomplished by the acquisition of additional land (none known to be available plus the questionable cost) or the more extensive use of the existing land. This is not thought practical or viable at the current time
2. Put in place measures to reduce or control the demand for parking

## Proposal

In extremis there are two options;

- Close the Car Park to “Pay and Display” and become “Permit holder Only”
- Become solely “Pay and Display”

Neither of these extremes are considered acceptable for obvious reasons.

Any proposal must :-

- Be self financing – both in revenue and capital
- Be seen to be fair and equitable to the local Community, Businesses and Visitors

This draft proposal seeks to satisfy these goals. It is put up for debate and consideration since there are a considerable number of variables and permutations on the basic theme.

1. The Car Park to be run by either a “Management Group” similar to the village hall or a “Community Interest Company” – herein after referred to as “The Management Company”
2. The Car Park would lend itself to being divided into separately managed areas. There would be areas where specific permits would be issued. This could be a permit to occupy a specific space exclusively at a cost of say £250pa. There would need to be a limited number of such spaces and these would be aimed at people who live nearby but do not have their own off-street parking or on-street parking nearby. 20 spaces.
3. Open permits could be issued allowing the permit holder to park in any of the unreserved spaces at a cost of £50 per year aimed at residents. 60 spaces. (Costs of 2<sup>nd</sup> and 3<sup>rd</sup> vehicles to be higher at £100 and £200)
4. Pay and Display Parking in the Open area at 50p per 30 minutes (£1.00 per hour - aimed at visitors), or a weekly permit of £25 per week (aimed at tourists renting property in the village). This to include Sundays.
5. Permits would be managed by The Management Company and income from permits would come directly to The Management Company. All permits to be sold through local shops and pubs, by arrangement.

6. Day to day operation and parking machine operation to be managed by a 3<sup>rd</sup> Party Contractor (Metric?)
7. Income from Pay and Display could be shared with a 3<sup>rd</sup> Party Contractor and The Management Company, probably on a 50/50 basis (Not the only option).
8. The 3<sup>rd</sup> Party Contractor would be the enforcing body in the whole of the car park including the area of exclusive spaces (but there are alternative arrangements).
9. A member of staff or volunteer would patrol the car park twice daily to supplement visits by officers of the 3<sup>rd</sup> Party Contractor any to check that drivers had permits or tickets. They could then request a visit by those officers to issue Parking Charge Notices where no ticket or permit was being displayed. The member of staff or volunteer **would not** issue parking charge notices personally. (There are other alternatives that could be implemented)
10. Any follow up administration from the issue of Parking Charge Notices would be carried out by the Parking Management Company.
11. The Management Company would act as the first line of appeal against any Parking Charge Notices. The Parish Council would act as second line and final appeal against any Parking Charge Notices.
12. The Management Company would seek to supplement income by the provision of additional facilities e.g. lockable cycle racks and lockers for cyclists using the Exe Estuary Cycle/Walk Way, Information and Advertisement Boards.

## Recommendations

1. Parish Council agrees and endorses their agreed way forward.  
This is the final decision – agree or otherwise.
2. Confirm to EDDC GO/NO-GO decision

## Appendix 1

### Permit definitions

ANNUAL EAST DEVON PERMITS: These are valid for use in all EDDC car parks

TOWN/AREA PERMIT: These are only valid for use in the car parks in the town(s) indicated on the permit.

ANNUAL TOWN(S) ECONOMY PERMIT: This permit upgrades the Annual Town(s) permit to allow the holder to park their vehicle in any other EDDC pay and display car park outside of their designated Town(s) for one visit of up to **3 hours** in each day. The one visit of up to **3 hours** applies both to Short Stay and Long Stay car parks. When using a car park outside the Town(s) permit's designated area, the permit clock must be set for the time of arrival.

## Appendix 2

### Cost/Benefit Analysis of Proposal

## Underhill Car Park

12/10/2012

All values net of VAT

	Current - EDDC		#	Charges Incl VAT £	Proposal A Ex VAT £
	With Vat	Ex Vat			
Pay and Display Income (annual)	9894	8,245	Pro rata	0.50	10,306
Permit Sales	4800	4,000	60	50	2,500
Personal Permit Sales			20	300	5,000
Weekly Permit Sales			100	25	2,083
Pay and Display Income Sundays			Pro rata		1,468
Advertising space					
Cycle locker hire					
Business Rates		-2,032			-2,032
Electricity, lighting, machines etc,					-400
Sweeping, say twice per year (EDDC)					-200
Minor maintenance, say					-500
Long term maint. fund of say					-2,000
Post Office Commission					-500
Parking Management Company			50/50		-5,887
Local supervisor cost					-3,500

Running Costs	-12,500	-15,019
Profit/Loss	-2,287	6,339

1. Current figures provided by EDDC

### Appendix 3

#### “Community Right to Bid”

The statutory framework for the Community Right to Buy is provided in Part 4, Chapter 4 of the Localism Bill. This Bill was introduced on 13 December 2010.

Under the Local Government Act 1972 (General Disposal Consent 2003), local authorities and certain other public bodies can transfer assets to community ownership at less than market value (up to an under-value of £2m) to further local social, economic and environmental wellbeing, without seeking the Secretary of State’s consent. This power has been increasingly used by local authorities in recent years in developing and implementing community asset transfer strategies.

“Community Right to Bid” enhances this legislation and gives people the chance to bid to buy and take over the running of assets that are of value to the local community. The new right is expected to come into effect in autumn 2012.

Process:-

- Step 1: Identify an asset
- Step 2: Get your group ready to make a bid
- Step 3: Ask your local authority to ‘list’ the asset
- Step 4: If the owner decides to sell
- Step 5: Decide if you want to bid
- Step 6: Prepare and submit your bid
- Step 7: The owner considers the bids
- Step 8: If successful, you take over ownership

### Appendix 4

#### Issues to resolve

- Wayleaves and easements** – none known but checking
- Obligations** (statutory and other) – in particular the underground works - checking
- Enforcement** – to be decided – many options but none involve EDDC
- EDDC Permits (annual and weekly)** – Do we accept? Can we get recompense from EDDC for any issued to “Lympstone” – waiting for EDDC
- Further Benchmarks** - Exmouth etc

CLLr Rob Longhurst  
12<sup>th</sup> October 2015

Lympstone Parish Council

Action List – as at 12<sup>th</sup> October 2015

Minute	Response	Date Actioned
45 Cliff Field /The Avenue	Bushes in Cliff Field needed crown raising. NT have no plans to carry out any work. Cllr Atkins will trim the hedge during the Autumn.	27/7/15
47 litter	Sharon Wayland apologises but is not able to arrange a litter pick at the moment	19/9/15
52 Flagpole on The Green	With the EA but budgets unlikely to stretch to this. Information being assembled	9/9/15
53 Polling station review	Information passed to EDDC	25/9/15
54 Gypsy and Traveller accommodation	Information passed to EDDC	25/9/15
62 Handyman	List of works sent to handyman	6/10/15
62 EET	Trial of stick-on cobbles on Wednesday at 10.00am at Station Hill	
62 Weeds	DCC informed of brambles and weeds on footpath adj to A376 at Rivermead.	25/9/15
68 Parking	DCC informed of Parish Council's views	12/10/15
75 Cemetery fees	Schedule of fees updated and sent to Funeral Directors and stone masons.	14/10/15
79 verge cutting	Woodbury PC have asked for the verge at Nutwell to be cut.	7/10/15
88 Grants	Recipients informed of grants. Equipment to be purchased.	7/10/15
94 Play equipment	Work ordered. Cannot replace side of slide but can do a fibre-glass repair. Insurers informed	9/10/15