

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Planning and Infrastructure
DATE	18 January 2011
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Complementary Uses of Existing and Future Park and Ride/Choose Sites
REPORT NUMBER:	EPI/11/024

1. PURPOSE OF REPORT

The purpose of this report is to advise Members of the development of a process for consideration and approval of complementary uses of existing and future Park and Ride/Park and Choose services. The process developed continues to recognise, support and promote the primary function of these assets which is to support the provision of Park and Ride/Park and Choose services.

2. RECOMMENDATION(S)

It is recommended that Members:

- a) approve the process developed in this report for the consideration and approval of Category 1 uses, which has been based on the school lets system,
- b) note the process for identifying Category 2 uses which would then be considered on a case by case basis, and
- c) refer the report to the Finance and Resources Committee for approval of the charging policy.

3. FINANCIAL IMPLICATIONS

There would be no financial implications in the process of determining applications for complementary uses as this will be carried out by utilizing existing professional staff from Asset Management and Operations, Planning and Sustainable Development and Legal Services. One of the objectives in developing such a process has been to ensure that, should individual applications for complementary uses be successful, there would be no additional cost incurred by the Council, and where appropriate, charges will be levied which would be used to offset the revenue costs associated with the management and maintenance of the Park and Ride/Park and Choose sites. The latter could result in net revenue savings to the Council, subject of course to approval of the process.

4. OTHER IMPLICATIONS

This process has been developed by officers of the Council and has not been subject to wider external consultation, although the draft report was forwarded to Kingswells Community Council as they directly neighbour the only existing Park and ride site which could currently be subject to an approved policy. The school lets process does not involve external consultation on individual applications and it is envisaged that the process developed in this report would also not require external consultation on individual applications.

No further implications have been identified at this time, however, any further issues identified as part of the ongoing process will take into account all legal, liability, financial, health and safety and property risks associated with the particular usage as required.

5. BACKGROUND/MAIN ISSUES

1 Introduction

1.1 Reference is made to the meeting of this Committee on 23 February 2010 when Members considered the report entitled 'Complementary Uses of Existing and Future Park and Ride/Choose Sites'. This report advised Members of the opportunities and challenges in increasing the patronage of bus based Park and Ride services at the current and future planned Park and Ride/Park and Choose sites, and the need to maximise their usage and where possible minimise the associated costs to this Council. Members resolved the following:

- Instruct the appropriate officers to develop a draft process for the consideration of Category 1 uses in the first instance, similar if possible to the school lets system. Members are also asked to instruct the appropriate officers to explore and report back on the possibilities associated with Category 2 uses. In assisting in the development of a draft process, Members are also asked to agree a trial 'cycle training' event at Kingswells Park and Ride Site in May 2010 with feedback on this to be included in a future report.

1.2 To summarise, the report identified two distinct categories of complementary uses which would require to be addressed separately, as follows:

1. temporary, ad hoc events which require no permanent set up
e.g. promotional, community, special events, training and awareness
2. permanent facilities and/or routine events which would require fixed or invasive set up, or which require lease arrangements

Examples of the types of uses that could be considered under each category are as follows (these are potential uses for illustration purposes only).

Category 1

Motorcycle training
Cycle training
Driver training
Shopping deliveries
Car Boot Sale
Community/Charity events

Category 2

Car wash facilities
Hot Food Stands/Vans
Coffee Stalls

- 1.3 In both of the above categories, there should at the very least be no additional costs to the Council in supporting, facilitating or enabling any agreed complementary uses.
- 1.4 Category 1 uses will be addressed with an appropriately modified system similar to the school lets process. This process will support the efficient and effective consideration of applications should such events be demonstrated to fall into this category. Charges would be applied, bearing in mind that there may be staff required to open and close the facilities, and some applications may be received from commercial organisations. In the case of commercial applications, consideration has been given to developing a set of charges to ensure that the Council derives a level of income which is commensurate with the level of commercial activity.
- 1.5 Category 2 uses will require more detailed consideration. Fixed or permanent uses may take up currently under-utilised car parking spaces which our strategies aim to fill in the longer term. Some uses may require physical consideration of aspects such as drainage which require further detailed consents. Bearing more permanent uses in mind, the construction or amendment of any existing infrastructure/buildings may have to be undertaken and there are procurement issues relating to how the Council may allow businesses to benefit commercially by operating within the Park and Ride sites. Rather than allow a 'first come, first served' approach to permitting use of the site, a procurement approach may deliver better value for the Council.
- 1.6 It had been hoped to use the lower car park at Kingswells to undertake cycle training during 2010 and that this event could have been used as a trial for developing a process for category 1 uses. Unfortunately this event did not take place and it has therefore not been possible to judge the impact that such an event would have.
- 1.7 The Park and Ride facility at the Bridge of Don is not in the full control of the Council, therefore, it cannot at this stage be considered for complementary uses. The previous report identified that the Kingswells Park and Ride site is owned and managed by the City Council. It is also pertinent to note that the land for the Kingswells Park and Ride site was the subject of a Compulsory Purchase Order and was procured on the basis of use as a Park and Ride facility. This will continue to be the case as progress is made with partners such as Nestrans and Aberdeenshire Council towards the delivery of the A96 Dyce the A90 (south) Stonehaven Road at Schoolhill Park and Choose facilities.
- 1.8 Should the Bridge of Don facility be relocated at some point in the future and be within the ownership and control of the Council, then any processes put in place would become applicable at that time.

2. Legal Issues

- 2.1 It is recognized that in maximising the use of or value from the assets that we own and control, there may be an opportunity to consider additional complementary uses within those sites within our control, without undermining the primary function of the facility. However, as previously identified, the Kingswells Park and Ride site was the subject of a Compulsory Purchase Order and legal advice was sought on the implication of this factor on the use of the site.
- 2.2 At this time we are still awaiting a definitive view from colleagues in Legal regarding the conditions attached to the CPO for the Kingswells site and the impact that this may have on any proposed complementary uses. The report is based on the assumption that Category 1 uses will be allowed and that at this stage Category 2 uses will be identified and should then be considered on a case by case basis. This may also impact on the provision of future Park and Ride sites for which there is a requirement to obtain the land through a CPO, and this is currently being considered for land acquisition for the A96 Dyce Park and Choose site.

3. Procedure for Category 1 Usage

- 3.1 It is clear that there is a potential opportunity to utilise these facilities for Category 1 complementary uses at existing sites. The Council's Lets Office manages the letting system for school and educational properties supported by the Facilities Management team to enable the let to open and operate. This system also enables the consideration of a range of uses by other organisations, including other internal council and external partner services, which comply with agreed terms of use. Priority is given to the primary purpose, with other requests fitting in. Various charges are applied. This system of letting is, therefore, considered suitable as a means of managing Category 1 usage of Park and Ride/Park and Choose sites.
- 3.2 Recent revenue savings decisions for 2010/11 and beyond have seen the removal of staff from the accommodation buildings serving the Park and Ride facilities during the day, although staff have been made available through the Street Cleansing Team to open, close and clean the facilities. At present arrangements for the opening and closing of the site facilities are dealt with by the Councils Public Transport Unit and it is, therefore, considered appropriate that they would deal with the application process, with the primary decision on complementarity with Transport Strategies lying with the Transportation Team. It should be noted, however, that funding for opening/closing by Street Cleansing Teams may only be available until the end of March 2011.
- 3.3 The letting system for schools has a 'letting application process procedure' that identifies the process in terms of both procedures and Officers' responsibilities at each stage in setting up the let. This has been adapted so that it can be applied to the Park & Ride site usage. Appendix 1 shows a modified application form for use by applicants who require use of a particular Park and Ride site. Appendix 2 shows the proposed procedure that would then be followed in both

determining if the application is suitable as a Category 1 use and the subsequent process to be followed, through to acceptance or rejection of the application.

- 3.4 The information provided through the application process will allow the category of use to be identified. It will also allow the applicants' requirements to be identified in terms of type of use, area required, number of people involved, requirement for waiting and toilet facilities etc.
- 3.5 Charges would be applied and these would be dependant on the type and length of usage and on whether the application was internal or external to the Council. An additional charge would also be applied if the applicant required the waiting area and toilet facilities to be made available. At present this is dealt with by the Street Cleansing Team under instruction from the Public Transport Unit and arrangement would have to be made with them to open and close the facilities. It should be noted that the continuing use of the Street Cleansing Team is subject to available budgets. Confirmation of the need for these facilities can be dealt with through the application process. A charging policy has been developed for consideration and this can be found in Appendix 3.

4. Possibilities Associated with Category 2 Uses

- 4.1 As stated in Section 1.5, Category 2 uses could vary substantially in size and type. It is difficult, therefore, to develop a specific process that will deal with all possible types of Category 2 use. As considered previously, it may be that a procurement approach may deliver better value for the Council. It is also uncertain at this stage, what the legal advice will be in relation to these larger uses. It is therefore considered sufficient, at this stage, that the procedure laid out above identifies when an application is considered as a Category 2 use and that each is then considered on a case by case basis.
- 4.2 For new sites being developed at present, the processes for a full range of complementary uses, including Category 2 uses, will require to be incorporated into any associated planning, legal and procurement considerations when developing the sites. In particular, the following should be considered:
 - Protection of the primary use of Park and Ride/Park and Choose
 - Compulsory Purchase Order should ensure the potential for all possible Complementary Uses
 - Complements the Transportation strategies
 - Compliance with relevant legislation e.g. planning, procurement
 - Clear roles and responsibilities for decision making and management of any complementary uses
 - Consideration of financial implications

The A96 Inverurie Road Park and Choose facility, the A90 (south) Stonehaven Road site at Schoolhill and the potential relocation of the

Bridge of Don site are currently at various stages of development. It should be ensured that all potential complementary uses at these sites are taken account of during all aspects of the development process.

5 Conclusions

- 5.1 It is a requirement of the Council to work to achieve best value and in this respect we have an opportunity to maximise the use of these sites which could further the delivery of the policies of the Council. The processes for complementary uses have been developed, therefore, so as not to increase the burden of costs on the Council.
- 5.2 Processes for the consideration of applications for complementary uses have been developed that are transparent, equitable and in accordance with all necessary legislations. What has been developed in terms of processes for Category 1 complementary uses takes into account that these Park and Ride sites are part of a network of local and regional facilities and that the uses do not undermine the primary function of the facility and in fact can be demonstrated to complement the local and regional transport strategies.

6. IMPACT

The Park and Ride/Park and Choose facilities are key elements of the Local, Regional and National Transportation Strategies and as such support all levels of Government policies and objectives relating to economy, environment, safety, social inclusion, accessibility and best value. The Council has committed to the delivery of our Local Transport Strategy and to supporting NESTRANS in the delivery of their Regional Transport Strategy. The Single Outcome Agreement for 2009-12 references the delivery of transport network improvements both directly and indirectly in 14 out of the 15 National Outcomes, thereby reflecting the importance of improving our transport network to all areas of our community.

Vibrant, Dynamic & Forward Looking also recognises the importance of public transport – ‘Work to improve public transport in and to our city’, as well as ensuring we maximise our assets effectively – ‘Adopt an effective asset management system’.

An Equalities & Human Rights Impact Assessment has been undertaken for the development of both the Local and Regional Transport Strategies. At this point it is considered that as Park and Ride Services would be enhanced by complementary activity at the car park sites by virtue of encouraging greater awareness and patronage, that there would be no detriment to the travelling public. However, should Members agree to the development of a process to consider possible additional complementary activities at the car park sites, a further more specific EHRIA will be undertake at that time.

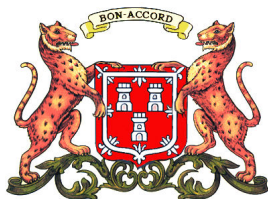
7. BACKGROUND PAPERS

All background papers are referenced within the main body of the report.

8. REPORT AUTHOR DETAILS

Ken Neil
Senior Engineer
kenn@aberdeencity.gov.uk
Tel. No. (52)3476

Appendix 1 – Application Form



OFFICE USE ONLY	Let ref :	
Date applic received		
Date request e-m to SCT		
Date request returned from SCT		
Date conf e-m/posted		Date unsuccessful letter e-m/posted

Park & Ride Car Park Hire - Application Form

Please complete the form and return it as soon as possible to:
(subject to decision on process).

Please note application on this form does not constitute a definite booking. If your event can be accommodated a booking confirmation will be sent to you by e-mail (or by post if no e-mail details provided).

Name of organisation/club:	
Name of Site Required:	Kingswells Park and Ride Site

BOOKING Day, Date & Time requested:	
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Purpose/Type of Event:			
Facilities/Area Required:			
Additional Requirements: Please advise if you require access to the waiting area/toilet facilities. Note that there will be an additional charge for access to these facilities.			
Participants	No. of Adults (aged over 15):	No. of under 8's:	No. of 8-15 years:
Will you be charging participants:	YES/NO If yes - please give details		
Will Tuition/Instruction be given: If yes, you MUST submit copies of coaching/teaching qualifications and insurance certificates at time of application.	YES/NO (delete as appropriate)		

Contact Name No.1:	Contact Name No.2:
Address:	Address:
Postcode:	Postcode:
Contact tels:	Contact tels:
Email:	Email:
Should my application be successful and event letting confirmed I agree on behalf of the group that we will abide by the conditions of hire and also make full payment of the event costs immediately on receipt of invoice. Signed..... Print name..... Date.....	

OFFICE USE ONLY

Group Allocation		Council Use	Yes	No
Standard				
Concession				
Commercial		Insurance details checked	Staff Signature:	
Free let		Qualifications checked	Staff signature:	
Additional notes:				

Appendix 3 – Proposed Charging Policy

In line with the current policy for educational lets, the priority of lets will be based on the following category of user:

- Internal
- External (linked to Council objectives)
- Commercial (profit making organisations)

The proposal is that the Standard charges are applied in line with the following categories of users:

Standard Rate (It is proposed that the Standard Rate charge should be £60 per hour, this is in line with the rate for a full size all weather pitch, which is considered appropriate for the likely areas of the car park required)

Adults – (i.e. groups comprised of adults aged over 15 years)

Concession Rate (50% discount on Standard Rate)

Juniors (i.e. groups comprised of children and young people aged under 16 years)

Students (i.e. groups comprised of people in full-time education)

Senior Citizens (i.e. groups comprised of people aged over 60 years)

Disability groups (i.e. groups comprised of those who are registered disabled) –

Strategic partners (i.e. groups with whom the Council has a formal partnership, e.g. relevant National, Cultural, and Sporting bodies)

Establishment of new organisations which are contributing to the delivery of Council strategies.

Community Commercial Rate (Charged at two times the Standard Rate)

Commercial Service Provider, i.e. groups or individuals which may be profitmaking, or in the case of self-employed people, where an income is made, but where the service provided is deemed to be of significant community benefit and in line with the Council's objectives this rate rather than the full commercial rate is charged.

The rationale for this proposal is that the City Council could be seen to be supporting the provision of community benefit by allowing access to facilities, without necessarily directly subsidising a profit-making business.

Commercial Rate (Charged at three times the Standard Rate)

Commercial (i.e. profit making) organizations.

Free Lets

Aberdeen City Council uses of the site.

The majority of the above rates assume that all the participants (though not necessarily the activity leaders, instructors or organisers) are comprised of the particular age group or category of user. However, recognising that organizations are not always homogeneous in their make up, it is proposed that, where more than 50% of the participants fall into one of the discounted/concessionary categories, then they would be eligible for the reduced rate.

Use of the waiting area and toilet facilities would incur an additional charge of £50 which would be payable by all groups of users. This is based on the current cost of opening/closing and cleaning of the facilities.