

WINCHESTER CITY COUNCIL DECISION RECORD

VERSION 3. NOVEMBER 2020

Officer Completing the Form: Ian Way

Lead Director: John East

Subject: Parking Places Order – Winchester Sport & Leisure Park

Details of Decision: *Please provide a brief explanation as to what decision was made, including any financial implications... This should be done in easy to understand, non-technical language - as this wording will appear on the website for the public to read. Also please remember all staff will be able to see this document.*

A Parking Places Order(WINCHESTER CITY (OFF STREET) PARKING PLACES ORDER 2003 (VARIATION NO. 10) ORDER 2021) was proposed, in order to formalise the management of the car park associated with the newly constructed Winchester Sport & Leisure Park. The effect of the proposed order is to include the car park in the existing Off Street Parking Order.

The proposal was supported by Winchester City Council Ward Members and Hampshire County Member. No objections were received from statutory consultees, which included Hampshire County Council and Hampshire Police.

The proposal was formally advertised on 19/05/2021 in the Mid Hampshire Observer in accordance with statutory procedures and site notices were displayed.

During the publicity period for the proposed TRO, two representations were received commenting on the proposal. Details and the Officer response are set out below. Both representations have been carefully considered and an explanation has been given direct to the two people who made the comments.

Summary of Representations:

A representative of Winchester SALT has asked why the car park signs state 3 hours free parking but the draft order allows for up to 4 hours. They also asked about the use of RingGo to administer free parking periods for those using chargeable facilities at the Leisure Centre.

Response: 3 hours is considered an appropriate period for most sporting activities but in certain circumstances and on some occasions i.e. organised events 4 hours may be required thus giving flexibility when required. Where the normal period is extended to 4 hours, on-site noticeboards will be displayed to make users aware when this applies.

The tariff boards outside of the Leisure Centre advise that customers can access free parking and need to input their vehicle registration details inside the building. This is deliberate in order to prevent abuse of the free parking from those who are not using the Leisure Centre. Once inside the Leisure Centre, the Leisure Centre staff are aware of the parking protocol and if users aren't able/willing to use RingGo themselves, the front of house staff can register vehicle registration details if needed. Full details of use of the RingGo app and how to access the free parking is then displayed beyond the turnstiles, again to prevent abuse from anyone who enters the reception area but isn't intending to use any of the chargeable Leisure Centre facilities. These notices do state that if a user doesn't have a smartphone then the service can be accessed via a telephone number as opposed to a smartphone app.

Another local resident has asked if lighting in the car park can be dimmed at night and also asked about pedestrian access routes.

Response: The lighting is designed to be dimmable. An agreed timetable for such dimming of the lights will be agreed and implemented based around opening hours of the WSLP. The pedestrian access route is via the main car park entrance.

It is considered that none of the above representations provide a reason why the Order should not be made.

Therefore the recommendations are:-

- 1. That the Service Lead: Legal be authorised to make the Order; and**
- 2. To publicise the Traffic Regulation Order in accordance with statutory requirements (the Order will come into force the day it is advertised).**

Type of Decision: (please tick. see reverse for definitions)

- | |
|---|
| <input type="checkbox"/> Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form) |
| <input checked="" type="checkbox"/> Significant Operational Decision (see section 2B (1) on reverse of this form) |
| <input type="checkbox"/> Other Decisions to be Published (see section 2B (2) on reverse of this form) |
| <input type="checkbox"/> Administrative Decision (see section 3 on reverse of this form) |

Reason for the Decision: *A brief overview of your reasons for taking this course of action.*

The TRO is required in order to manage the car park at Winchester Sports and Leisure Centre. If the Order is not made, the requirements of the Off-Street Parking order are not enforceable.

Alternative Options Considered & Rejected: *All alternative options considered need to be outlined here. Please include detail of any representations received. This will include your response to any alternatives suggested by those making representation and the reasons why these alternatives were rejected.*

None

Supporting Information: *If your decision relates to delegated authority derived from a specific Committee resolution, please confirm the name of the Committee, the date of the meeting and paste the resolution into this box.*

See accompanying Plan and Draft Order.

Declared Officer and/or Member interests: *List any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision and, in respect of any declared conflict of interest, any note of dispensation granted by the Monitoring Officer.*

None

Departmental Review			
Legal review:	<i>Tick this box to confirm legal team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	
Finance review:	<i>Tick this box to confirm finance team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	
Other review:	<i>Tick this box to confirm any other departmental review of proposed decision (and specify department)</i>	<input type="checkbox"/>	

PTO

Are the details of the decision open or exempt?

Open

Part Exempt. Please expand

Exempt. Please expand

Decision Taker (name): *This needs to be the specific Officer or Cabinet Member who holds the delegation within the constitution/or referred to by a Committee*

Decision Taker (Signature):

Date:

John East Interim Director of Place

15 June 2021

Call In dates (key decisions only) and Implementation date:

Commencement of call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Last date for call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Planned Implementation Date:	Click here to enter a date.

Notes.

1) Why record officer decisions?

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

2) What sort of decisions are there?

- a) **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- i. To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; **(For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;**
 - ii. To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- b) **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.
1. **Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
 - i. Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
 - ii. Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
 - iii. When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
 - iv. A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
 2. **"Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b) affects the rights of an individual.
 3. **Administrative Decision:** *(these do not require recording on this form unless one or more of the following applies)*
 - i. There is a financial implication;
 - ii. It is in conflict with the Budget and Policy Framework or other approved policies approved by full Council; and
 - iii. It raises new issues of policy.

3) Which officer decisions need to be recorded on this form?

Officers need to record:

- 1) any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- 2) any Significant Operational Decisions. (see 2B (1) above)
- 3) "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)
- 4) Administrative decisions for which there is a financial implication.

4) What are the relevant processes to be followed?

For all decisions, the report author needs to complete the Forthcoming Decisions record in Sharepoint.

Establish which type of decision it is (see 2 A and 2B above.)

Most officer decisions require to be recorded on this form (see 3 above) Once completed, please ensure that it is reviewed by legal, finance and the relevant Director prior to signing. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page (unless it is an Administrative decision).