

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

04 April 2023

Report of the Director of Street Scene, Leisure & Technical Services, the Cabinet Member for Technical & Waste Services, and the Cabinet Member for Community Services

Part 1- Public

Executive Non Key Decisions

1 BLUE BELL HILL COMMUTER CAR PARK

A report advising Members of the current issues at Blue Bell Hill Commuter Car Park and seeking Members' instructions as to future arrangements.

1.1 Background

- 1.1.1 This site was acquired in December 2003 from Kent County Council for £100,000. The car park was then constructed by Tonbridge and Malling Borough Council for use as a commuter car park.
- 1.1.2 The car park consists of 278 spaces which includes 9 disabled parking bays and 2 motorcycle bays with cycle racks. The site is approximately 3.32 acres (1.34 ha).
- 1.1.3 Prior to the pandemic the site successfully operated as a commuter car park serving a number of private bus services that operated to London. The impact of the pandemic has meant that all bus services have now ceased. Following the cessation of bus services, the current average daily usage of the car park is low with 17 season tickets holders and 25 pay-by-phone users.
- 1.1.4 Following unauthorised anti-social use of the car park, in July 2022 the Cabinet Member for Community Services took the decision to close the car park from Friday night through to Monday morning. This has been shown to be effective in deterring large gatherings although motorcycle, quadbike and pedestrian access is still possible.

1.2 Anti-social Behaviour

- 1.2.1 Despite the addition of the gate to the car park, anti-social behaviour is still a major concern. In the last six months the police have received over 100 reports in relation to the Blue Bell Hill car park area. The majority of these were in relation to reports of nuisance vehicles. CCTV cameras continue to identify nuisance vehicles using the car park, although some of these reports now relate to quad

bikes and motorbikes who can access the car park even when the gate is closed. The noise and general nuisance of the vehicles does cause a concern to local residents who do continue to report the issues.

1.3 Restrictive Covenants

- 1.3.1 Included in the transfer of the site from KCC to TMBC in 2003 were two covenants aimed at restricting the use of the site. The first states TMBC is not to use the land for any purpose other than as a 'public commuter car park'. This restriction remains in place for the period of 20 years from the date of transfer and expires in December 2023.
- 1.3.2 The second relates to any planning permission obtained in relation to use of the site other than as a public commuter car park and remains in place for a period of 80 years from the date of transfer. In the case where planning permission is granted the covenant provides that 80% of the enhanced value (that is the increased difference between the value of the site with and without the planning permission) shall be paid to KCC.

1.4 Future of the Site

- 1.4.1 The current operating model for the car park is not an efficient use of our resources and is considered to be unsustainable.
- 1.4.2 There is no indication of any return of the commuter bus services which would generate an increase in the number of users to pre-pandemic levels.
- 1.4.3 Given the sites location between the M2 and M20 corridors this site would be a good location for several other uses. We have not currently actively sought to access or develop any offers for other users. If the site was to be closed as a car park then it would need to be fully secured to prevent access. This will require the installation of fencing at the main entrance at a one off cost of £5,000.
- 1.4.4 Any alternative use of the site is likely to require planning permission.

1.5 Financial and Value for Money Considerations

- 1.5.1 Since the pandemic, the income from the car park has naturally declined. The table below shows the outturn figures for the years 2019/20 through to 2021/22 and Members are referred to the income figures.
- 1.5.2 In 2022/23, the income has fallen again and is more in line with the figure shown for 2020/21.

	2019/20	2020/21	2021/22
	£	£	£
Directly Allocated Expenditure specific to Car Park	21,543	21,998	22,413
Depreciation and Impairments	715	715	2,304
Apportioned Expenditure from General Car Parks Budget	61,156	54,597	62,436
Total	83,414	77,310	87,152
Income	-64,161	-18,193	-35,060
Net cost	19,254	59,117	52,093

- 1.5.3 At the time of writing this report, given that the financial year 2022/23 is still open, we do not have the detailed comparable figures to record as above. However, the indication from finance colleagues is that the expenditure is broadly in line with previous years, but the income is more akin to that in 2020/21. In addition, costs have been incurred since Sept 2022 in locking and unlocking the site at weekends.
- 1.5.4 As Member will appreciate if the car park were to be closed, the majority of the “apportioned expenditure” would be reallocated back to other car parks. Apportioned expenditure includes such things as staff costs, cost of the patrol vehicles and a recharge of central overheads.
- 1.5.5 Having taken these costs out of the equation, finance colleagues advise that direct expenditure and the income now being taken in this car park is broadly similar. In other words, if the car park was closed and both the direct costs and the income were eliminated, the impact on the Council’s overall budget is broadly neutral.
- 1.5.6 If Members were to take the decision to close the car park fully, as mentioned at paragraph 1.4.3, some additional costs of circa £5,000 would need to be incurred in order to make the site secure. In addition, there will be a need to part refund some of the season ticket income.
- 1.5.7 As of mid-March 2023 there are 17 current season ticket holders (some yearly and some monthly), to a value of £6380. It is not possible to exactly state the value as it depends on the remaining term of the existing Season Tickets, and also the amount of notice given to Season Ticket holders could mean that Season Tickets holders approaching natural expiry date may choose not to renew or may reduce the term of their renewal.
- 1.5.8 If refunds for the 17 current Season Tickets were to be made mid-March, the total would be approximately £2100.

1.6 Risk Assessment

- 1.6.1 There is little opportunity locally for free parking and any displaced parking may impact on parking in local streets.
- 1.6.2 If demand for commuter services return in the future, we can anticipate a growth in parking. There is no indication that this market will return.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Policy Considerations

- 1.8.1 Asset Management
- 1.8.2 Community
- 1.8.3 Business Continuity/Resilience
- 1.8.4 Health and Safety

1.9 Recommendations

Cabinet is asked to **CONSIDER** the next steps regarding the Blue Bell Hill Commuter Car Park and to determine whether to;

1. close the car park and secure the site to prevent any pedestrian and vehicular access.
2. explore future opportunities for the site for alternative use in liaison with KCC.

Background papers:

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Nil

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