

<b>Board/Committee:</b>	COMMUNITY BOARD
<b>Date of meeting:</b>	03/11/2021
<b>Title:</b>	Beach Road Car Park
<b>Author:</b>	Head of StreetScene
<b>Status:</b>	FOR DECISION

### **Purpose**

To update the Board on the progress of the prearranged actions and the Community Trigger Action Plan for Beach Road Car Park. To obtain Board approval for the aforementioned actions yet to be completed and facilitate their implementation. To obtain a strategic decision on the locking of the car park due to the serious consequences involved.

### **Recommendations**

- **The Board notes the details of the implementation of the Action Plan and additions to the car park.**
- **The Board approves the completion of the prearranged actions and Community Trigger Action Plan and delegates authority to the Head of Streetscene to implement this.**
- **The Board agrees not to lock the car park at night.**

### **1.0 Background**

1.1 The Beach Road Car Park (BRCP) is on the south side of Marine Parade East. It consists of 182 spaces and is owned by Gosport Borough Council (GBC). It has existed in various forms since the middle of the last century. <https://www.gosport.gov.uk/beachroadcarpark>

1.2 Throughout the past two decades BRCP has mainly been open 24/7. It was locked at night due to Anti-Social Behaviour (ASB) complaints for an unconfirmed period until 2014. It was again locked from 3<sup>rd</sup> July 2019 until work started on the construction of speed humps in August 2019. Speed humps were primarily installed in the car park to slow traffic in response to the opening of the children's Splashpark.

1.3 It then remained open until it was closed in Spring 2020 along with other car parks in the Borough for six weeks due to the Covid pandemic. Following the re-opening on the lifting of restrictions in early Summer 2020 it has remained open 24/7.

1.4 BRCP is covered by the Leisure Permit Scheme, allowing unlimited use of the car park by some 684 (as of 22/09/21) permit holders. It is a popular place for motorists to park in the evenings to view the sea and for some to consume food bought at local businesses. There is a likelihood its use will increase with the introduction of the imminent parking charges along Marine Parade East and West.

- 1.5 Since re-opening, complaints of ASB from some of the residents who live opposite on Marine Parade East have continued and a petition has been signed by 119 residents requesting that the car park is closed at night.
- 1.6 GBC was already pursuing a range of actions for the car park to mitigate ASB and concluded it was not appropriate to lock the car park at night. This led to the activation of a Community Trigger, received by Community Safety on 8 December 2020, which is an ASB Case Review provided for by the Anti-social Behaviour, Crime and Policing Act 2014.
- 1.7 A Community Trigger gives victims of persistent ASB reported to any of the main responsible agencies (such as the council, local health team, police or housing provider) the right to request a multi-agency case review of their case where a certain locally defined threshold is met.

The responsible agencies then have a duty to undertake a case review

- 1.8 An ASB Case Review meeting was held on 17 December 2020 and chaired by the Head of Corporate Policy and Community Safety. A Community Trigger Action Plan to mitigate ASB was produced. In accordance with the process, the complainants were given the opportunity to comment on the determination of the Community Trigger panel and successfully appealed for a reconvened ASB Case Review which was held on 22<sup>nd</sup> June 2021. The minutes of this meeting are produced as **Confidential Appendix A** to this report, as is an updated Action Plan at **Appendix B**.
- 1.9 Since activating this process the residents have named their group The Anti-Social Behaviour Victims Action Group- Beach Road Car Park (AVAG-BRCP).

## **2.0 Reported ASB**

- 2.1 Between 2<sup>nd</sup> December 2020 and 1<sup>st</sup> September 2021 there were 104 “101” calls and reports made to Hampshire Police. An abridged summary of these calls is produced at **Appendix C**.
- 2.2 Most complaints involve excessive noise being made by exhausts, music or shouting by occupants of cars in the car park. There are occasional reports of drunkenness, littering, headlights shining into home windows, wheel spinning and drivers performing “doughnuts” where the car spins the rear wheels and pivots around the front wheels. High speed driving and beeping of horns on Marine Parade East is often reported but is outside of Gosport Borough Council’s jurisdiction. Drug dealing has been alleged. There is also two complaints of criminal damage to a house window from air pellets however CCTV was reviewed and there is no indication that this was linked to the car park.

- 2.3 Video evidence has been submitted by the AVAG-BRCP and a spreadsheet last updated on 9<sup>th</sup> August 2021, including subsequent reviews of the CCTV is produced by Community Safety at **Appendix D**.

An abridged email sent for the attention of the Board from the AVAG-BRCP was sent to the Head of Streetscene on 30<sup>th</sup> August and this appears at **Appendix E**.

### **3.0 Evidenced ASB**

- 3.1 The Panel of the original Community Trigger noted the immediate nature of the ASB incidents meant that evidence available to agencies was primarily through 101 reports. The Panel felt it was important to enhance the Partnership's evidence base to allow a full understanding of the ASB to enable optimum solutions to be developed. The panel agreed additional resources should be allocated to pro-active operations by the GBC Enforcement Team to obtain an extensive picture and understanding of the issues. These were primarily delivered through pro-active operations and improvements in CCTV coverage and reflected in the Action Plan.
- 3.2 From the video evidence supplied by residents there is apparent noise annoyance taking place in the form of revving of engines, shouting, playing of stereos and beeping of horns, but the actual extent of it is debatable as the true volume cannot be established from the video recordings. A large proportion of the footage shows the beeping of horns and loud engine noise coming from traffic on the road itself.
- 3.3 There is one occasion where a car is filmed doing "doughnuts" in the car park to the appreciation of onlookers. This is clearly serious and also an offence against the Road Traffic Act which the police could act on.
- 3.4 The head of Environmental Health has stated that the video evidence is not representative of a statutory noise assessment as it is not recorded from the room most residents would be in the relevant time.
- 3.5 It is relevant to note that Marine Parade East, whilst clearly not the responsibility of GBC, is often complained about as being a road where vehicles drive at high speeds and beep their horns adjacent to the car park. This matter has been considered by agencies and historical (2017) speed data has been shared by the police. It is likely present data would be very similar. It shows good compliance of the 30mph speed limit at all times other than the four hours from 2200 when 15% of the traffic is in excess of 38mph, and this increases as it gets later. Accounts from residents suggest occasionally extremely high speeds are achieved. The road is not a collision hotspot with only one speed related injury collision in the past five years. There have been no injury collisions in the past two years but clearly the potential of a high speed loss of control exists. Based on this data the police would not specifically target it. Advice from a police Traffic Management Officer is that any activated speed limit signs are likely to be ignored.

3.6

In response to residents' concerns, six pro-active operations were conducted between around 1900-2330 by the GBC Enforcement Team in good weather, times when according to reports ASB would be expected. These were conducted mainly, but not entirely, using un-marked vehicles so that covert observations could be made. No ASB was detected. One incident of fast driving into the car park directly to a parking space, and one incident of youths talking just across the road from the residential premises were identified. The car park was generally busy with people parking up overlooking the sea.

#### **4.0 On-going/completed actions to mitigate ASB**

4.1 As a response to the Community Trigger Action Plan the following actions have been completed:

4.2 The uniformed operations referred to in 3.6 were conducted by the GBC Enforcement Team on 21<sup>st</sup> October 2020, 27<sup>th</sup> November 2020, 14<sup>th</sup> August 2021 and 15<sup>th</sup> August 2021. The cost was approximately £250 per operation. Many drivers were spoken to and leaflets were distributed. These were well received in general. Covert operations were conducted on 6<sup>th</sup> and 7<sup>th</sup> January 2021 and no ASB was identified. Signs (A4 copies of the leaflets) were posted in the car park prior to the operations.

4.3 The Enforcement Officers have the power to prosecute drivers making excess noise under s 63 of the Council's 2020 Parking Order. However, it would require evidence that there is a "disturbance or annoyance" to users or residents which would be difficult to obtain as conversations with the residents reveal they are unlikely to be willing court witnesses. Furthermore, a public-interest threshold needs to be met to justify a prosecution.

4.4 It is felt that these operations are valuable for monitoring the situation. So far the reported levels of ASB have not been witnessed by Council Officers. It is likely that these operations would be effective in curbing the behaviour of those spoken to.

4.5 Speed humps were initially placed in the car park primarily to slow traffic for the opening of the children's Splashpark. With the addition of three raised flower beds, cars are almost completely prevented from driving at high speed in the car park.

4.6 Environmental Health has offered to install noise monitoring equipment in residents' homes to accurately assess the volume of noise they are reporting, in an attempt to evaluate whether there is Statutory Noise Nuisance as recommended by the Designing Out Crime Report (see para 4.1.5). It was explained that the equipment is the size of a briefcase and only records sound when a button is pressed so is not intrusive. Residents despite being asked to reconsider this have declined all offers.

- 4.7 Operation Momentum has been launched by Gosport Police with the assistance of the GBC Enforcement Team, and is a response to anti-social behaviour in all of Gosport's car parks. The owners of offending vehicles are traced using police databases and are written to by the GBC Enforcement Manager. As of 13<sup>th</sup> September 2021 23 keepers have been written to, and no re-offending by those individuals has been reported.
- 4.8 The car park was identified as a Hotspot by the Partnership Action Group, thereby facilitating the coordination of multi-agency working and resource allocation. This includes additional police patrols when resources allow.
- 4.9 24/7 car park charging has been considered and is not thought a proportionate solution at this stage. It would deter young people parking up at night if it could be enforced. However, the Enforcement Team are not contracted to work at night, and to do so would not be an efficient use of their time. 24/7 charging could be enforced by ANPR directed barriers, linked to new parking meters, as they have at Fareham for instance. The system would likely design out most anti-social behaviour as the offenders are thought unlikely to want to pay for parking.
- 4.10 A preliminary estimation of the cost is around £70K as it requires purchase of new meters which link to the ANPR system. It would also require contracting a further Parking Solution Provider. This type of ANPR simply reads number plates for parking purposes and is not linked to a database so could not be used to identify offenders. The Parking Order would need to be varied or re-written.
- 4.11 The biggest hurdle would be that the system would require 24/7 monitoring to allow the egress of people who have lost tickets or whose number plates have not been read properly (approximately 8% of all reads).
- 4.12 If implemented this would be the first car park in Gosport to charge 24/7 and the implications of this precedent would need to be fully considered.
- 4.13 Permanently raising the barrier at night and leaving the ANPR cameras to police parking payments is not possible as they are not type approved for Civil Parking Enforcement (CPE); Penalty Charge Notices (PCN) cannot be issued on information from ANPR systems.
- 4.14 Having a separate one-way exit would not be compatible with the planned motorhome bays near the present entrance.
- 4.15 Independent of the Council, a Designing Out Crime report was commissioned by the police (**Appendix F**). Recommendations from this are included in the Action Plan.
- 5.0 **Planned actions to mitigate ASB**
- 5.1 Improved lighting is planned for BRCP. This would cost in the region of

£10-£15,000. Lighting could be vastly improved as the car park is generally dark which prevents cars from being easily identified. It is planned to build one additional raised bed protruding from the grass area at the western end of the car park and then to construct lighting columns on each of the four kerbed areas, all facing across the car park towards the sea. Planning permission would be required. The GBC Project Officer has been tasked with completing this project.

- 5.2 Improved CCTV is planned for BRCP. It has been costed at approximately £12,000 and will enhance the current provision at the Memorial Gardens. Two fixed cameras were placed on the Coastwatch hut and provided better coverage of the car park but they were vandalised beyond repair in early July 2021. The intention is to place cameras on both of the two central light columns planned for the car park, including the use of Number Plate Recognition (NPR) and signing will be placed to advertise this. NPR specifically films car registration plates but is does not digitally read them as a far more expensive ANPR system would. To be able to assign registrations to offending vehicles would assist in legal enforcement.
- 5.3 An extensive hedge, as a more cost-effective alternative to a bank, is planned for planting along the grassed area adjacent, and parallel, to Marine Parade East. The cost of installation is approximately £1,500 and annual maintenance will be approximately £400. Residents have complained about headlamps shining into the rooms from cars parked along the row of bays adjacent to Marine Parade East. Approximately 100m of hedging would prevent this. To be effective it would need to be around 1.5m high and this may face opposition from opposite (ground floor) residents who could lose their sea view. It was also mentioned in the reconvened Case Review that this would not solve the problem for first and second floor residents if cars are parked on the upwards facing slope. Completion is planned for the end of November 2021.
- 5.4 The above planned actions pre-date the Community Trigger and were all delayed due to that process. They have all been incorporated in the Action Plan.

## **6.0 Implications to the Council of locking the car park at night**

- 6.1 In response to the concerns raised and the Community Trigger process, closure of the car park has been considered. However this is not recommended for a number of reasons, all of which the Designing Out Crime report lists under Recommendation 4, as consequences of closing the car park:
- 6.1.1 There would be an increased risk of confrontation to staff closing the car park.
- 6.1.2 The current 24/7 operating model of the car park requires accessibility to those who wish to lawfully and respectfully use it.

6.1.3 From the experience of GBC staff from the night time closure prior to 2014, it is believed the problem would be displaced to other car parks, mainly Marine Parade and Elmore just along the road.

6.1.4 The cost of doing this would be approximately £34,000 per year (£47 min callout fee, twice per day x 365 days). The cost in staff-hours would be similar if Enforcement Officers were tasked with this.

6.1.5 It is believed the car park should be accessible to those who wish to lawfully and respectfully use it.

## 7.0 Risk Assessment

7.1 There is a risk that the implementation of the Action Plan will not fully mitigate the ASB and that further action will be required, although this should be part of a review process. This includes the low level risk of injury to perpetrators or bystanders from dangerous driving.

## 8.0 Conclusion

8.1 All recommendations of the Action Plan, including those prearranged before the Trigger process have either been actioned or are being planned. It is believed these would be proportionate and effective in mitigating ASB in the car park.

8.2 It is believed the consequences of locking the car park at night would be unjustifiable and financially disproportionate.

8.3 It is therefore recommended that a strategic decision is made not to lock the car park at night, either as an interim measure or long-term.

<b>Financial Services comments:</b>	<p>All costs associated with the implementation of the Action Plan have been previously mentioned and are budgeted for, other than the completion of further enforcement operations. The provision of a budget for these is presently being considered.</p> <p>The cost for locking the car park has been previously mentioned and is not budgeted for.</p> <p>Additionally, there would be a likely reduction in car park revenue if the car park was locked at night as there are almost 700 Leisure Permit</p>
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	holders, each paying £85 per year. It is unknown how many would surrender their permit if they are unable to use BRCP within this scheme.
<b>Legal Services comments:</b>	Contained within the report
<b>Equality and Diversity:</b>	<i>Assessment attached</i>
<b>Climate Change implications:</b>	<i>Assessment attached</i>
<b>Crime and Disorder:</b>	Covered in the report
<b>Service Improvement Plan implications:</b>	
<b>Corporate Plan:</b>	
<b>Risk Assessment:</b>	Covered in the report
<b>Background Papers:</b>	
<b>Appendices:</b>	A: Minutes of Reconvened Case Review (Confidential) B: Original and Updated Action Plans C: Summary of 101 calls D: Summary and review of video evidence E: email deputation on behalf of AVAG-BRCP F: Designing Out Crime Report
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