

- 2.4 There is currently no free parking periods in the Council car parks. Previous discussion has indicated that the Council may consider this if the income was reimbursed. Attached at Appendix A is a proposal from the Parish Council that has been agreed by their Council but not discussed / agreed with Officers.
- 2.5 The key points of any agreement from South Buck's point will have to be:
- Cover all costs / loss of income
 - Proceed year to year and reviewed every September with the following years likely costs agreed based upon free tickets issued
 - Can be terminated by either party on giving 6 months' notice
 - Lost income calculated every 3 months and the Parish invoiced accordingly
 - Agreement to be by way of exchange of letters not a lease
 - District Council free to review other charges, season tickets etc. but will consult with the Parish
 - Parish Council to monitor and provide evidence of success or other wise of the scheme
 - Users to obtain free ticket from car park machine to display in their vehicle
- 2.6 With a free hour charge there will be no income from the ½ hour charge so this will have to be covered as well. The predicted loss of current income will be £4,351 from current data.

3. Consultation

This matter has been discussed with the Parish Council but not with the school or with residents.

4. Corporate Implications

- 4.1 Finance: Any arrangements agreed need to be cost neutral to the District Council. It will be necessary to recover legal, administrative, machine alteration costs as well as reimbursement for lost Pay and Display income.
- 4.2 Legal: An amendment to the South Bucks District Council Off-Street Parking Places Consolidation Order 2010 will be required and this will need the appropriate period to advertise. Signage will also need to change to reflect the new charging arrangements. A Memorandum of Understanding will need to be drawn up between SBDC and Burnham Parish Council.

5. Links to Council Policy Objectives

By agreeing to this proposal South Bucks District Council will be working with Burnham Parish Council to help to promote local communities and help to enhance the local economy.

Background Papers:	Copy of request from Burnham Parish Council
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Appendix 1.

TO: SOUTH BUCKS DISTRICT COUNCIL (“SBDC”)
FROM: BURNHAM PARISH COUNCIL (“BPC”)

PROPOSAL IN RESPECT OF SUMMERS ROAD CAR PARK, BURNHAM

Overview

BPC is seeking to enter into a long term rental arrangement in respect of the provision of one hour free parking at Summers Road Car Park, Burnham. Subject to SBDC’s assessment of this proposal, BPC requests SBDC to approve this in principle and to provide a formal memorandum of understanding (“MOU”).

This Report sets out below:-

- Background
- Specific Proposal
- Suggested Key terms
- Sustainability/Risk
- Authorisation.

Background

Further to a Deed of Agreement between SBDC, LS Taplow Limited and Deutsche Trustee Company Ltd dated 3 September 2012 in respect of the development of the former Bishops Centre, certain moneys have been made available by Land Securities to BPC by way of grants to be paid under both S.106 of the Town & Planning Act 1990 and under S.137 of the Local Government Act. The most significant is a grant of £240,000 to be paid under both S.106 of the Town & Planning Act 1990 for BPC to work with consultants (Experian) appointed by BPC to do a SWOT analysis and to implement their findings in the area of Burnham High Street.

The specific proposal below falls within that SWOT analysis.

Specific Proposal

A sum of £40,000 has been allocated from the said £240,000 grant towards subsidising Summers Road Car Park, to provide one hour of short term free parking. The current situation is that there are 10 empty retail premises in Burnham High Street. The High Street has been adversely affected by the closure of RBS, its last retail bank together with the impact of out of town shopping centres and supermarkets which provide free parking.

Suggested Key terms

- The arrangement needs to be cost neutral to both SBDC and BPC. We understand that currently, the provision of one hour parking in the Summers Road off street car park generates about £4,000 p.a. for SBDC. We suggest that the latest actual figure be the annual rental fee.
- At the end of the first (and any subsequent year), SBDC shall reconcile the annual rental with revenues which would have been generated, with any shortfall repaid by BPC and any excess refunded by SBDC, to maintain cost neutrality for both parties. In order to cap BPC’s potential exposure, SBDC shall monitor and keep BPC advised at such regular intervals (as hereafter agreed) and if such monitored figures indicate that at the year end, BPC may be subject to a shortfall above a percentage (as hereafter agreed) in excess of that year’s rental, then BPC shall have the right to terminate the MOU early on one month’s prior written notice. In no event shall BPC’s total payment to SBDC exceed £40,000.
- Any charges in addition to the rental to be determined and agreed.

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- Any proposed variation in the annual rental or charges during the Term shall be subject to mutual agreement but shall be agreed on the basis of mutual cost neutrality. Any variation shall be made only by reference to a) variation in number of car park users on which the annual rental was calculated; and b) change in the C.P.I.
- The Rental and any charges shall be paid at the start of each year, following submission of an invoice from SBDC.
- Subject to a minimum Term of at least 12 months, either party may at any time thereafter terminate the MOU on 12 months prior written notice.
- SBDC to remain responsible for all operations at the Summers Road Car Park including issue and process of tickets, signage and maintenance
- SBDC to remain responsible for Insurance at the Summers Road Car Park.

Sustainability/Risk

At a cost of approximately £4,000 p.a., made from the said £40,000 grant, there is funding available for a period approaching 10 years. Any material increase in the annual rental, whilst having the impact of reducing the Term payable from the said £40,000, would however:-

- Benefit SBDC by having increased the revenue to it from this particular car park, as the arrangement is cost neutral to SBDC , with the annual reconciliation mechanism;
- Benefit BPC in meeting its objective of increasing footfall to the High Street.

Beyond the expenditure of the said £40,000, further thought will be required to maintain sustainability to the mutual benefit of both parties but this will be made by both parties some 7-10 years hence, in light of then current situation.

Both parties moreover retain the ability to terminate after 12 months on 12 months notice or earlier by BPC as set out above.

Authorisation

This Proposal has been considered and approved by the BPC Full Council at its meeting held on 29 May 2015.

1 June 2015

Jonathan Holder

Jonathan Holder
Locum Clerk, Burnham Parish Council