

Decision maker:	Cabinet member contracts and assets
Decision date:	Friday, 11 May 2018
Title of report:	Community asset transfer of Kerne Bridge car park and associated works
Report by:	Estates management officer commercial

Classification

Open

Decision type

Non-key

Wards affected

Kerne Bridge;

Purpose and summary

To approve works to enable the establishment of parking charges on a pay and display basis to make the management of Kerne Bridge car park and picnic site sustainable in the longer term as part of the freehold community asset transfer of this site to Walford Parish Council.

Recommendation(s)

That:

- (a) a car park ticket machine and associated signage be installed by the Council at the Kerne Bridge car park and canoe launch site at a cost of £3k.**

Alternative options

1. Historic undertakings have been made by officers to undertake these works, therefore it is considered that there is no reasonable alternative.

Key considerations

2. The River Wye is internationally protected in terms of landscape and wildlife. It also has national significance for canoeing as there is public right of navigation and attracts thousands of canoeists a year. Canoe access points to the river are limited therefore Kerne Bridge with its car park is heavily used, especially during the summer months by individuals and commercial operators. There have also been concerns as to the environmental and community impacts of potential over-use of the River Wye. The need to balance these conflicting interests has long been recognised and there has therefore been a long term aspiration from various bodies to enable a more active management of the site.
3. Historically this site was managed by Herefordshire Council's countryside service. In 2010 their estimates were that the typical running costs of the site were in the region of £10,000 per annum even with a minimal site presence and excluding ad hoc capital expenditure. Proposals were drawn up to establish a charging regime for parking to pay for a greater management presence on the site. Being a remote site and with the peak periods occurring outside normal working hours, the option of local community management was explored. An approach was made to Walford Parish Council to establish whether they might be interested in taking over the management of the site. The exact details had not been fully worked out but as the countryside service had budget to establish parking charges on a pay and display basis the offer was made that they could install this equipment to help Walford Parish Council take over the management. Walford Parish Council expressed an interest to take over the management of the site and submitted an application including a business plan for a community asset transfer.
4. Negotiations were prolonged, partly due to staff changes and the disbandment of the countryside service and no agreement was concluded.
5. Subsequently, a cabinet member decision was taken in January 2014 in relation to the countryside service and the future of many of the sites that they managed. This included a policy of establishing a programme of asset transfer and disposal in accordance with the adopted Asset Disposal Policy, to enable local communities to play a greater role in the management of countryside assets and reduce costs of the countryside service. This decision included reference to disposal of this Kerne Bridge site.
6. Agreement was reached with Walford Parish Council for a freehold community asset transfer of the site and this was completed in 2016. As part of the negotiations, an undertaking was provided by officers that Herefordshire Council would offer additional support by providing a ticket machine, signage and technical support. This detail was not captured in the transaction documentation, therefore a separate decision is being sought for the council to invest in a site that they no longer own.
7. The cost of the works has been budgeted at £3,000. Herefordshire council has significant experience of installing car park ticket machines and will undertake these works through their preferred maintenance contractor (currently Integral) and using the bulk purchasing powers that we have with Metric who supply the machines. Walford Parish Council can procure signage locally and more cheaply that meets their requirements; it is proposed that it is better value if they undertake these works and are then reimbursed by Herefordshire Council.
8. There is a degree of urgency as Walford Parish Council want to establish the collection of pay and display parking income for as much of the peak summer season as possible.

Community impact

9. This asset transfer is supported by The Herefordshire Council Corporate Plan 2016-20. For example it identifies that the council will “build supportive relationships and resilient communities, acting as a catalyst for communities to become stronger” and “work with the community to devolve services and assets where quality can be improved through local delivery”.
10. Recreation honey-pot sites such as Kerne Bridge can cause significant disruption to local people. The objective of the community asset transfer is that this will enable the local community to manage the site more effectively to address their concerns. In addition, they are likely to be able to operate the site more efficiently utilising local resources that in combination contribute to the sustainable development of the locality. By helping them establish a revenue return in the form of car parking charges this will not only make existing management operations more financially viable but it is estimated that there will be a surplus to enable some on-site presence during peak periods.
11. Retaining the site as a recreational resource will enable the site to continue to support physical recreation in the outdoor environment to contribute to the well-being of local and visiting users. If the site was closed down, it is likely that the public and commercial operators would seek alternative and less suitable access points to canoe the river that may well entail greater community and environmental disturbance.
12. Enabling recreational use of the River Wye for canoeing is also a significant tourism draw that benefits the local economy.
13. These works will enable a revenue stream from this site to be established to make the continued management of this site as a public recreation resources by another public body more sustainable.

Equality duty

14. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.
 16. In practical terms, this is a decision to support the transfer of a countryside site to a local public body to provide a more sustainable future. This will retain the site as a resource for

the public to access the countryside, including disadvantaged groups. Any impact we believe will have a positive contribution to our equality duty.

Resource implications

17. With the loss of the Herefordshire Council Countryside Service and associated budgets, retaining this site as a council run car park, picnic site and public access point to the River Wye is unsustainable in the longer term. Passing this site over to an external body to run was the only reasonable option to retain this site open to the public. Any party taking over the running of this site needs a revenue income to cover the management costs, of which charging for parking is a well-established method for many similar sites nationally. Minor capital investment, in the region of £3,000, is required to install a second hand pay and display machine together with associated signage that the council has agreed to fund. This will be funded from the Property Services budget. Thereafter Walford Parish Council will fund the annual running costs using revenue generated by parking charges.
18. Previously, the countryside service estimated in 2010 that the running costs of the site were in the region of £10,000 per annum to operate (including the public toilets attached to the neighbouring village hall). This would likely be supplemented by ad hoc capital spends such as tree surgery, fencing, repairing the canoe launch landing stage and other landscaping works. Since the closure of the public toilets, Walford Parish Council have voluntarily been maintaining and opening these public toilets at peak times and have an aspiration that this will continue, to be funded out of the parking income. Managing such a site also entails public safety liabilities, particularly with regards water access and structures that people have access to. Transferring this site to Walford Parish Council has reduced the council's ongoing risk in relation to finance and occupiers liability.

Legal implications

19. There are no significant legal implications arising from this Report: the works proposed under this Report are considered very low value and low risk.

Risk management

20. Retaining as a council run recreation site would have incurred longer term financial costs that have now been passed over to Walford Parish Council.
21. Risks associated with public liability have also been transferred. Managing such remote locations with public access when peak demands are out of normal working hours are problematic that without a specialist countryside service leaves the council exposed. There is a strong argument that a local body can manage such sites more effectively and be able to offer a greater management presence.
22. Creation of a revenue stream will enable the management of the site by the local parish council to be resourced, including reducing the risks associated with occupier's liability.

Consultees

23. The local ward member has been consulted and from their response is supportive.

Appendices

None

Background papers

None identified.