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## CONTRACTORS' ACCESS TO RAYLEIGH PAVILION

### 1 SUMMARY

- 1.1 This report seeks Members' views on a request from Rayleigh Town Council to allow contractors' vehicles to access the Pavilion building through Websters Way car park.

### 2 BACKGROUND

- 2.1 Rayleigh Town Council has submitted a written request for consideration to be given for Websters Way car park to be used as a method of entry/exit for the vehicles required during the renovation of the Pavilion on King George V playing field.
- 2.2 The request explains that the Town Council's project manager will make arrangements to produce the necessary legal and insurance documents to cover any damage, claims, etc. that may arise.
- 2.3 It is also explained that the cost of providing an alternative route across King George Field is likely to be in excess of £40,000.

### 3 ISSUES TO CONSIDER

- 3.1 This is a somewhat unusual request and it is considered that Members will need to consider the following issues in reaching a decision.

#### **Car Parks Order**

- 3.2 The car parks order for Websters Way prevents the parking of HGVs, though it does not restrict access in principle. As Members will be aware, HGVs do enter the car park from time to time to replace the recycling banks, though such movements are relatively rare and do not generally conflict with car park users. The order includes a weight limit restriction of 2 tons.

#### **Safety of Pedestrians**

- 3.3 Clearly a car park can be a dangerous place since there are many pedestrians in close proximity with moving cars. The new design for the car park provides for a clearly demarcated walkway across the car park in an attempt to improve safety. Car drivers would not generally expect to see HGVs in the car park and at the very least, if Members accepted the request, some clear signage would be required.

#### **Insurance & Indemnities**

- 3.4 The Town Council has given an assurance they will cover all legal costs and indemnities if an accident should occur. The detailed arrangements would need to be discussed and agreed, preferably by way of a formal written agreement.

**Timing**

- 3.5 It has been suggested that vehicle movements to and from the pavilion could be controlled. However, it is far from clear this would reasonably be the case. It is inevitable there will be a requirement for vehicle movements throughout the day and given the number of users of the car park, there is every likelihood of a conflict occurring from time to time. A written agreement with the Town Council could deal with this issue.
- 3.6 It is understood the Town Council would like to commence the works to the pavilion as soon as possible. The car park has been subject to significant disruption over the last few weeks and traders in the town would certainly like to see it restored to full operation without further disruption. Members will need to address this issue and be satisfied that any agreement with the Town Council would not give rise to undue disruption, particularly as we are moving into the crucial pre-Christmas shopping period.

**Location of Access**

- 3.7 The Websters Way enhancement scheme, which includes work to the car park is now well on the way to completion. The scheme includes a new pedestrian walkway running across the car park from Websters Way to a point next to the Pavilion. There are no parking spaces in this location since part of the car park access road parallels the boundary fence. Any access in this location would certainly conflict with the pedestrian walkway and the free movement of vehicles around the car park. To the south (in the direction of the doctors' surgery) there is end on parking adjacent to the fence and an access here would require the suspension of some of the parking bays. In this location, though, there is a wider gap between the spaces adjacent the fence and the next parking row immediately to the west, which would better facilitate the movement of large vehicles. It also needs to be borne in mind that the edge of the field is planted with mature trees and access would need to be between two trees and this arrangement would need to be carefully managed to avoid damage to the trees.

**Mud and debris**

- 3.8 Any construction site tends to generate substantial mud and debris which very often ends on the highway. The car park has recently been completely resurfaced and any mud and debris dragged from the site will have an impact on the finish, both in terms of appearance and in respect of damage. Whilst damage can be repaired, this would result in a patched appearance being created on the new surface.
- 3.9 Taking these issues into account Members will need to decide whether it is acceptable to allow access to the Pavilion for contractors' vehicles and, if so, what terms and conditions would be appropriate.

**4 RISK IMPLICATIONS**

- 4.1 There is no doubt that allowing contractors' vehicles access through the public car park will increase the risk of an accident. The Council would need to be satisfied that adequate insurance arrangements were in place.
- 4.2 In particular the area around the access point would need to be very carefully managed as this is likely to be the area of greatest risk.

**5 ENVIRONMENTAL IMPLICATIONS**

- 5.1 The car park has recently been redesigned and resurfaced. There is little doubt that some damage may occur as a result of the movement of contractors' vehicles and this would need to be carefully monitored. Wheel washing facilities would be required to ensure the minimum quantities of mud and debris are transferred to the car park.

**6 RESOURCE IMPLICATIONS**

- 6.1 Rayleigh Town Council has indicated a willingness to cover all costs including indemnities and making good any damage to the car park. In principle, it would seem there would be no cost to the Council.

**7 LEGAL IMPLICATIONS**

- 7.1 Subject to appropriate indemnities, there appears to be no legal restrictions to prevent the Council from agreeing to the provision of an access.

**8 RECOMMENDATION**

- 8.1 It is proposed that the Committee **RESOLVES** to determine its response to the request from Rayleigh Town Council.

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**Background Papers:-**

Letter from Rayleigh Town Council dated 16 September 2005.

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