



**REPORT OF  
DIRECTOR OF SERVICE DELIVERY**

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**TO  
OVERVIEW AND SCRUTINY  
17 JULY 2019**

**PARK AND RIDE SERVICE MALDON**

**1. PURPOSE OF THE REPORT**

- 1.1 To present the Overview and Scrutiny Committee with background information on the park and ride service operated by Tesco as part of a Section 106 Planning agreement
- 1.2 To consider next steps through recommended actions.

**2. RECOMMENDATIONS**

- (i) That a full review of the requirements as set out in the 106 agreement with Tesco is undertaken as a matter of urgency and Officers develop an action plan to ensure requirements are reviewed and progressed as required.
- (ii) That Officers identify opportunities to extend the service to serve the new Garden Suburbs and report back to Members with any options identified.
- (iii) That Officers report back to Members on progress relating activities associated with the existing 106 agreement within three months of the date of this committee.

**3. SUMMARY OF KEY ISSUES**

- 3.1 A park and ride scheme formed part of the S106 Agreement when the Tesco store was originally built, and planning applications were received in 2007 and again in 2009 to extend the existing store.
- 3.2 In 2017 two planning applications were made relating to the installation of and advertisements for ANPR cameras and 4-hour parking restrictions at Tesco Store, together with the inclusion of the existing 'park and ride' route in the adopted M&HCA Masterplan SPD. These applications resulted in objection letters from both residents and groups that utilise the 50 free parking bays available each day' through a S106 Agreement.
- 3.3 Background details on the requirements are provided at **APPENDIX 1** to this report, which details key elements from the agreement for Member information.

- 3.4 Details of the bus route associated with the S106 Agreement is set out within **APPENDIX 2a** (Extract Map from S106 18 February 2009) and **APPENDIX 2b** (Extract Map from UU 18 December 2009).
- 3.5 It is clear from the extracts within the S106 Agreement that there is a requirement to provide a “Marketing Plan” to promote the free bus service through a marketing campaign to be agreed in writing between Tesco and the Council (further extended in 2009 to include the County Council). It is not clear this plan has ever been developed or discussed with the operator.
- 3.6 In addition to the above, it was stated that the Bus Service would be provided for a minimum period of 5 years from occupation of the development (i.e. from 2009) and a Bus Review had to be carried out in cooperation with the Council after 5 years. It is not clear that a Bus Review has ever been completed
- 3.7 The Council would require Tesco to submit a Deed of Variation to change the existing provision in the S106 which would be presented to the Central Area Planning Committee. No such Deed of Variation has been submitted. The existing S106 Agreements are enforceable.

#### **4. CONCLUSION**

- 4.1 A review of the existing arrangements has revealed several outstanding issues relating to the section 106 agreement with Tesco. A developed marketing plan is required and regular review of the Bus Service is essential. This will ensure the public can utilise the service, reducing vehicle movements in and around the Town, whilst giving greater access to shoppers and visitors to facilities served by the bus service. Looking forward to the Central Area Master Plan and the Air Quality Action Plan for the Market Hill area, efficient management of local transport is essential.
- 4.2 Officers have recommended to Members that the S106 Agreement is re visited to ensure compliance by all parties to the agreement.

#### **5. IMPACT ON STRATEGIC THEMES**

- 5.1 The park and ride scheme contribute towards the Council’s strategic themes as follows:
- Front line services retained;
  - Customers Expectations met;
  - Continuing to work sustainably;
  - Sound and tested environmentally friendly initiatives delivered.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – Access to free park and ride services for visitors and residents benefits all including local businesses.
- (ii) **Impact on Equalities** – The service is accessible for all

- (iii) **Impact on Risk** - none identified
- (iv) **Impact on Resources (financial)** – There are no direct financial implications to the Council
- (v) **Impact on Resources (human)** – None associated with the operation of the service
- (vi) **Impact on the Environment** – Reduction on individual car movements will benefit the environment.

Background Papers:

**APPENDIX 1** - Briefing note on Tesco Park and Ride

**APPENDIX 2a** -Extract Map from S106 18 February 2009

**APPENDIX 2b** - Extract Map from UU 18 December 2009

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