



Freedom of Information Request FOI1699

Request:

Thank you very much for your response.

In order that we may be clear about the situation regarding private parking companies operating on land owned by North Tyneside Council, can you please answer the following questions (please note that I intend to quote you on your responses in the press).

1. Who actually owns the car parking land in Wallsend which is operated by the company Smart Parking?
2. Was the contract awarded to them by North Tyneside Council?
3. Is it correct that North Tyneside Council have no legal responsibility whatsoever as to how Smart Parking run their car parks on land owned by North Tyneside Council?
4. If it becomes clear that Smart Parking are operating a policy of discrimination against disabled drivers on land owned by North Tyneside Council and the Council are advised of that fact, North Tyneside have no legal or moral responsibility to look into the matter?
5. If any of the terms of the contract between Smart Parking and North Tyneside Council have clearly been breached; i.e. any of the signage not clearly visible on the site and North Tyneside Council have been advised of this fact, is it correct that North Tyneside Council will not take any action?
6. Under National legislation, North Tyneside Council must ensure that road signs, including parking signs, must be clearly visible to the motoring public. Does this also apply to land owned by them even if a contract has been given to a privately owned parking firm. If not, please advise the legal basis upon which North Tyneside Council have despatched their responsibilities for land that they own and therefore no longer have legal responsibility for that land.
7. Under no circumstances can North Tyneside Council intervene on specific issues between persons parking on land owned by North Tyneside Council and Smart Parking. Is this correct? If not, please advise the circumstances under which North Tyneside Council can/could intervene.

Submitted on 06/09/19.

Response:

Thank you very much for your response.

In order that we may be clear about the situation regarding private parking companies operating on land owned by North Tyneside Council, can you please answer the following questions (please note that I intend to quote you on your responses in the press).

1. Who actually owns the car parking land in Wallsend which is operated by the company Smart Parking?

The car parking land in question is privately owned. The applicant should approach the Land Registry Office for details of the current landowner.

The highway rights over this land were extinguished by an Order Made under Section 247 of the Town and County Planning Act 1990 in October 2015. A Copy of the Order and associated plan are provided with this response.

The information supplied to you is owned by the council unless otherwise stated and may be protected by copyright. You are free to use it for your own purposes, including any non-commercial research or for the purposes of news reporting. Any other re-use of a commercial nature will require the permission of North Tyneside Council. Further enquiries in this respect should be directed to Information Governance Team, North Tyneside Council, Quadrant, The Silver Link North, Cobalt Business Park, North Tyneside, NE27 0BY.



2. Was the contract awarded to them by North Tyneside Council?

See response to question 1.

3. Is it correct that North Tyneside Council have no legal responsibility whatsoever as to how Smart Parking run their car parks on land owned by North Tyneside Council?

See response to question 1.

4. If it becomes clear that Smart Parking are operating a policy of discrimination against disabled drivers on land owned by North Tyneside Council and the Council are advised of that fact, North Tyneside have no legal or moral responsibility to look into the matter?

See response to question 1

5. If any of the terms of the contract between Smart Parking and North Tyneside Council have clearly been breached; i.e. any of the signage not clearly visible on the site and North Tyneside Council have been advised of this fact, is it correct that North Tyneside Council will not take any action?

See response to question 1

6. Under National legislation, North Tyneside Council must ensure that road signs, including parking signs, must be clearly visible to the motoring public. Does this also apply to land owned by them even if a contract has been given to a privately owned parking firm. If not, please advise the legal basis upon which North Tyneside Council have despatched their responsibilities for land that they own and therefore no longer have legal responsibility for that land.

See response to question 1

7. Under no circumstances can North Tyneside Council intervene on specific issues between persons parking on land owned by North Tyneside Council and Smart Parking. Is this correct? If not, please advise the circumstances under which North Tyneside Council can/could intervene.

See response to question 1