

# **Environment and Prosperity Scrutiny Committee**

## **Agenda**

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**Date:** Wednesday, 8th July, 2009  
**Time:** 10.30 am  
**Venue:** Committee Suite 1,2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/ Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

4. **Minutes of Previous Meeting** (Pages 1 - 2)

To approve the minutes as a correct record

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For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

**Contact:** Katie Smith  
**Tel:** 01270 529771  
**E-Mail:** [katie.smith@cheshireeast.gov.uk](mailto:katie.smith@cheshireeast.gov.uk)

5. **Call In of Cabinet Decision - CE09/10-10 Car Parking Control and Charging in the area of the Former Borough of Congleton** (Pages 3 - 20)

To give consideration to the Call In of the above decision

6. **Highway Maintenance**

To receive a presentation of the Head of Service – Environmental Services

7. **Work Programme** (Pages 21 - 26)

To give consideration to the draft work programme

8. **Forward Plan** (Pages 27 - 30)

To give consideration to the areas of the forward plan which fall within the remit of this Committee

9. **Exclusion of Press and Public**

The report relating to the remaining item on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

10. **Call In of Cabinet Decision - Key Decision CE09/10-10 Car Parking Control and Charging in the area of the Former Borough of Congleton - Legal Implications** (Pages 31 - 34)

To note the legal implications contained within the report

## **CHESHIRE EAST COUNCIL**

### **Minutes of a meeting of the Informal Environment and Prosperity Scrutiny Committee**

held on Wednesday, 13th May, 2009 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

#### **PRESENT**

Councillor G M Walton (Chairman)  
Councillor E Gilliland (Vice-Chairman)

Councillors Rachel Bailey, H Davenport, R Fletcher, R Menlove, M Parsons,  
L Smetham and C Thorley

#### **Apologies**

Councillors S Broadhurst, M Hardy and M Hollins

#### **1 DECLARATIONS OF INTEREST/ PARTY WHIP**

None

#### **2 SCRUTINY UNCOVERED**

The Committee watched a DVD explaining the role of Select Committees in Parliament. The DVD featured Members of both houses reflecting on their experiences, along with clerks and members of the public called to give evidence. The DVD highlighted the role that Select Committees played in the scrutiny of Government.

#### **3 REMIT OF OVERVIEW AND SCRUTINY COMMITTEES**

The Committee considered a paper relating to the remit of the Overview and Scrutiny Committees based upon recommendations made by Scrutiny Members at the training day held on 27 April 2009. It was noted that the remits would be reviewed in 12 months time.

RESOLVED

That the remit of the Environment and Prosperity Scrutiny Committee be noted and reviewed in 12 months time

#### **4 DRAFT WORK PROGRAMME**

The Committee considered a draft work programme, which was based upon matters referred to the Committee by the Shadow Scrutiny Committee. The list of items within the work programme had been discussed by Members at a training session held on 27 April 2009, at which, an initial attempt had been made to prioritise items.

Members acknowledged that the list of matters within the work programme was not exhaustive and that a more comprehensive list would be submitted to the first formal meeting of the Committee following discussions between the Chair and Vice Chairman, relevant Portfolio Holders and senior officers over the next few days.

It was agreed that at its next meeting the Committee would receive a position statement with regard to waste management, car parking and highway maintenance. It was also agreed that as the review relating to Crewe gateway included the railway station, the review relating to the development of railway stations would be deleted from the work programme.

### RESOLVED

That the work programme be amended to reflect the above issues.

The meeting commenced at 10.30 am and concluded at 11.40 am

Councillor G M Walton (Chairman)

## CHESHIRE EAST COUNCIL

**ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE**

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**Date of meeting:** 8 July 2009  
**Report of:** The Borough Solicitor and Monitoring Officer  
**Title:** Call In of Cabinet Decision - CE09/10-10 Car Parking Control and Charging in the area of the former Borough of Congleton

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**1.0 Report Summary**

- 1.1 This report sets out the procedure for the Call In of Cabinet Decision - CE09/10-10 Car Parking Control and Charging in the area of the former Borough of Congleton, and encloses the original report considered by Cabinet on 16 June 2009.

**2.0 Recommendations**

- 2.1 That the Scrutiny Committee considers whether or not it wishes to offer advice to Cabinet in response to the Call In

**3.0 Wards Affected**

- 5.1 Alsager, Congleton Rural, Congleton Town East, Congleton Town West, Sandbach, Sandbach East and Rode, Middlewich

**4.0 Local Ward Members**

- 4.1 All Members for the above Wards.

**5.0 Policy Implications**

- 5.1 Contained within the attached Cabinet report.

**6.0 Financial Implications for Transition Costs**

- 6.1 Contained within the attached Cabinet report.

**7.0 Financial Implications for 2009/10 and beyond**

- 7.1 Contained within the attached Cabinet report.

**8.0 Legal Implications**

- 8.1 The legal implications, which informed the decision of Cabinet, are reproduced in Part 2 of this agenda.

**9.0 Risk Assessment**

- 9.1 Contained within the attached Cabinet report.

## **10.0 Background and Options**

- 10.1 In accordance with Scrutiny Procedure Rule 12.3, Councillors Baxendale, Richardson, Thwaite, Narraway, Westwood, Walton, Murray and Hough have called in the above decision for the reasons identified in Appendix 1. Councillor S Jones and R Fletcher have also expressed their support for the Call In.
- 10.2 In accordance with Scrutiny Procedure Rule 12.6 the Scrutiny Committee has two options. It may decide to offer no advice, in which case the decision may be implemented. If the Scrutiny Committee decides to offer advice, the matter must be referred to Cabinet in order for a decision to be made upon it, the Cabinet in accordance with Scrutiny Procedure Rule 12.8 will not be bound to accept any advice offered to it and will have sole discretion on any further action to be taken, such action may include:
- (1) Confirming with or without amendment the original decision; or
  - (2) Defer the matter pending further consideration; or
  - (3) Make a different decision.
- 10.3 Where the Scrutiny Committee decides to offer advice, this must be clearly documented in the minutes
- 10.4 If the Scrutiny Committee decides not to offer any advice, then the decision of Cabinet can be implemented immediately.
- 10.5 Full details of the Call In Procedure can be found at Scrutiny Procedure Rule 12
- 10.6 The appropriate Cabinet Member and Officer will attend the meeting to explain the background and reasons for the decision and to answer any questions the Committee may have.
- 10.7 The following wording records the Cabinet decision of 16 June 2009:

(1) That Subject to the Borough Solicitor taking action to remove any legal impediments regarding the affected landholdings, the list of car parks to be subject to control and charging be approved;

(2) That the scale of parking charges and the controlled hours which are proposed as 8am to 6pm Monday to Saturday be approved;

(3) That the Borough Solicitor, or his nominated officer, be authorised to advertise the intention to make an off-street car parking order in respect of car parks in the former Congleton Borough (as set out in the report) pursuant to the Road Traffic Regulation Act 1984. Following advertisement, the proposal be subject to the statutory 21 day consultation period during which objections may be submitted, any such objections to be considered by the Cabinet at a subsequent meeting; and

(4) That in the event of there being no objections to the proposed order received within the consultation period, the Borough Solicitor or any officer nominated by him be authorised to take all necessary actions to make the order.

Cabinet also noted the legal implications.

- 10.8 The Cabinet report is attached at Appendix 2.

10.9 A response to the issues raised in the Call In Notice is attached at Appendix 3

11.0 **Appendices**

Appendix 1 – Call In Notice

Appendix 2 – Cabinet Report – 16 June 2009

Appendix 3 – Response to the issues raised in the Call In Notice

***For further information:-***

*Officer: Katie Smith*

*Tel No: 01270 529771*

*Email: [katie.smith@cheshireeast.gov.uk](mailto:katie.smith@cheshireeast.gov.uk)*

***Background Documents:-***

The Councils Constitution

Documents are available for inspection at:

Legal and Democratic Services, Westfields, Middlewich Road, Sandbach, CW11 1HZ

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Due to a lack of meaningful consultation over the car parking policies in the old Congleton Borough and also the fact that the consultants report on which the report was based, was rejected by the scrutiny committee and cabinet of the old Borough Council, we are mindful to call in the decision of the cabinet today the 16<sup>th</sup> June 2009. The decision should be further discussed by the Environment Scrutiny committee at its earliest opportunity.

Councillors:-

Gordon Baxendale

Alan Richardson

Andrew Thwaite

John Narraway

Ray Westwood

George Walton

Howard Murray.

*David Hargh*

*Gordon Baxendale*  
*160609.*

*Albough.*

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# CHESHIRE EAST COUNCIL

## CABINET

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**Date of meeting:** 16<sup>th</sup> June 2009  
**Report of:** Strategic Director Places  
**Title:** Car Parking Control and Charging in the area of the former Borough of Congleton

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### 1.0 Purpose of Report

- 1.1 In order to ensure a uniform approach to car park management and control throughout Cheshire East, the Cabinet is requested to give consideration to and approve the principle of progressing the introduction of car parking control and charging on a number of public car parks within the former Congleton Borough. This is to be in advance of securing civil enforcement powers under the Traffic Management Act 2004 for both on and off street parking, which is expected to receive Department for Transport (DfT) approval by the end of September 2009. A timetable for the actions involved in the process is included as a background document.

### 2.0 Decision Required

- 2.1 Subject to 2.5 below, to approve the list of car parks to be subject to control and charging.
- 2.2 To agree the scale of parking charges.
- 2.3 To authorise the Borough Solicitor for Cheshire East Council, or his nominated officer, to advertise the intention to make an off street car parking order in respect of car parks in the former Congleton Borough (as set out in the report) pursuant to the Road Traffic Regulation Act 1984. Following advertisement the proposal will be subject to the statutory 21 day consultation period during which objections may be received. These must be considered by the Cabinet at a subsequent meeting.
- 2.4 In the event of there being no objections to the proposed order received within the consultation period, to authorise the Borough Solicitor for Cheshire East Council or any officer nominated by him to take all necessary actions to make the order.
- 2.5 To note the Legal Implications within Part II and consider the matter further as required.

### 3 Financial Implications: Transition Costs:

None

**4 Financial Implications 2009/10 and beyond**

- 4.1 A Capital provision of £160,000 is included in the 2009/10 budget to purchase and install the Pay & Display machines.
- 4.2 The estimated annual Income of £375,000 is based on assumptions of occupancy levels derived from the consultants' report and the charging levels detailed in this report.
- 4.3 Parking control will be operated from within the existing Parking Services Teams currently operating in Macclesfield, Crewe and Nantwich.
- 4.4 The operation of parking control will be self financing.

**5.0 Legal Implications**

The legal implications are addressed in Part II.

**6.0 Risk Assessment**

- 6.1 Objections to the proposed car park control order could be received which may prevent or delay the introduction of control and charging.
- 6.2 A delay in the implementation of car parking control would have a negative impact on budget income predictions for 2009/10

**7.0 Background and Options****Existing situation**

- 7.1 Car parking control is currently exercised in the former Boroughs of Macclesfield and Crewe and Nantwich, where civil enforcement powers have also been adopted under the Traffic Management Act 2004 which provides the ability to enforce parking regulations both on and off street.
- 7.2 Off street parking in Congleton is currently uncontrolled and free of charge. Car park operational and maintenance costs are therefore borne by the Council Tax payer as a whole rather than the user of the facility. On street enforcement in Congleton is currently the responsibility of the Police although this is not a high priority area of work for them and will remain an anomaly within Cheshire East until civil enforcement powers are adopted in that area.

**Policy Matters**

- 7.3 The proposal would bring parking control into line with the Council's Parking Strategy as approved by Cabinet on 21/4/09. The objective is as follows:

*To be consistent with and contribute to the overall aims of the National and Regional transport strategies which seek to:*

- *Achieve a greater reduction in overall traffic*
- *To achieve a greater use of the more sustainable and healthy forms of travel*
- *To achieve a more effective and efficient transport system*

*Having regard to the need to consider:*

- *The economic vitality of the town centres*
- *The positive contributions parking revenue makes to the delivery of council services*
- *The parking needs of people with disabilities*
- *The parking needs of local residents, shops and businesses*

*An effective parking policy will help to further a wide range of urban policy objectives such as:*

- *Economic (vitality of the town centre)*
- *Social (accessibility)*
- *Environmental (negative impact of traffic congestion)*
- *Pricing and availability of parking in the town centre is one of the few ways of managing or restraining car use*
- *Compared to major infrastructure changes, parking policies are relatively easy to introduce and cost effective methods of managing demand, which can be easily modified to reflect changing situations.*

### **Consultant's Report**

- 7.4 A review of car parking in Congleton Borough was commissioned by the former Congleton Borough Council (CBC) and a report considered but not adopted in 2008.
- 7.5 The main findings of the study are detailed in Appendix One which details the rationale behind the introduction of controls through charging and a current updated position for each point.
- 7.6 The Consultant had recommended the following list of 14 car parks where the implementation of control and charging would be appropriate:

<b>CAR PARK</b>	<b>CAPACITY</b>	<b>RECOMMENDED STAY DURING HOURS</b>	<b>MAXIMUM CONTROL</b>
<b>CONGLETON</b>			
<i>Antrobus Street</i>	<i>84</i>	<i>10 hours</i>	
<i>Fairground</i>	<i>97</i>	<i>3 hours – No return within 2 hours</i>	
<i>Princess Street</i>	<i>90</i>	<i>3 hours – No return within 2 hours or 10 hours</i>	
<i>Chapel Street</i>	<i>52</i>	<i>10 hours</i>	
<b>MIDDLEWICH</b>			

<i>Seabank</i>	<i>23</i>	<i>10 hours</i>
<i>Civic Way</i>	<i>84</i>	<i>10 hours</i>
<b>SANDBACH</b>		
<i>Little Common</i>	<i>28</i>	<i>10 hours</i>
<i>Scotch Common</i>	<i>140</i>	<i>3 hours – No return within 2 hours</i>
<i>Hawk Street</i>	<i>11</i>	<i>10 hours</i>
<i>Well Bank</i>	<i>14</i>	<i>10 hours</i>
<i>Crown Bank</i>	<i>11</i>	<i>10 hours</i>
<b>ALSAGER</b>		
<i>Fairview</i>	<i>288</i>	<i>10 hours</i>
<b>HOLMES CHAPEL</b>		
<i>Parkway</i>	<i>15</i>	<i>10 hours</i>
<i>London Road</i>	<i>32</i>	<i>10 hours</i>

### Further Considerations

7.7 Further consideration has been given to the proposals put forward by the Consultant and reviewed in the light of additional information and / or policy implications. The areas of the original proposals reconsidered are set out below:

7.7.1 **Sandbach:** Scotch Common has been the main off street facility serving amenities in Sandbach, providing 140 of the 204 parking spaces being considered for charging and therefore control is considered appropriate.

7.7.2 **Middlewich:** The main publicly owned car parks serving the amenities of Middlewich are Civic Way CP (84 spaces) and Seabank CP (23 spaces). These car parks do not operate at capacity although they may be affected by the arrival of Tesco which will utilise part of the Southway car park.

7.7.3 **Holmes Chapel:** The main publicly owned car parks serving the amenities of Holmes Chapel are Parkway CP (15 spaces) and London Road CP (32 spaces). These car parks are extensively used and are operating close to capacity. A significant element of this is long stay parking by commuters going elsewhere. These car parks are adjacent to other larger privately owned car parks serving local shopping precincts where a further 122 spaces are available.

7.7.4 **Congleton:** It is considered that the parking situation in Congleton town centre justifies the need for implementation of off street parking controls. As the majority of car parks are in public ownership, it would be possible to implement this proposed overall car park charging scheme, safeguarding the prime central spaces for use by shoppers and other short stay users so as to maintain the commercial viability of the town centre. Long stay parking would be assigned to peripheral car parks.

**Current Proposals**

7.8. The proposed schedule of car parks to be controlled and the suggested tariffs are as follows:

Car Park	Bays	Type (S/S Stay L/S Stay)	Short Long	Tariff	
<b>SANDBACH</b>					
Little Common	28	S/S		0-1hr 1-2hrs 2-3hrs (max)	£0.30 £0.50 £1.00
Scotch Common	140	S/S		0-1hr 1-2hrs 2-3hrs (max)	£0.30 £0.50 £1.00
Hawk Street	11	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Well Bank	14	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Crown Bank	11	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
<b>CONGLETON</b>					
Antrobus St	84	S/S		0-1hr 1-2hrs 2-3hrs (max)	£0.30 £0.50 £1.00
Chapel St	52	S/S		0-1hr 1-2hrs 2-3hrs (max)	£0.30 £0.50 £1.00
Princess St	90	S/S		0-1hr 1-2hrs 2-3hrs (max)	£0.30 £0.50 £1.00
Fairground	97	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Roe St	24	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Back Park St	98	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Ropewalk	29	L/S		0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
West St	216	L/S		0-2hrs	£0.50

			2-4hrs Over 4hrs	£1.00 £1.50
<b>ALSAGER</b>				
Fairview	288	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
<b>MIDDLEWICH</b>				
Seabank	23	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
Civic Way	84	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
<b>HOLMES CHAPEL</b>				
Parkway	15	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50
London Road	32	L/S	0-2hrs 2-4hrs Over 4hrs	£0.50 £1.00 £1.50

Season tickets – Long stay car parks (L/S) only, £80 per quarter or £300 p.a.

### 7.9 Tariff bands

The tariff is based on the lower tariff option suggested by the Consultant and represents a straight forward tariff structure with short stay control achieved by the introduction of a maximum length of stay.

On short stay car parks the 30p rate may address the perceived need for a half hour rate – which is less cost effective in patrol terms.

Members may wish to consider an alternative similar to that operated in Macclesfield where additional tariff bands have been introduced to overcome criticism that the banding suggested here is too wide, meaning for example, that a stay of just over two hours would cost the same as a stay of just under 4 hours.

Under this option, long stay parking is discouraged on short stay car parks, rather than prohibited, by the introduction of charges at a penal level. This would permit some long stay use by those who may consider it essential to do so but at a premium rate- for example over £2.50.

### 8.0 Overview of Day One, Year One and Term One Issues

None

#### ***For further information:***

*Portfolio Holder: Councillor Brickhill*

*Officer : Paul Burns*

*Tel No:01270 537805*

*Email:*



***Background Documents:***

Timetable of Actions (below).

Congleton Borough Council – Car Parking Review. (RTA Consultants' report)  
Feb 2008

**Appendix One:** Consultant's Findings and Update Position (see paragraph 7.5)

**Car Parking Control and Civil Enforcement in former Congleton Borough area**  
**Timetable of Actions**

	Apr	May	Jun	July	Aug	Sept
Apply to Dept for Transport (DfT) for On Street Enforcement Powers	April 5th					
Cabinet Consideration of Off Street Parking Charges			<b>Jun-16</b>			
Statutory Public Consultation on Off Street Charges (21 days)			Starts Jun 17	Ends Jul 7		
Objections under 21 day rule considered by Cabinet				<b>Jul-14</b>		
Earliest date that <i>Off-Street</i> Charges can go live					Jul-28	
Complete review of Traffic Regulation Orders by Highways Engineers					1st Aug	
Receive DfT approval and conferral of <i>On-Street</i> enforcement powers						Sep-30

# CHESHIRE EAST COUNCIL

**Report of:** Strategic Director Places  
**Title:** Response to the reasons for call-in  
(Cabinet Decision CE09/10-10 16<sup>th</sup> June 2009)

## 1 Introduction

The above cabinet decision was called in for further consideration by the Environment and Prosperity Scrutiny Committee on 16<sup>th</sup> June 2009.

The reasons for call in, contained within the Notice, are;

1. "Due to a lack of meaningful consultation over the car parking policies in the old Congleton Borough and also
2. the fact that the consultants report on which the report was based, was rejected by the scrutiny committee and cabinet of the old Borough Council.

## 2.0 Response to the Reasons for call-in

- 2.1 Reason: "Due to a lack of meaningful consultation over the car parking policies in the old Congleton Borough"

Response:

- i. Fundamentally, the decision taken by Cabinet on 16<sup>th</sup> June was to consult for the statutory period of 21 days on the proposed Cheshire East policy for the former Borough of Congleton area. This is a legal requirement under the Road Traffic Regulations Act 1984, as amended.
- ii. Prior to vesting day on 1<sup>st</sup> April, a Cheshire East Members Parking Task Group had been established to consider all transition matters for parking services and to formulate a parking strategy for Cheshire East Council. This work was then presented to, and the third draft endorsed, by the Places Advisory Panel at its' meeting on 11<sup>th</sup> March 2009. This Members Panel effectively carried out the 'pre-scrutiny' role suggested as lacking in the reasons for call-in.
- iii. The Cheshire East Parking Strategy, having been developed thorough the transitional Members structures, was formally adopted by Cabinet at its' meeting on 21<sup>st</sup> April 2009.
- iv. Paragraph 8.2 of the accompanying Cabinet Report stated:

‘During Year one, the strategy will support the granting of Civil Parking Enforcement Powers in relation to the former Congleton Borough Council area and to the introduction of control and regulation of off-street parking in selected car parks in that area.’

- v. Further ‘consultation’ is currently under way through the recently formed Recession Mitigation Task Group to consider the relationship between car park charges and retail activity across Cheshire East.
- vi. The policy to introduce car park charges to control and regulate off-street parking in the former Congleton Borough Council area was agreed as part of the 2009/10 budget setting process. £375,000 annual income and £160,000 capital investment was included in the 2009/10 Cheshire East budget. The budget itself was extensively consulted on and finally agreed by Full Council on 24th February 2009

- 2.2 Reason: “the consultation report on which the report was based, was reflected by the scrutiny committee and Cabinet of the old Borough Council”

Response:

- i. Congleton Borough Council Prosperity Scrutiny Committee first considered the original study on 11<sup>th</sup> April 2007. The committee requested that the then Head of Safer Communities provide further information on Car park management and reconsidered a second draft on 10<sup>th</sup> July 2007.

At their July 2007 meeting, the committee concluded that other options should be explored and asked that the Congleton Borough Council Executive clarifies its’ priorities and objectives regarding the Car Parking review.

It was at this early meeting that the Prosperity Scrutiny Committee stated that it was dissatisfied with the consultants report as they felt it was flawed and biased in favour of introducing charging.

- ii. Congleton Borough Council Executive considered this report from Prosperity Scrutiny Committee at its meeting on 15<sup>th</sup> August 2007. Minute 46 resolved that:
  - a. The report be received;
  - b. That the Head of Safer Communities be requested to arrange to meet the chairman of the Prosperity Scrutiny Committee to clarify further the dissatisfaction expressed by the Committee in connection with the report received from RTA Associates

- c. That the Head of Safer Communities be requested to submit a report to a future meeting of Executive on the study carried out by RTA Associates together with additional information clarifying the position of the Scrutiny Committee in respect of the comments now reported.
- iii. A subsequent report from the Head of Scrutiny Committee was submitted to Congleton Borough Council Executive on 19<sup>th</sup> September 2007. This included the adjustment to the original report requested by both the Prosperity Scrutiny Committee and Congleton Borough Council Executive.

Minute 61.b) of the Congleton Borough Council Executive meeting of 19<sup>th</sup> September 2007 refers. **It was resolved that the Head of Safer Communities be requested to produce a consultation document based upon the RTA study, for circulation to key stakeholders.**

It would appear that the original concerns of the Prosperity Scrutiny Committee had now been taken account of and the study was no longer considered 'flawed'. Congleton Borough Council Executive had now resolved to use it as the basis for consultation to key stakeholders.

This is the same decision made by the Cheshire East Cabinet on 16<sup>th</sup> June 2009, to consult on the introduction of car parking control and charging in the former Congleton Borough Council area.

- iv. A final report on this matter from the Head of Safer Communities was presented to Congleton Borough Council Executive on 16<sup>th</sup> January 2008

This report considered the impact of Local Government Review on the agreed consultation exercise and Congleton Borough Council Management Teams' view on whether this process was sustainable given the draw on staff resources to implement Local Government Review in Cheshire.

In light of the situation, Congleton Borough Council Executive resolved to maintain their established council policy of providing "free at point of use" parking. (Minute 111 Cabinet meeting 16<sup>th</sup> November 2008 refers).

- v. The RTA consultant is of the opinion that no flaws are inherent in the final report submitted to Congleton Borough Council and this appears to be borne out by the fact that the Executive resolved to use their final version as the basis for stakeholder consultation at their meeting on 19<sup>th</sup> September 2007.
- vi. The latest proposal considered by Cheshire East Cabinet on 16<sup>th</sup> June 2009 has developed this study further by including additional

Congleton car parks for consideration for charging and an up-to-date commentary for each of the consultants' main findings.

- vii. Finally, it is understood that the report does not include every council-owned car park in the former Congleton Borough Council area. It does however seek to introduce charging for these where, in accordance with the Parking Strategy, a good case can be made.

These additional car parks will be subject to continual review to ensure the strategy principles are applied consistently across Cheshire East Borough. The first of these 'non-charged' or 'free' car parks is scheduled for review by the portfolio-holder for Environment in July. (Thomas Street Car Park in Crewe is a pre-existing free car park in the former Crewe and Nantwich Borough Council area)

**For further information:-**

Officer: Paul Burns (01270 537805)  
Peter Hartwell (01270 537614)

**Background Documents:-**

Car Parking Strategy and Cabinet Report 21/04/09

Prosperity Scrutiny Committee report to Congleton Borough Council Executive  
15/08/07

Minutes of Congleton Borough Council Executive 15/08/07

Report from Head of Safer Communities to Congleton Borough Council  
Executive 19/09/07

Minutes of Congleton Borough Executive 19/09/07

Report from Head of Safer Communities to Congleton Borough Council  
Executive 16/01/08

Minutes of Congleton Borough Executive 16/01/08

## **CHESHIRE EAST COUNCIL**

### **REPORT TO: ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE**

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**Date of Meeting:** 8 July 2009  
**Report of:** Borough Solicitor And Monitoring Officer  
**Subject/Title:** Work Programme

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#### **1.0 Report Summary**

- 1.1 To consider further the items proposed for inclusion in the Committee's Work Programme and determine which items should be included in the Work Programme for the current municipal year.

#### **2.0 Recommendations**

- 2.1 That the Committee agree its Work Programme.

#### **3.0 Reasons for Recommendations**

- 3.1 It is good practice to agree a Work Programme to enable effective management of the Committee's business.

#### **4.0 Wards Affected**

- 4.1 All

#### **5.0 Local Ward Members**

- 5.1 Not applicable.

#### **6.0 Policy Implications**

- 6.1 Not known at this stage.

#### **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

- 7.1 None identified at the moment.

#### **8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)**

- 8.1 Not known at this stage.

## **9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 None.

## **10.0 Risk Management**

10.1 There are no identifiable risks.

## **11.0 Background and Options**

- 11.1 At the last meeting of the Committee, Members considered a list of potential items for the Work Programme that had been given a priority order at the Scrutiny briefing session held on 27 April
- 11.2 The Chairman and Vice Chairman have also met with the relevant Portfolio Holders and Seniors Officers to discuss the remit of the Committee and further items for the Work Programme.
- 11.3 The Committee is now invited to consider and determine a Work Programme, decide a priority order, agree timescales and methodology – for example, whether items should be dealt with by a Task/Finish Panel or at the main Committee etc.
- 11.4 To assist the Committee, each of the issue highlighted in the work programme should be assessed against the following criteria:
- Does the issue fall within a corporate priority
  - Is the issue of key interest to the public
  - Does the matter relate to a poor or declining performing service for which there is no obvious explanation
  - Is there a pattern of budgetary overspends
  - Is it a matter raised by external audit management letters and or audit reports.
  - Is there a high level of dissatisfaction with the service

If during the assessment process any of the following emerge, then the topic should be rejected:

- The topic is already being addressed elsewhere
- The matter is subjudice
- Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

## **12.0 Overview of Year One and Term One Issues**

12.1 It is good practice to have a Work Programme for the Committee to consider and prioritise on a regular basis.



### **13.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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### Environment and Prosperity Scrutiny Committee

<b>Issue</b>	<b>Priority</b>	<b>Comment</b>	<b>Date</b>
Highway Maintenance	High Council priority	To receive a presentation	8 July 2009
Call In of Cabinet Decision - CE09/10-10 Car Parking Control and Charging in the area of the former Borough of Congleton	High		8 July 2009
Waste Management (Including recycling)	High Council Priority	To receive a presentation	Arrange a special meeting?
Car Parking	High	To receive a presentation	
Crewe gateway	High	This issue is a priority for the Portfolio Holder	
Macclesfield Town Centre Development	Medium/High	This issue is a priority for the Portfolio Holder	
Housing Strategy, Homelessness Strategy and Affordable Housing Strategy	High	This issue is a priority for the Portfolio Holder. Policy Development	
Economic Development Strategy – Interim Statement	High	This issue is a priority for the Portfolio Holder	
Crematorium Crewe		This issue is a priority for the Portfolio Holder.	
Queens Restoration	Medium/High	To monitor the Queens Park Restoration Project	
Budget			July - November
Climate Change	Medium  Council Priority	The County Council investigated the impact of climate change in Cheshire. Two groups had been established to see how climate change could be taken forward.	
Air Quality	Medium	It was agreed at the Scrutiny Committee held on	December 2009

		19 March that this issue should be deferred for 6 months	
Provision of Gypsy Sites	Medium	Congleton Borough Council considered this issue. However progress halted due to LGR	
Demographic Change	Low		
Wheels to Work	Low	Macclesfield Borough Councils Community and Resources Policy Development Committee resolved that Cheshire East Council should be recommended to adopt the scheme with any financial issues being addressed	
Clinical Waste	Low	The Portfolio Holder is not aware of any issues. Remove from work programme?	
Future of All markets	Low	Work in progress, to be completed soon. Remove from work programme?	

## **CHESHIRE EAST COUNCIL**

### **REPORT TO: ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE**

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**Date of Meeting:** 8 July 2009  
**Report of:** Borough Solicitor and Monitoring Officer  
**Subject/Title:** Forward Plan

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#### **1.0 Report Summary**

- 1.1 To consider the forward plan in relation to the remit of this Committee

#### **2.0 Recommendations**

- 2.1 That the Committee note the forward plan, identify any new items and determine whether any further examination of new issues is appropriate.

#### **3.0 Reasons for Recommendations**

- 3.1 The forward plan can be a useful tool for scrutiny to assist with identifying future items for consideration.

#### **4.0 Wards Affected**

- 4.1 All

#### **5.0 Local Ward Members**

- 5.1 Not applicable

#### **6.0 Policy Implications including - Climate change - Health**

- 6.1 Not known at this stage

#### **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

- 7.1 None identified at the moment

#### **8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)**

- 8.1 Not known at this stage

**9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 None

**10.0 Risk Management**

10.1 There are no identifiable risks

**11.0 Background and Options**

11.1 Relevant extracts from the forward plan that relate to the area of Environment and Prosperity Scrutiny Committee are attached to this report for the Committee to note, consider any new items and decide whether any further examination of new issues as appropriate.

**12.0 Overview of Year One and Term One Issues**

12.1 it is good practice for scrutiny to regularly consider the Forward Plan in so far as it relates to the Committee's remit.

**13.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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Forward Plan 1 July 2009 to 31 October 2009

<b>Key Decision</b>	<b>Decisions to be Taken</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>How to make representation to the decision made</b>
CE09/10-06 Crewe Green Link Road Project	To consider a highways scheme to open up a strategic employment site at Basford East, to adopt the business case, refresh a decision to make a compulsory purchase order, and to note the financial implications and risk.	Cabinet	6 Oct 2009	Statutory consultations have been carried out and will continue at each stage of the process.	John Nicholson, Strategic Director Places
CE09/10-17 Community Transport Programme	To consider amendments to the delivery of bus services linked to proposed efficiency savings.	Cabinet	11 Aug 2009	Consultation with Portfolio Holder and officers. More detailed consultation with local stakeholders and wider public will follow Cabinet review.	John Nicholson, Strategic Director Places
CE09/10-18 Tatton Biennial	To determine arrangements for the 2009/10 Biennial Event at Tatton Park.	Cabinet	11 Aug 2009	With Portfolio Holder and officers.	John Nicholson, Strategic Director Places

CE09/10-19 Crewe Masterplanning	To endorse an approach to develop a high-level vision and masterplan for Crewe.	Cabinet	14 Jul 2009	With Portfolio Holder and officers.	John Nicholson, Strategic Director Places
CE09/10-20 Lyceum Square, Crewe	To determine whether to join with the North West Development Agency for external funding.	Cabinet	14 Jul 2009	With Portfolio Holder and Officers.	John Nicholson, Strategic Director Places



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