

Environment and Prosperity Scrutiny Committee

Agenda

Date: Wednesday, 23rd September, 2009
Time: 10.00 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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/Whipping Declarations**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests or Members to declare the existence of a party whip in relation to 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 - 6)

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

To approve the minutes of the meeting held on 6 August 2009

5. **Performance Management - The Approach**

To receive a presentation of the Planning and Performance Manager

6. **Local Development Framework**

To receive a presentation of the Head of Planning and Policy

7. **Consultation by 4NW on the Submitted Draft North West Plan Partial Review**
(Pages 7 - 12)

To give consideration to the above consultation.

8. **Residents Parking Policy** (Pages 13 - 36)

To give consideration to the Residents Parking Policy

9. **Forward Plan** (Pages 37 - 40)

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

10. **Work Programme** (Pages 41 - 44)

To give consideration to the work programme

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Prosperity Scrutiny Committee**
held on Thursday, 6th August, 2009 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

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

Councillors Rachel Bailey, H Davenport, R Fletcher, M Hollins, R Menlove,
M Parsons, L Smetham, C Thorley, J Weatherill and A Thwaite

In Attendance

Councillors T Beard, D Brickhill, S Conquest, D Flude and A Moran

Apologies

Councillors G Barton, S Broadhurst and M Hardy

14 DECLARATIONS OF INTEREST/WHIPPING DECLARATIONS

Councillor D Brickhill declared a personal and prejudicial interest in item 4 - Call In of Cabinet Member Decision – Introduction of Parking Charges on Thomas Street, Crewe, due to being the decision maker. In accordance with the code of conduct he withdrew from the room immediately after answering questions and giving evidence. He did not return to the meeting.

15 MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 8 July 2009

RESOLVED

That the minutes of the meeting be approved as a correct record and signed by the Chairman

16 PUBLIC SPEAKING TIME/ OPEN SESSION

None

17 CALL IN OF CABINET MEMBER DECISION - INTRODUCTION OF PARKING CHARGES ON THOMAS STREET CAR PARK, CREWE

The Committee reviewed the Cabinet Member decision of 9 July 2009 regarding the introduction of parking charges on Thomas Street Car Park, Crewe.

Councillor Flude attended the meeting to explain the reasons for the Call In. The Portfolio Holder and Parking Manager attended the meeting to explain the background to the decision and to answer any questions.

Councillors T Beard, S Conquest and A Moran also attended the meeting to speak in respect of this item.

Members raised questions and commented in respect of the detrimental effect on the income of the shop and office workers employed within the town centre, the current economic climate, the location of the car park in relation to the town centre, the effect on the use of the sports ground, displacement of parking, the number of car parking spaces and occupancy, the Car Parking Policy, the viability of the market, the development of Lyceum square and the charging being contrary to the local strategy.

Due to having a personal and prejudicial interest the Portfolio Holder withdrew from the room once he had explained the reasons for the decision and answered any questions.

Following detailed consideration of the explanations and reasons for the decisions the Committee decided to offer no advice to Cabinet.

RESOLVED

That no advice be offered to Cabinet

Councillors R Menlove and L Smetham arrived at the meeting following consideration of the above item

18 STRATEGIC HOUSING REVIEW

The Committee received a presentation on the Strategic Housing Review, which outlined the aim and role of strategic housing and the purpose and priorities for strategic housing and development, homelessness and housing options and private sector housing.

It was noted that some of the key priorities for 2009/10 would be to develop the following strategies:

- Affordable Warmth Strategy
- Empty Homes Strategy
- Affordable Housing Strategy
- Older Persons Housing Strategy
- Homelessness Strategy.

The Committee agreed that where possible it would like to give consideration to the above strategies prior to them being considered by Cabinet.

The Committee raised the issue of the provision of affordable housing in rural areas, the impact caused by the recession and the need for good schemes to be developed. It was reported that there was now a Rural Housing Enabler in post who would be looking at this issue as well as the promotion of schemes. The Committee felt that it could be beneficial for Members to visit examples of good practice.

RESOLVED

1. That the strategies highlighted above be considered by the Environment and Prosperity Scrutiny Committee prior to them being submitted to Cabinet.
2. That the possibility of Members visiting successful rural affordable housing schemes be investigated.

19 RESIDENTIAL PARKING SCHEMES

Members were advised that Residents Parking Schemes had been in operation for over a year and that while officers had gained experience in establishing schemes and dealing with displacement etc, no two schemes were the same.

A draft policy, which had been formulated from local and national experience, had been adopted by the former County Council, which would be submitted to Cabinet for approval in the near future. The Committee agreed that it would like to give consideration to this policy, prior to Cabinet, at its meeting scheduled to be held on 23 September 2009.

It was noted that residents parking schemes in Wilmslow and more recently Macclesfield were going through the consultation process and that all schemes had both advantages and disadvantages. It was highlighted that residents would not be guaranteed a space and that there would be an annual charge for a permit.

The Committee felt that a press release highlighting the details and advantages and disadvantages of Residents Parking Schemes should be issued to members of public.

RESOLVED

1. That the Residents Parking Policy be considered by the Environment and Prosperity Scrutiny Committee at its meeting scheduled to be held on 23 September 2009.
2. That a press release highlighting the details and advantages and disadvantages of Residents Parking Schemes be issued to Members of public

20 HIGHWAY MAINTENANCE

The Committee received a presentation on highway maintenance, which outlined the Corporate Plan core aims, the road network, the size of the asset, areas of operation, statutory duties, routine maintenance, operations, delivery, number of service requests, potholes, defect trends, work programme, challenges and investment.

It was agreed that the challenges for the Highway Authority had escalated due to utility works, maintaining a declining network, perception, increased defects and climate change. The estimated maintenance backlog for carriageways was £88million and footways £22million, which would take around 10 years to be rectified.

It was noted that the methods for dealing with potholes were constantly being developed due to new technology and processes. However potholes continued to be a major problem.

Member raised questions relating to the structure for the service and it was agreed that a copy of the full structure would be circulated to the Committee.

RESOLVED

That the structure for the Highway Service be circulated to the Committee for information.

21 WASTE MANAGEMENT

The Committee gave consideration to a presentation on waste management, which highlighted the statutory responsibilities, EU Landfill Directive, National Waste Strategy, developing a preferred approach, sustainability appraisal, immediate challenges, major waste contracts, waste treatment procurement, waste policy, waste minimisation and the best collection and recycling scheme for Cheshire East.

It was noted that waste was now seen as an opportunity by the private sector and that a private plant was being proposed in Middlewich.

Members discussed the harmonisation of the collection and recycling service in detail and agreed that this issue should be considered by the Committee.

RESOLVED

That the harmonisation of the collection and recycling service be considered by the Environment and Prosperity Scrutiny Committee.

22 WORK PROGRAMME

The Committee gave consideration to the work programme. It was agreed that the Residents Parking Policy would be considered at the meeting scheduled to be held on 23 September 2009.

RESOLVED

That the Residents Parking Policy be included in the work programme for 23 September 2009.

23 FORWARD PLAN

The Committee gave consideration to the extracts of the forward plan, which fall within the remit of the Committee.

RESOLVED

That the extracts be noted.

The meeting commenced at 10.00 am and concluded at 3.40 pm

Councillor G M Walton (Chairman)

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CHESHIRE EAST COUNCIL

ENVIRONMENT & PROSPERITY SCRUTINY COMMITTEE

Date of meeting: 23rd September 2009
Report of: John Knight - Head of Planning and Policy
Title: Consultation by 4NW on the Submitted Draft North West Plan Partial Review

1.0 Purpose of Report

- 1.1 The purpose of this report is for Members to consider the Council's response to the submitted draft North West Plan Partial Review prepared by 4NW.

2.0 Decision Required

- 2.1 To make a recommendation to the relevant Portfolio Holders:

1) That the Council objects to the Gypsy and Traveller pitch provision figures identified in draft policy L6 for Cheshire East as they exceed the figures shown in the Cheshire Gypsy & Traveller Accommodation Assessment (GTAA);

2) That the Council objects to the current wording in policies L6 and L7, concerning the provision of an annual 3% compound increase in overall residential pitch provision beyond 2016, as it fails to fully recognise that a review of the GTAA may result in the requirement for a different level of provision or percentage increase beyond 2016;

3) That the Council supports the Travelling Showpeople plot provision for Cheshire East identified in draft policy L7; and

4) That, while broadly welcoming the proposed revisions to the regional parking standards, the Council objects to some of the content of Table 8.1.

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 No direct resource implications at this stage although proposals in Partial Review of the RSS will need to be taken into account by the Council when it prepares its Local Development Framework.

5.0 Legal Implications

5.1 None

6.0 Risk Assessment

6.1 There are no directly associated risks with this consultation although proposals in Partial Review of the RSS will need to be taken into account by the Council when it prepares its Local Development Framework.

7.0 Background and Options

7.1 The partial review of the Regional Spatial Strategy (RSS) is limited to three subject areas: Gypsies & Travellers; Travelling Showpeople; and Regional Parking Standards. The Council must make any representations on the draft policies by October 19th, which is the end of the consultation period. These policies will have direct implications for the LDF especially for the provision of Gypsy & Traveller sites. It is likely that the Council's core strategy will set out the criteria for the location of these sites, while other LDF documents will translate these requirements into land allocations, and set out how these sites will be delivered.

Accommodation for Gypsies and Travellers in Cheshire East

7.2 Draft policy L6 proposes that the Council make provision for a minimum of 60 additional permanent residential pitches and 10 transit pitches between 2007 and 2016. Beyond 2016 provision will be made across the region for an annual 3% compound increase in the level of overall permanent residential pitch provision. Within Cheshire East provision will be made for the same proportion of the regional requirement as set out for 2007 – 2016.

7.3 Table 1 shows the levels of provision proposed in the partial review and includes a broad comparison with needs identified in the sub-regional Gypsy and Traveller Accommodation Assessment (GTAA) published in May 2007.

Table 1 Proposed Scale and Distribution of Gypsy and Traveller Permanent Pitch Provision for Cheshire East

Current Authorised Provision in 2007	Minimum additional permanent residential pitches required 2007 to 2016	Provision between 2016 to 2026 (based on 3% regional compound increase)	Total Additional Provision 2007 to 2026	Sub-regional GTAA assessment requirement 2006 to 2016
101	60	46	106	37 to 54

- 7.4 The previous interim policy set out a requirement for Cheshire East of 80 pitches to 2016. This figure was challenged by the authority as it was considered there was no robust evidence base to depart from the GTAA figure. Although the decision to reduce the requirement to 60 pitches is welcome, this figure is still above the upper limit figure shown in the GTAA (of 54 pitches) and no evidence is provided to support this increased figure. It is considered that the policy should reflect the range set out in the GTAA of 37 to 54 pitches, as this work follows an agreed methodology, both locally and nationally, and represents the most robust evidence base for determining future needs.
- 7.5 The draft policy requires GTAA's to be reviewed in 2013. There are currently proposals in Cheshire to complete another GTAA in 2010/11, which will build upon the previous work. Given the uncertainties of forecasting need over a long time period the policy should state that requirement figures beyond 2016 can be superseded by any updated GTAA that may be undertaken.

Accommodation for Travelling Showpeople

- 7.6 Draft policy L7 proposes at least 285 net additional plots for Travelling Showpeople between 2007 and 2016. The figure for Cheshire East is for an additional 10 plots between 2007 and 2016 which is an increase of 6 plots from that in the GTAA.

Table 2 Proposed Scale and Distribution of Travelling Showpeople Permanent Plot Provision for Cheshire East

Current Authorised Provision in 2007	Minimum additional permanent plots required 2007 to 2016	Provision between 2016 to 2026 (based on 3% regional compound increase)	Total Additional Provision required 2007 to 2026	Sub-regional GTAA assessment requirement 2006 to 2016
6	10	9	19	4

- 7.7 The Gypsy and Traveller Co-ordinator for the Cheshire sub-region advises that there is additional evidence from the Showmen's Guild that would justify an increase in plots from the GTAA. As such it is not considered that a fundamental objection to the policy figure should be made. However, as with policy L6 there are concerns over the forecasting of need beyond 2016 and it is suggested that the policy is amended to reflect the updating of the GTAA.

Regional Parking Standards

- 7.8 The partial review has produced a revised set of North West Parking Standards that will provide the framework for the identification at a local level of the maximum parking provision within new developments. Local Authorities will be required to divide all areas within their boundary into three 'Area Accessibility Categories' as set out in the Table 3 below.

Table 3 Area Accessibility Categories

Area Accessibility Category	Locations
A	City & Town Centres in Metropolitan Areas; Regional town and City Centres
B	Non-metropolitan key service centre town centre; District or local centres in metropolitan areas; District or local centres in regional town and cities.
C	All other areas ranging from those in regional towns and cities to villages and rural areas.

- 7.9 The approach suggested is designed to allow for varying levels of accessibility to be taken into account, with more restrictive standards in those areas that have the highest levels of public transport accessibility and development density. The policy says it will be for Local Authorities through their LDF's to provide justification for the categorisation of areas.
- 7.10 The production of revised guidance is broadly welcomed but the Council's Highways Development Manager considers that a number of changes should be made to the proposed maximum parking standards detailed in Table 8.1 of the Submitted Draft Partial Review, as follows:
- 1) The table indicated that smaller food and non-food facilities (under 500sqm) may require significantly less parking due to the fact they serve local needs. However, experience has shown that small stores with inadequate car parking provision can create problems on the highway network. It is considered that this comment should not apply within Accessibility Area Type C;
 - 2) The table provides an over simplification of the relationship between floor area and staff numbers for B8 (storage and distribution) uses. Further research should be undertaken on B8 parking requirements and the table should be amended to state that parking provision for each application should be judged on its own merits; and
 - 3) A comment should be added to the table in relation to some of the D1 uses, namely clinics & health centres and crèches, that these types of facilities should be located in sustainable locations served by a range of modes of transport.

8.0 Recommendation

- 8.1 That Officers raise objections to Table 8.1 and to draft policies L6 and L7 of the partial review based on the reasons set out in this report.

9.0 Reasons for Recommendation

- 9.1 To respond to the consultation from 4NW.

For further information:

Portfolio Holder: Councillor Jamie Macrae; Councillor David Brown

Officer: Stuart Penny – Planning Policy Manager

Tel No: 01244 973347

Email: stuart.penny@cheshireeast.gov.uk

Background Documents:

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

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CHESHIRE EAST COUNCIL

REPORT TO: Environment and Prosperity Scrutiny Committee

Date of Meeting: 23 September 2009
Report of: Parking Manager
Subject/Title: Residents Parking Policy

1.0 Report Summary

- 1.1 The draft Residents Parking Policy is presented for scrutiny, prior to submission to Cabinet for adoption.

2.0 Recommendations

- 2.1 The Committee is asked to consider making recommendations to Cabinet concerning the Policy.

3.0 Reasons for Recommendations

- 3.1 The recommendations may assist Cabinet in their decision to adopt a Residents Parking Policy for Cheshire East.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including

- 6.1 A Residents Parking Policy should contribute to the aim of reducing unnecessary vehicle movements which in turn reduces carbon emissions.
6.2 Reduced movements (for example of commuter cars) should also reduce fumes and improve air quality.

7.0 Financial Implications for Transition Costs

- 7.1 N/A

8.0 Financial Implications 2009/10 and beyond

- 8.1 Set-up cost of implementation of each zonal scheme may average up to £45000. This is likely to require capital allocation which also incurs prudential borrowing costs. However should Cabinet decide to recoup this cost from residents, payback should be swift (dependent on level of any charge decided upon).
- 8.2 Any revenue surpluses from on street penalty charge notices should also be considered to be used.

9.0 Legal Implications

- 9.1 Legal considerations are set out within the Policy document.

10.0 Risk Management

- 10.1 The advantages and disadvantages of Residents Parking Schemes are set out within the Policy document.

11.0 Background and Options

- 11.1 At the previous meeting of this Committee a copy was circulated of the draft Residents Parking Policy which is also attached to this report. Members wished to consider these and to begin scrutiny work on the policy with a view to making recommendations to Cabinet. The draft policy has been used in the design and implementation of schemes currently rolling out in Macclesfield and in the preliminary stage of schemes for Wilmslow.
- 11.2 Cheshire East needs to adopt a policy so that a consistent, evidenced approach can be maintained to all proposed schemes. Members are asked to consider all aspects of the Policy and to offer recommendations as they see fit, but in particular may wish to comment upon the following:
- 11.2.1 In the Residents Parking Policy Document:
- Criteria for Consideration of Schemes (p 3)
 - Financial Principles (p 4)
- 11.3.2 In Appendix A (the Guidance on Introduction in Cheshire):
- Prioritisation of Schemes
 - Consultation and Approval
 - General Operation of Permits
 - Design – including the principle of a zonal approach
 - Scheme Charges and Review
 - Evaluation and Prioritisation Scoring System
- 11.3 Recommendations of the Committee are planned to be reported to Cabinet at its November meeting.

12.0 Overview of Year One and Term One Issues

- 12.1 Existing schemes are under way in Macclesfield and Wilmslow. Further roll-out subject to agreement of this policy, will be constrained by available resources. Thus it is unlikely that all schemes proposed and approved will be delivered within one year. Whilst consultation and design phases can be commenced simultaneously to some extent, a programme for implementation on the ground will require much more time and resource. This factor could lead to great dissatisfaction and disillusionment from consultees. Therefore the roll out timetable will need to be made clear.
- 12.2 Pressure to deliver the Schemes will mount especially if new parking controls including off street charging are introduced in the area of the former Borough of Congleton.

13.0 Access to Information

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

Name: James Howard or Paul Burns

Designation: Parking Projects and Development

Tel No: James: 01260 371048 or Paul 01270 537805

Email: james.howard@cheshireeast.gov.uk or
paul.burns@cheshireeast.gov.uk

Attached

Draft Residents Parking Policy

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MEETING : **ENVIRONMENT EXECUTIVE**
DATE : **7 OCTOBER 2008**

REPORT OF : COUNTY MANAGER, HIGHWAYS
Contact : John Gray, Locality Manager
Officer : Tel: Chester (01244) 973572
: Email: John.Gray@cheshire.gov.uk

RESIDENTS' PARKING POLICY PROPOSALS

INTRODUCTION

1 Although there is no inherent legal right for any vehicle owner to park on the public highway, residents' parking schemes are often introduced to assist those living in an area and to make town centres and fringe areas more attractive places, where it is not reasonable to manage parking problems through conventional parking restrictions.

2 The broader issues of parking on the highway should be noted. Parking on the highway (notwithstanding its designation as being for the passage and repassage for legitimate travel) is accepted where there are no safety or highway management reasons why it should not be permitted. On other parts of the network, parking restrictions are provided under the formal, statutory process of Traffic Regulation Orders, they are approved by Members after consultation and consideration of any public objections. The restrictions can take different forms:-

- double yellow lines - parking is banned, principally for highway safety needs, although there may be specific exceptions for loading;
- single yellow lines - parking is banned at specified times (usually associated with highway operational needs); and
- designated parking areas, identified where vehicles can be left and under what conditions (eg time-limited and/or pay on street parking). This rations on-street parking where the demand exceeds the supply. It can cover residential permit parking where residents' parking on the public highway is prioritised over other highway users.

3 This policy proposal sets out principles that can underpin Residents' Parking schemes. However, the issue as a whole can be very complex, with many individual circumstances that can be difficult to address within a prescriptive policy and a degree of interpretation for specific schemes is desirable. Whilst this policy sets a framework, additional supporting guidance that addresses details that do not sit comfortably in a policy document are provided in Appendix A – Guidance on the Introduction of Residents' Parking Schemes in Cheshire. This Guidance document will undoubtedly evolve as experience is gained as schemes are introduced.

ADVANTAGES AND DISADVANTAGES OF RESIDENTS' PARKING CONTROLS

4 Whilst there are immediate and obvious attractions of implementing residents' parking schemes there are both advantages and disadvantages:-

Advantages

- Discourage commuter/shopper parking in residential streets
- Enhanced environment in residential areas
- Residents find their on-street parking is easier and more convenient
- May provide improved parking and traffic management
- Can produce road safety benefits

Disadvantages

- Possible knock-on effect of re-located commuter / shopper parking
- Costs of introduction and management and payment for permits
- Permits do not guarantee a parking space
- May only help manage an under-supply of spaces not solve problems
- Can lead to inefficient use of on-street parking space
- Reduce levels of on-street parking, with problems for visitors and businesses

TYPES OF PARKING PERMIT SCHEME

5 There may be considered, to be broadly three types of location where residents' parking schemes would be appropriate:

Demand for Parking Exceeds Supply – Exclusive Permit Schemes

6 This is the most traditional and common form of scheme, where a street or area is divided into prohibited and permitted parking areas. In order to park in a permitted area, a vehicle would be required to display a valid permit. The permit categories may vary; usually residents, visitors, health care workers serving residents and other users the authority may see fit. The system provides optimum benefit to residents but low levels of residents' parking can lead to an inefficient use of on-street parking in situations where the overall parking supply is limited.

7 In areas where the demand for on-street spaces from residents alone exceeds the supply, the management and allocation of permits can be problematic; this is particularly the case where the scheme results in the kerbside space being reduced through formalisation of properly permitted parking – eg clearing parking at junctions.

On-Street Parking Control with Relaxation for Residents – Shared Spaces

8 This type of scheme is commonly referred to as 'shared space', where there is a dual use of on-street space, overcoming the under use problem noted above. It commonly enables the time-limited use of on-street space (which may or may not be charged for) to be operated alongside vehicles with residents' permits that would be exempt from either time or charge restrictions. In isolation, it does eliminate the need for the administration of permits for visitors, carers etc. Variations of this type of scheme could have bays exclusively marked for residents' use.

Areas Where Parking Has Environmental / Safety / Traffic Management Issues

9 In some instances the management of parking may be desirable for highway management or traffic reasons. Whilst this category of issue can include residents'

parking as a management feature, it should be noted that more conventional (but tightly restricted) parking restrictions can be as effective, but where these might interfere with residents, schemes to accommodate their needs may be appropriate.

CRITERIA FOR CONSIDERATION OF RESIDENTS' PARKING SCHEMES

10 The main criteria for justifying a residents' parking scheme is that there is insufficient space in which the residents of an area can park as a result of the presence of vehicles arising from visitor or commuter parking and / or as a result of existing parking restrictions. Initial principles would be that:-

- there should be clear evidence of residents' support for a scheme in advance of any details of a scheme being prepared;
- the enforcement associated with a scheme should be through Civil Enforcement Officers or be separate from the Police;
- residents' parking schemes would not be introduced where the majority of residents have off-street parking or where there is sufficient on-street space to accommodate both residents' and non-residents' parking;
- schemes generally should not be introduced to manage parking where the problem is linked to an over-demand for on-street parking from residents; and
- there is a presumption against small isolated areas remote from other areas of parking enforcement.

11 Some authorities' criteria for the introduction of schemes are very prescriptive. Whilst some flexibility is desirable, it is recommended that some general principles are set to help further define manageable schemes; to develop an initial scheme, it is reasonable to consider that some of the following criteria should be met:-

- at least 50% of properties in the proposed area have no off-street parking;
- the kerb space occupied by non-residents is greater than 40% at times when parking problems caused by non-residents occur; and
- there is sufficient kerb space to enable 75% of householders to park one vehicle on-street.

12 Requests that do not meet these criteria should not be considered unless:-

- the scheme is part of a wider integrated traffic / parking management scheme;
- there are road safety problems;
- parking impact from development in residential areas would be adverse; or
- schemes are to encourage the use of alternative facilities such as off-street parking or park & ride schemes.

LEGAL FRAMEWORK & MANAGEMENT

13 The issue of a Parking Permit in no way absolves the permit holder from parking legally and with due care. The County Council, nor the issuing authority, does not accept any responsibility for the damage, theft or loss of, or to, any vehicle or its contents whilst parked in a Residents' Parking zone. When operated under Civil Parking Enforcement (CPE) procedures, vehicles parking in Residents' Parking zones without displaying a valid permit will be subject to a Penalty Charge Notice, enforced through CPE processes and powers, and normal approved procedures will be followed.

14 Any schemes implemented under present CPE processes (which will, of course change from April 2009), would be managed through the District authorities and all existing pertinent management and appeal processes would apply. The County Council, and the issuing authority, reserves the right to withdraw any permit that is mis-used, with no financial compensation.

15 All schemes will be operated in full accordance with the County Council's race and equal opportunities policies and, in all decisions proceeding to any scheme implementation, all comments from special needs groups will be fully assessed.

DEFINITIONS AND PERMIT DETAILS

16 In order to operate schemes satisfactorily there should be no ambiguity regarding particular terms used. There are two categories that should be defined – vehicles that would be covered by permits and the types of permits issued.

Permitted Vehicles

17 Permits will only be issued to cars and light goods vehicles with a weight limit of up to 3.5 tonnes. In the case of residents' parking schemes that include defined parking bays, permits will only be issued for those vehicles that can park wholly within a bay. Permits will not be issued to motorcycles, due to permit display practicalities, but, wherever possible, motorcycles will be provided a designated parking area where there is a demand.

18 Individual permits will not be issued for caravans or trailers, although these may be parked within a scheme on a short-term basis provided they are hitched to a vehicle bearing a valid permit.

Issue of Permits and Associated Definitions

19 At the outset, it should be remembered that the holding of a permit would not guarantee a parking space within the zone in question and where there are separate zones within an area, permits are zone specific. Although some indication of definitions and requirements to be eligible for permits is given here, further details are set out in Appendix A – Guidance on the Introduction of Residents' Parking Schemes in Cheshire.

20 Permits and Use:-

- Permits will be issued on a renewable annual basis and be effective for the period of 12 months. The issue (and renewal) will be through the request of individuals via appropriate application forms.

- Permits will show the name and title of the issuing authority (ies), the relevant parking zone, the vehicle registration number (up to two may be designated) and reference number. Any specialist permits will provide individual details.
- All permits must be displayed on the inside surface of the windscreen so that the particulars recorded are clearly visible.
- Permits may be revoked through fraudulent or inappropriate use without any cost reimbursement.
- Where a hire/courtesy car replaces an existing vehicle a Visitor/Temporary Permit may be issued for a limited period.

21 A permit will not be required for vehicles carrying out essential duties and statutory powers, including: emergency service vehicles, statutory undertakers, postal collection/delivery, council/government business and formal wedding cars and hearses. In addition, permits will not be required for vehicles engaged in the loading unloading of goods and where passengers are boarding and alighting.

Residents' Permits: The following definitions / guidance should be considered as a part of a residents' parking scheme:-

- A resident will be considered as any person who resides at a residence within the defined scheme (eg for at least four nights per week).
- A residence would be defined as domestic property listed under Council Tax definitions.
- Specific note should be made of Houses in Multiple Occupancy (HMOs), where a house has been converted into a number of separate flats or apartments (at the time of the introduction of a scheme) each of which meets the formal classification of a residence) then each would be eligible to apply for both residents' and visitors permits (as applicable) as allowed under the policy, or applicable to the individual scheme. However, where one house has been converted to contain a number of habitable rooms (but still counts as one property) then this will be treated as a single residence.

22 The number of Residents' Permits available to one property should be specific to the scheme in question and thus some flexibility in interpretation is provided. Some guidelines should underpin the provision:-

- initially only one permit will be issued to an individual residence but subject to an assessment of parking demand/supply within a zone, additional permits could be made available;
- where a residence has at least one off-street parking space available then it would not be eligible for the initial allocation of one permit per residence, it would however be eligible for any allocation of visitors' permits and may be eligible for any subsequent allocation of 'second-round' residents' permits; and
- residents' permits would be specific to one (or two) registered vehicles and proof of ownership/responsibility for the vehicle(s) use must be proved to the satisfaction of the issuing authority.

Blue Badge Holders: Blue Badge holders will require a relevant Residents' Parking Permit to park in any specified Residents' Parking Zone. Any existing on-street disabled parking bays will be retained within zone, but to park there, both a Blue Badge and a valid Residents' Parking Permit will need to be displayed.

Attendance Permits: Visitors delivering a range of health and care needs to residents must be afforded access under Resident's Parking schemes. Residents who live within the parking scheme may apply for a parking permit for family/professionals who visit the resident to provide care or medical support. Where parking demand is heavy, these permits may be restricted to residents who do not hold a Residents Parking permit. Permit applications would normally be required to be supported by residents' medical practitioners.

Visitors' Permits: Normally, where local site conditions allow, visitor permits will be available to all residents within the scheme (proof of residency would be required). Visitor permits would allow one vehicle to park for one day. Permits could be conveniently available through 'scratch card' vouchers validated on the day of use. Residents would initially be restricted to 40 permits per annum at a concessionary rate. If local conditions permit, additional vouchers could be available at an undiscounted cost.

Business Permits: A business that operates from within a Residents' Parking Zone may be eligible for a business permit; if any form of off-street parking were available these would be severely restricted. Within some schemes visitor permits could be made available through the business, although the charges should be made to reflect their value. Alternatively some alternative form of parking control could be operated, eg a short length of time limited waiting in the vicinity of a small shop.

Special Permits: Although the predominant parking uses will be covered by the permits detailed above, some more isolated uses lie outside those defined. At the discretion of the authority some special permits could be permitted for restricted periods on individual application. These uses could cover key health workers, property maintenance contractors, visiting tradespersons etc. In the design of schemes, specific arrangements may have to be considered for churches and individual businesses where they are included in defined zones. Charges should reflect administrative costs.

FINANCIAL PRINCIPLES

23 The cost of the introduction and management of residents' parking schemes falls in to two categories. Firstly, set up costs (that would cover the investigation of schemes and necessary changes to the signing and lining of the areas concerned - generally considered as capital related costs) and secondly, on-going enforcement and management costs. In general, the former costs are usually accepted as being the responsibility of the Highway Authority and would be provided for from the capital programme – the principles of this funding would have to be considered by the Shadow Authorities. The second element should be covered from a charge from permits issues. Suggested charges are set out in Appendix A – Guidance on the Introduction of Residents' Parking Schemes in Cheshire.

SCHEME IMPLEMENTATION

24 Details of the various aspects of scheme implementation are covered in Appendix A – Guidance on the Introduction of Residents' Parking Schemes in Cheshire. However, it is appropriate that some principles relating to the implementation of Residents' Parking

schemes should be acknowledged in the overall policy. Two key areas are those of guidance on the prioritisation of the consideration of specific schemes and a protocol covering consultation and the public acceptance of a scheme for implementation.

Scheme Prioritisation

25 Under the present delegated system of local highway management, the consideration of Residents' Parking schemes would be through the Local Joint Highway and Transportation Committees (LJHCs) – arrangements from 1 April 2009 will, undoubtedly, change in some way. For various measures managed by the LJHCs some system of prioritisation is important and a proposed methodology is set out in the Guidance notes. There will always be some requirement for interpretation of prioritising systems and this can be achieved through the Committee processes. Factors for considering relative scheme priorities would be:-

- problems for emergency vehicle access;
- the availability of off-street parking for non-residents using the area;
- the impact of displacing non-residents' cars;
- the size of the proposed scheme; and
- the purposes for which non-residents are parking.

Consultation and Implementation Protocol

26 All proposed residents' parking schemes will be subject to consultation. The process will comprise:

- (i) an initial questionnaire, agreed with the local Member and Lead Member, is sent to all residents and businesses within and adjacent to the proposed area, to identify the level of community concern regarding parking difficulties and to establish the level of support for any proposed scheme. This consultation will also be used to identify the community's requirements for any scheme. The results of this questionnaire will then be used to inform the development of a proposed scheme based on the majority view expressed – full details and the consequences of schemes must be available to consultees;
- (ii) a second round of consultation by means of a staffed public exhibition that allows officers to answer questions on a one to one basis and a follow up questionnaire to all residents and businesses within the proposed zone. This will include asking if respondents are in favour or opposed to the scheme; and
- (iii) the formal stage of the process involves Public Notices in the local media and on-street notices.

27 A scheme should only be considered for implementation if there was clear support from households in the zone for the proposals and are prepared to pay the annual permit costs (taken from the questionnaire in stage (ii) above). Consultation will also take place with the District/Borough Council, Town or Parish Council, representative groups (e.g. residents associations, chambers of trade, disabled peoples groups, etc.) and the emergency services.

28 Environment Policy Development Panel considered this report at the meeting on 25 September and resolved that the Residents' Parking Scheme as detailed in this report and Appendix be approved as County Council Policy.

RECOMMENDED: That the Executive Member for Highways and Transportation considers the resolution and decides what action to take.

REASONS FOR THE RECOMMENDATION

To establish a policy for Residents' Parking Schemes.

This report has been prepared in accordance with the checklist for Members' reports and relevant matters have been included.
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Local Member	
Background Documents	N/A
Available for Inspection at	N/A

GUIDANCE ON THE INTRODUCTION OF RESIDENTS' PARKING SCHEMES IN CHESHIRE

1. Introduction

In developing Residents' Parking proposals it should be acknowledged that there are likely to be conflicting demands placed on individual schemes and, as well as providing particular benefits to residents, there may well be consequent disadvantages to other highway users. The policy should be flexible enough to adapt to local and individual circumstances and minimise any possible resulting problems, thus it should not be prescriptive in all detail, but schemes will have to conform to basic principles to ensure that there is a fairness of implementation. This Guidance note should provide help in generating schemes and managing their development and also give definitive descriptions of all necessary documentation underpinning their operation. It should be understood that the guidance will evolve through the practical experience of developing, implementing and operating schemes and this development should be seen as a positive factor in putting new schemes into practice.

2. Criteria for Introduction of Schemes

The general principles covering the introduction of schemes are clearly set out within the Residents' Parking policy. Unlike some authorities, these are not excessively prescriptive, but clearly some underlying principles should underpin any schemes that come forward. Within the criteria detailed in the policy there should be understood to be some flexibility to consider schemes within the context of local issues and problems. Further, the desirability of taking any scheme forward may be appraised in the full completion of the 'prioritisation' process (including the scoring assessment) set out below.

3. Prioritising Schemes

The likely demand for Residents' Parking schemes is difficult to assess at this time but it may be imagined that at the start of a process where Civil Parking Enforcement (CPE) is operating there will be an initial tranche of scheme requests. How these are dealt with and prioritised will depend on the number and how parking issues as a whole are being examined (eg town by town or as individual problem/solution based issues), in some circumstances requests could be determined only in the context of wider parking decisions. However, should there be a need to consider some form of prioritisation system (since the resources to examine, develop and consult on schemes will be both finite and limited) a formal process could be helpful. A structured process is set out in Appendix 1. As indicated above, it includes a scoring system alongside the base criteria that would help in appraising the justification of areas put forward for consideration.

4. Consultation and Approval

4.1 All proposed residents' parking schemes will be subject to consultation. The process should comprise:

- (iv) an initial questionnaire, agreed with the local Member and Lead Member, is sent to all residents and businesses within and adjacent to the proposed area to identify the level of community concern regarding parking difficulties and to establish the level of support for any proposed scheme. This consultation will also be used to identify the community's requirements for any scheme. The results of this questionnaire will then be used to inform the development of a proposed scheme based on the majority view expressed – full details and the consequences of schemes must be available to consultees;
- (v) a second round of consultation, preferably, by means of a staffed public exhibition that allows officers to answer questions on a one to one basis and a follow up questionnaire to all residents and businesses within the proposed zone. Alternative consultation processes may be considered dependent upon the size and scale of the proposed scheme in question. These could include newsletters / leaflets summarising the proposals, press articles and / or advertisements and information provided through the internet. The involvement of any locally representative community groups should be considered as a part of this process. Crucially this consultation stage will include asking if respondents are in favour or opposed to the scheme; and
- (vi) the formal stage of the process involves Public Notices in the local media and on-street notices.

4.2 All consultation processes will be reported to Members as a part of the decision making process. A scheme should only be considered for implementation if at least 50% of households in the zone support the proposals and are prepared to pay the annual permit costs (taken from the questionnaire in stage (ii) above). Consultation will also take place with the District/Borough Council, Town or Parish Council, representative groups (e.g. residents associations, chambers of trade, disabled peoples groups, etc.) and the emergency services.

5. General Operation of Permits

5.1 The following general points of principle cover some key issues relating to the Permits and their use:

- Permits will be designated for use within a specified Residents' Parking Zone.
- Permits must be clearly displayed within a vehicle when in use.
- A Permit will detail the issuing authority, relevant zonal scheme and up to two vehicle registration numbers (and if relevant the business to which it is issued).
- If a Permit is defaced it will be invalid.
- If a Permit holder allows fraudulent use of their permit it may be cancelled with no further permit issued.
- A Permit holder will surrender their Permit, without refund, if their personal circumstances change to the extent where a permit would no longer be issued i.e. move house or no longer own / drive the specified vehicle.

- Replacement Permits – if a Permit is lost, stolen or damaged or the Permit holder moves address a replacement one replacement will be issued within the 12 month period.

- Permits are only valid for vehicles kept legally on the highway.
- Permits will be issued for a 12 month period and are renewable at the request of the holder, subject to the applicable charge.
- The issue of Permits is understandably a contentious matter particularly if there is a severe limitation of on street spaces. There should be an established principle of an initial allocation of one permit per household and any subsequent permits granted only on an assessment of available space. In any initial assessment some guidance on the likely availability may be taken from the following :

Proportion of Properties that Can Park 2 Vehicles Using On and Off Road Spaces	Number of Residents' Permits per Household	Availability of Visitors' Permits
75%-100%	2	Yes
40%-75%	1	Yes
Less than 40%	1	No

Any additional permit issue should only be considered where the on street space can accommodate at least 25% more cars than the number of permits issued and a judgement would have to be made in the light of use/take up of visitor permits.

- First Round Issue - One Permit per household to those with no off-street parking.
- Second Round Issue Options :
 - *One Permit to households with one off-street parking space;*
 - *Only issue second Permits where requests from all households could be accommodated - subject to available on street space;*
 - *Issue restricted number of second Permits on 'first come' basis;*
 - *Issue restricted number of second Permits at the consideration of the Parking Manager.*
 - *Designate a number of limited waiting parking bays – with no further Permit allocation.*

6. Definitions and Permit Issue Requirements

In order to qualify for a Residents' Parking Permit, in addition to providing details of vehicle ownership / use, representatives of a household within a zone must provide evidence of residency to the satisfaction of the issuing authority; this make take the following form :

6.1 Proof of Residency

Primary Evidence

1. Council Tax records will identify the main occupants of the property. *(If not paying Council Tax then one of the following plus number 9 of the Secondary Evidence will be required. In the event that a new vehicle has recently been purchased and the V5 registration document has not been returned from the DVLA then an invoice showing the vehicle and name and address will be required. On production of this a temporary permit will be given for a maximum period of two weeks. A full permit will only be produced on production of the DVLA V5 showing the pertinent detail).*

2. Utility Bill from BT/Electricity/Gas/Water showing 3 months occupancy giving the person's name and address.
3. Legal tenancy agreement (at least 6 months).
4. Proof of ownership of the property (ie a copy of land registry title from a search inquiry).
5. In the case where the applicant is living with a relative, a birth certificate showing relationship to the Council Tax payer (plus number 9 of the Secondary Evidence).

Secondary Evidence

In the situation that there is no primary evidence that will support their statement of residence then at least 3 of the following items plus item number 9 will be required.

6. Bank statements for the last 3 months in the resident's name at the stated address.
7. Credit Card statements for the last 3 months in the resident's name at the stated address.
8. Driving licence in the resident's name at the stated address.
9. V5 registration document showing the vehicle for which the permit is required in the name of the applicant at that address.
10. Motor insurance renewal notice and schedule of insurance for that vehicle in the name of the applicant at that address.
11. In the event that a person who moves in with a resident who is paying a mortgage requires a permit, they can provide a signed statement from the mortgage payer confirming that they are also residing at the premises in support of their application.
12. An Inland Revenue demand for the person at that address.
13. A rent book, showing the conditions of residence, in the applicant's name for that address.
14. A Council Tax demand for that person at that address.
15. A Passport in the person's name at the stated address.
16. Persons on short term tenancy agreements, whose documentation has an address other than where they reside locally, must produce written confirmation from an appropriate referee that they are residing at an address that qualifies for a permit for a minimum period of 3 months and also produce their Tenancy Agreement.

6.2 Proof of Vehicle Ownership / Use

Proof of vehicle ownership or use must be provided to the satisfaction of the issuing authority. This proof has to be a current V5 registration document and a driving licence, both of which have the resident's name, with the address being that of the street/zone in which the scheme operates. Or, in the case of a lease hire vehicle, in lieu of the V5 document, written confirmation from the leasing company that the permit applicant is the keeper of the vehicle for which the permit is required. In any other circumstances formal written confirmation of vehicle use / responsibility must be demonstrated to the satisfaction of the authority. Consideration may be given of relevant car insurance address.

6.3 Residents' Permits

On production of the supporting documentation above a Permit(s) will be initially issued on the basis of one per household (with no off street parking) and any additional Permits allocated as above.

6.4 Blue Badge Use

Blue Badge holder use is defined within the policy.

6.5 Attendance Permits

Residents who live within the parking scheme may apply for a parking permit for family/professionals who visit the resident to provide carer or medical support – an Attendance Permit. These permits are restricted to residents who do not hold a residents' parking permit and an application should be accompanied with appropriate medical support to the satisfaction of the authority.

6.6 Visitor Permits

Visitor Permits may be made available within schemes but their provision will be dependent upon the parking capacity available within any individual scheme – an indication of the likely availability of Visitor Permits is set out above in this section. Dependent upon the capacity availability within individual schemes any additional supply of visitor permits beyond an initial allocation cannot be guaranteed.

6.7 Business Permits

The level of allocation of Business Permits within any individual Residents' Parking scheme will be at the discretion of the issuing authorities and this should be a factor considered through the consultation process. The issue of Business Permits should not be assumed to be normal and the design of schemes should consider the demands of local businesses. A business premise may be considered as that defined as a place that would qualify for the protection of part 2 Landlord and Tenant Act 1954 from where a business is conducted. It should not be assumed to include church hall, drop-in centres etc and consideration of these premises should be included in the design of schemes.

6.8 Special Permits / Tradespersons Waivers

The needs of delivery vehicles and other essential traffic use are included in exemptions detailed in the final section of this Appendix. Other common activities requiring vehicle attendance, such as building / servicing works will be covered through Waiver Permits that would be available, as appropriate, through the Parking Manager on application and at a specified fee (this provision is typically available under the usual practices of Civil Parking Enforcement operations). Any other circumstances requiring Special Permits or Waiver permits would be made through application to the Parking manager.

7. Design

7.1 In considering any schemes there should be a clear understanding of the parking problems in an area, and the implications of the introduction of any new Residents' Parking scheme – particularly in terms of the potential relocation of displaced parking. The schemes will be introduced on a zonal basis. The

introduction of RPS across a zone provides greater flexibility by using spare capacity in one street to supplement another. Zone boundaries should remain logical and easily defined and not large enough to provide a benefit for vehicles 'commuting' whilst remaining in their zone. The formal assessment process of a scheme (set out in Appendix 1) provides some indication of data to appraise a scheme and this information should inform the design process

7.2 Many existing Residents' Parking schemes have been introduced with daytime parking restrictions that reflect "standard" scheme timings (for example Monday to Saturday between 8am and 6pm). Due to previous arrangements enforcement has not normally occurred outside these times. This approach will continue to be the basis for starting the design process on future schemes. These parking restrictions can often prove inconvenient during the early evening period when demand by residents is at its greatest. Therefore flexibility needs to be used in determining the actual time period of the parking restrictions within each scheme to achieve the parking needs of local residents as far as possible in practical terms.

7.3 When considering the needs of the residents and determining the layout of a RPS the following must be considered;

- maintaining traffic flow & visibility at junctions;
- vehicle accesses;
- loading/unloading requirements;
- bus stops;
- the needs of blue badge holders;
- limited waiting areas for local business;
- visitors and other categories of drivers who need to park within the zone;
- the use of the area (residential/commercial); and
- safety of the public within the zone.

7.4 The objective would be to maximise the number of residents' spaces and to reduce the amount of commuter parking in residential areas and also to provide proper consideration of special issues such as churches / schools / and businesses to minimise disruption.

7.5 In determining the amount of available space for permitted parking and to ensure that all schemes are treated in a similar way it is considered appropriate to adopt a set of criteria for maintaining available widths of highway for traffic movements. This criterion has been based upon guidance set out by the Institution of Highways and Transportation in "Transport in the Urban Environment".

- a) One-way residential roads shall maintain a free carriageway width of 3.3 metres between marked bays;
- b) One-way traffic with parking on both sides of the road requires a minimum width of 6.9m;
- c) One-way traffic with parking on one side of the road requires a minimum width of 5.2m.; and
- d) Carriageways carrying two way traffic must retain a width commensurate with its function e.g. a through route may need to allow sufficient width for two HGV's to pass, whilst a small cul-de-sac may be able to function safely with a much reduced carriageway width.

7.6 With regards to road width vehicles will generally not be permitted to park on both sides of the road opposite each other where such provision would prevent a minimum 'running lane' width of 3m being maintained. 'Passing Places' would need to be established to minimise conflict between opposing vehicles. All signage and markings are required to be in accordance with the current Traffic Signs Regulations and General Directions and the relevant sections of the Department for Transport's Traffic Signs Manual.

7.7 Individual parking bays will normally be provided within each zone although none will be specifically allocated to individual permit holders. Continual marked bays may be provided in accordance with Regulations current at the time. Vehicles must be parked wholly within an individual or continual marked bay with no part of the vehicle spanning another marked bay. Failure to comply with this requirement will make the Permit holder liable to a Penalty Charge Notice (PCN). Parking bays will generally be 2.4m wide with an absolute minimum of 1.8m where road width is limited. Where appropriate and to maximise the available road space ‘footway parking’ may be permitted, subject to the successful delivery of the relevant Traffic Regulation Order and retention of at least 1.5m clear footway width – such circumstances will be in general exceptional and would require a full assessment of the footway structure.

7.8 Restricted Zones can be used with special authorisation of the Department for Transport and the approval process can be lengthy. In these, yellow lines can be removed and the marking of bays is not necessary. However, signs are still needed to inform motorists of the restrictions and that, in practice, they are only recommended for culs-de-sac and small areas. This is because motorists are, in general, only aware of the restrictions from signage at the entry of zones, hence the need to restrict the size of zones for clarity of enforcement.

7.9 Upon completion of a scheme arrangements will be made to review its operation and where appropriate initiate improvements in accordance with approved procedures. It is expected that an initial review will be undertaken within the first year of operation and at periods following the initial review.

8. Scheme Charges & Review

8.1 Charges for Permits should be determined by the issuing authority/authorities and should be set at a level that covers the enforcement and administration costs of the scheme. All such charges should be clearly set out and published in any consultation literature, along with all other Terms and Conditions of the Residents’ Parking scheme. Recommended charges for Permits are set out below.

- Residents’ Permits – Recommended £50 per annum, including disabled “Blue Badge” holders.
- Attendance Permits – Provided without cost.
- Visitor Permits (if issued) – Initial tranche of 40 at £20 (50%) discount, dependent upon the individual scheme further permits may be available at 40 for £40.
- Business Permits – Recommended at £80 per permit.
- Special Permits – set at a fee to cover administration costs at £10 per day.
- Second Round Permits – as per Residents’ Permit charge - £50 (or that applied to the specified scheme).

All Permit charges should be subject to an annual review process.

9. List of Exemptions to Vehicles Waiting within a Residents’ Parking Scheme

9.1 It is normal under powers taken to implement Civil Parking Enforcement to make provision for specified exemptions with the adopted Traffic Regulation Order (TRO). It is appropriate to formally include a similar provision with a policy adopted for Residents’ Parking and such provision would be included in the formal TRO process implementing Residents’ Parking schemes.

9.2 Nothing in an approved Residents' Parking scheme Order shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable:

- (a) a person to board or alight from the vehicle;
- (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any line of telecommunications apparatus (as defined in the Telecommunications Act 1984) kept installed for the purpose of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position;
- (c) the vehicle to be used in the service of a local authority, water undertaker, sewerage undertaker or the National Rivers Authority in pursuance of statutory powers or duties;
- (d) a marked vehicle, whilst used by a universal service provider in the course of the provision of a universal postal service, to deliver and/or collect postal packets;
- (e) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths or sides of road;
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths or sides of road for so long as may be necessary in connection with any funeral;
- (g) the vehicle to be used for fire brigade, ambulance or police purposes;
- (h) except where Article 10 applies, the vehicle to wait for as long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle in the said lengths or road or sides of road; or
- (i) the vehicle, being a hackney carriage, to wait upon a hackney carriage stand.

RESIDENTS' PARKING SCHEME EVALUATION AND PRIORITISATION SCORING SYSTEM		
Scheme Location	Road / Street	
Requested by	Post Code	
Date of Request	Date of Assessment	
<u>Criterion A</u>		
Do less than 50% of properties have off-street parking?		Yes/No (.....%)
<u>Kerbside Parking Availability Assessment</u>		metres
Identify the full length of kerb ignoring any existing TROs.		a
Subtract length of kerbs within 10m. of junctions.		b
Subtract length of kerbs where controls are needed for safety reasons such as controlled crossings, school keep clears or to prevent obstructions on bends or narrow sections of road.		c
Subtract lengths of kerb that provide access to properties plus one metre either side, i.e. if the drive is 3m wide allow 5m (3+2).		d
Only one side of the road should be considered as available if the carriageway width is less than 6.5m. Subtract any lengths of kerb where parking would cause an obstruction (in a 2-way street provision may be necessary to ensure "passing places" are provided at a maximum of 70metres distance) metres.		e
Available number of spaces : (a-b-c-d-e)/5.5 (assuming parking spaces 5.5m long)	 spaces (rounded down)
Number of households in "zone"		
<u>Criterion B</u>		
Can 75% of households park one vehicle on-street ?		Yes/No (.....%)
<i>Survey before 7.30am & after 10.00am (or time of day problem occurs) carried out on (date)</i>		
Number of vehicles parked before 07.30am		
Number of non-residents assumed to be : Number of vehicles parked after 10.00am – those parked before 7.30am and still parked at 10.00am		
Number of non-residents vehicles x100 / No. of available spaces		
<u>Criterion C</u>		
Kerb space occupied by non-residents is greater than 40% during the normal working day.		Yes/No (.....%)
Requests will be prioritised using the following scoring system. Even if some of the answers to the above questions are NO the scoring system below should		

be completed to rank the scheme - circle the relevant score.		
Category	Factor	Points
On Street Parking provision for residents	80% on and off street (2 vehicles/h'hold)	2
	100% on street (1 vehicle/h'hold)	3
	80% on street (1 vehicle/h'hold)	4
	Residents use all of and on street spaces at 1 vehicle each	5
Are residents vehicles being displaced during the normal working day by:	Local shopping precinct	2
	Public House/Hall/other meeting place etc	3
	Commercial/Business/Industrial Centre	3
	Commuters to town centre	3
	Railway Station	3
	Educational centre/College/University	5
Non-residents parking to avoid off street car park charges.	Minor problem	1
	Medium problem	2
	Major problem	3
Access problems for emergency and service vehicles that can be overcome by introduction of a residents' parking scheme.	No access problems	1
	Minor access problems	1
	Medium access problems	2
	Major access problems	3
Anticipated transfer of problem to adjacent streets	High probability of transfer of vehicles	1
	Medium probability of transfer of vehicles	2
	Minor probability of transfer of vehicles	3
	If probability is high or medium consider including neighbouring streets.	
How many properties in the scheme area	0 to 10	1
	11 to 20	2
	21 to 100	3
	101 to 200	4
	More than 200	5
Total score is points		

CHESHIRE EAST COUNCIL

REPORT TO: ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE

Date of Meeting: 23 September 2009
Report of: Borough Solicitor and Monitoring Officer
Subject/Title: Forward Plan

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

6.1 Not known at this stage

7.0 Financial Implications for Transition Costs

7.1 None identified at the moment

8.0 Financial Implications 2009/10 and beyond

8.1 Not known at this stage

9.0 Legal Implications

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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Designation: Scrutiny Officer

Tel No: 01270 529771

Email: katie.smith@cheshireeast.gov.uk

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
CE09/10-10 Off Street Parking Charges in the Area of the Former Congleton Borough Council	To consider the results of the consultation on the introduction of charging for off street parking in the wards of the former Congleton Borough Council. (Previously considered by Cabinet on 16 June and 17 July)	Cabinet	8 Sep 2009	With Local Area Partners, members of Strategic Partnerships, Police, Fire, Statutory Notices, Town and Parish Councils, by letter, presentations, advertisements in local publications, notices on car parks affected. 21 day consultation process with general public.	John Nicholson, Strategic Director Places

CE09/10-21 Community Transport Strategy	To determine the future basis for procurement and integration of community transport and other pre booked transport services.	Cabinet	6 Oct 2009	Consultation and stakeholder engagement was included within the preparation of the community transport strategy produced by Cheshire County Council and adopted by this Council. Current consultation is being carried out with the two main service providers.	John Nicholson, Strategic Director Places
CE09/10-26 Connect 2 - European Regional Development Fund	To enter into a contract with the North West Development Agency to develop pedestrian and cycle links between Nantwich and employment sites in Crewe.	Cabinet	8 Sep 2009	Local consultation has taken place as part of the development of the proposal and will continue prior to implementation.	John Nicholson, Strategic Director Places

CHESHIRE EAST COUNCIL

REPORT TO: ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE

Date of Meeting: 23 September 2009
Report of: Borough Solicitor And Monitoring Officer
Subject/Title: Work Programme

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 including

- 6.1 Not known at this stage.

7.0 Financial Implications for Transition Costs

- 7.1 None identified at the moment.

8.0 Financial Implications 2009/10 and beyond

- 8.1 Not known at this stage.

9.0 Legal Implications

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.

11.2 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, at the main Committee etc.

11.3 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

Issue	Priority	Comment	Date
Town Centres Redevelopment – Position Statement (Including Crewe Railway)	High	Deferred as Officers are still collating external advice. A full position statement will be provided at the earliest opportunity	TBA
Consultation on the North West Plan Partial Review Including the Provision of Gypsy Sites	High	Consultation to be submitted by 19 October 2009	23 September 2009
Residents Parking Policy	High		23 September 2009
LDF from the Environment and Prosperity perspective	High	This issue is a priority for the Portfolio Holder.	23 September 2009
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.	25 November 2009
Economic Development Strategy and Sub Regional Architecture – Interim Statement	High	This issue is a priority for the Portfolio Holder	25 November 2009
Visitor Economy Strategy	High	This is a priority for the Portfolio Holder	25 November 2009
Presentation on the Integrated Transport Unit	High	This is a priority for the Portfolio Holder	25 November 2009
Local Transport Plan 3	Medium		21 January 2010
Crewe Vision	Medium		21 January 2010
Strategic Highways	Medium		21 January 2010
Annual Progress Report on Air Quality	Medium	It was agreed at the Scrutiny Committee held on 19 March that this issue should be deferred for 6	25 March 2010

		months	
Queens Restoration	Medium/High	To monitor the Queens Park Restoration Project	TBA
Crematorium Crewe		This issue is a priority for the Portfolio Holder.	TBA
Budget			TBA

Possible Future Items

Community Transport Strategy
Environmental Enforcement

Dates of Future Meetings

23 September 2009
25 November 2009
21 January 2010
25 March 2010

Dates of Future Cabinet Meetings

8 September 2009
6 October 2009
3 November 2009
1 December 2009
22 December 2009
19 January 2010
16 February 2010
16 March 2010
20 April 2010
18 May 2010