

Cabinet Member for Environmental Services Agenda

Date: Thursday, 9th July, 2009
Time: 3.00 pm
Venue: Committee Suite 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**

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 meeting on any matter relevant to the work of the meeting. 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.

During public speaking time, members of the public may ask questions of the appropriate Cabinet member who has responsibility for the matter in question. Where a member of the public wishes to ask a question of a Cabinet member at an executive meeting, 3 clear working days' notice must be given to the Democratic Services Manager.

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

To approve the minutes of the meeting held on 19 May 2009.

Contact: Paul Mountford, Democratic Services
Tel: 01270 529749
E-Mail: paul.mountford@cheshireeast.gov.uk

5. **Resurfacing of Thomas St (West) Car Park, Crewe; Approval of Capital Expenditure and Appointment of Contractor** (Pages 3 - 6)

To consider proposals for the resurfacing of Thomas Street (West) Car Park, Crewe.

6. **Introduction of Parking Charges on Thomas Street Car Park, Crewe** (Pages 7 - 10)

To consider a proposal to introduce pay and display parking at Thomas Street Car Park, Crewe, subject to the outcome of public consultation.

7. **Amendment to the Off-Street Parking Places Order (Crewe and Nantwich) to include the Civic Centre (Library) Car Park, Crewe** (Pages 11 - 14)

To consider a proposed amendment to the Off-Street Parking Order (Crewe and Nantwich) to include the Civic Centre (Library) Car Park, Crewe.

(There are no Part 2 items)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Environmental Services**
held on Tuesday, 19th May, 2009 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor D Brickhill, Cabinet Member for Environmental Services
Councillor A Knowles, Cabinet Member for Health and Wellbeing

Officers:

Bob Broughton, Principal Assistant Engineer
Mark Wheelton, Leisure and Green Spaces Manager
Kate Khan, Solicitor
Cherry Foreman, Democratic Services Officer

1 OFF STREET PARKING PLACES ORDER – THE CARRS CAR PARK, CHANCEL LANE, WILMSLOW

On 4 February 2009, the former Macclesfield Borough Council Cabinet had resolved to advertise its intention to make an order in relation to The Carrs (Chancel Lane) car park, to enable the introduction of car parking control by means of charging so as to regulate the use of the car park. The intention of the proposal was to prevent long stay commuter parking and to safeguard the car park for users of The Carrs park leisure facilities and the Parish Hall.

The proposed order was advertised on the 12 February 2009 and representations were invited.

Two such representations were received. The basis of the representations was that the 3 hour limit would unduly restrict the normal usage of the park and Parish Hall, particularly at weekends and Bank Holidays when day long activities are commonplace.

Discussions had taken place with the parties concerned which had concluded that the introduction of a 3 hour maximum stay during the week, Mondays to Fridays (other than Bank Holidays), was appropriate as this was when misuse of the car park by commuters was most severe and when most park and Parish Hall activities could be accommodated within a three hour period. A longer period of stay was, however, considered necessary to accommodate activities at weekends and Bank Holidays.

It was suggested, therefore, that the proposed order be advertised on the following basis

Monday to Fridays (excluding Bank Holidays) 8am – 6pm

0-2 hours 20p

2-3 hours (maximum) 50p

No return within 2 hours

Saturdays and Bank Holidays 8am – 6pm

0-2 hours 20p

2-3 hours 50p

3-5 hours 80p

Over 5 hours £1.00

No return within 2 hours

The decision was requested in order to overcome the objections received and to ensure that the order catered adequately for bona fide use of the Park and Parish Hall, whilst still achieving the initial objectives of the proposal. Appropriate advice had been sought at all stages from the Council's Monitoring and Finance Officers.

That

- (1) the Borough Solicitor be authorised to advertise the intention to make an order amending the Macclesfield Borough Council (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2008 so as to include The Carrs (Chancel Lane) Car Park, Wilmslow, on the basis set out in paragraph 7.6 of the report;
- (2) in the event that no objections to the proposed order are received within the consultation period; the Borough Solicitor be authorised to make the order; and
- (3) the level of charges shown in paragraph 7.6 be approved

The meeting commenced at 3.50 pm and concluded at 3.55 pm

Councillor D Brickhill

CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting: 9 July 2009
Report of: Parking and Markets Manager
Subject/Title: Resurfacing of Thomas St (West) Car Park, Crewe; Approval of Capital Expenditure and Appointment of Contractor

1.0 Report Summary

- 1.0 This report sets out proposals for the resurfacing of Thomas Street (West) Car Park, Crewe.

2.0 Recommendations

That the Cabinet Member for Environmental Services

- (1) approve the scheme for the resurfacing of Thomas Street (West) Car Park, Crewe on the basis set out in paragraph 8.1; and
- (2) authorise the Officers to engage a contractor for the scheme on the basis set out in paragraph 9.1.

3.0 Reasons for Recommendations

- 3.1 Thomas Street Car Park meets the criteria for the introduction of charging in that it is close to town centre and retail outlets (see item elsewhere on the agenda). However, its present condition renders it unsuitable for the imposition of charging or enforcement of regulations. The completion of work on the second half of the site will fulfil the requirements of control and space availability whilst providing the remainder of the estimated income.

4.0 Wards Affected

- 4.1 Crewe East

5.0 Local Ward Members

- 5.1 Councillors Steve Conquest, Margaret Martin and Chris Thorley

6.0 Policy Implications including - Climate change - Health

- 6.1 Improved control of traffic access and circulation may improve air quality.

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

- 7.1 Capital is referred to though unfunded in the Base Budget but will pay back over the period of charging, currently estimated at 3 years.

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

- 8.1 A new capital scheme for Thomas Street Car Park with forecast expenditure of £105,000 was approved by Cheshire East Cabinet on 24th February 2009. Based on the previous experience of the works required on Thomas Street (East) car park, it is envisaged that the total cost of works will now fall below £100,000. However, when the scheme was approved it was classified as an "unfunded" scheme which in order to proceed would require the Service to find the annual revenue savings of £24,000 (assuming a 5 year total payback) in order to fund the borrowing costs required. It is envisaged that the future income stream from pay and display charging on the car park, once it is operational, will be up to £30,000 p.a which will more than offset the financing costs of the scheme. In year 2009/10 this is expected to amount to £20,000 if charging commences in August 2009.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 It is proposed that the contractors who were previously selected by Crewe and Nantwich Borough Council last year as offering the lowest priced tender for similar work be engaged for this work. This is permissible under Exception Rule E. 24.

10.0 Risk Management

- 10.1 The current surface of the car park is in a state of disrepair and requires maintenance to avoid accident and insurance issues.

11.0 Background

- 11.1 Capital expenditure of £120,000 on Thomas St East was approved by Crewe and Nantwich Borough Council last year, and work is in progress on that part of the site, on target to complete in June 09. The West side element was the subject of a bid for capital funding from Cheshire East Council and appears in the Base Budget in the sum of £102,000. It is now anticipated that the actual cost will be contained at around £90,000.
- 11.2 Other options: That the proposal be not pursued. This would mean that charging could not be started as the surface was not in a suitable condition to allow marking and control. It would also expose the Council to the risks identified in paragraph 10.1.

12.0 Overview of Year One and Term One Issues

12.1 N/A

13.0 *Access to Information*

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

Name: Paul Burns

Designation: Parking and Markets Manager

Tel No: 01270 537805

Email: Paul.Burns@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting: 9 July 2009
Report of: Parking and Markets Manager
Subject/Title: Introduction of Parking Charges on Thomas Street Car Park, Crewe

1.0 Report Summary

- 1.1 The purpose of this report is to consider a proposed amendment to the Cheshire East Off-Street Parking Places Order (Crewe and Nantwich) to introduce a pay and display system of parking at Thomas Street Car Park, Crewe and to approve the proposal subject to the outcome of a further 21 day statutory period of public consultation.

2.0 Recommendations

That the Cabinet Member for Environmental Services approve

- (1) that subject to statutory consultation, an amendment be made to the Cheshire East Off-Street Parking Places Order (Crewe and Nantwich) to introduce a pay and display system of parking at Thomas Street Car Park, Crewe;
- (2) that the car park be brought in line with current charges at other car parks, but with amendments, as follows: Monday to Friday inclusive : 8am to 5pm : Up to 1 hour : 70p ; Up to 2hrs = £1.00p ; 2-4hrs = £1.50 ; 4 to 10hrs = £2.20; Saturday and Sunday : free parking. Season tickets will also be sold at a fee of £400 per annum, limited to a maximum of 50% available bays.
- (3) that the additional set-up costs referred to in paragraph 8.3 of the report be funded via the new income stream; and
- (4) that the proposal be advertised for the statutory period of 21 days and any objections be considered by the Cabinet Member at a subsequent meeting.

3.0 Reasons for Recommendations

- 3.1 Thomas Street Car Park meets Cheshire East Parking Strategy criteria for the introduction of charging in that it is close to town centre and retail outlets.

4.0 Wards Affected

- 4.1 Crewe East

5.0 Local Ward Members

- 5.1 Councillors Steve Conquest, Margaret Martin and Chris Thorley

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

- 6.1 This proposal brings Thomas Street Car Park, Crewe into line with the car parking strategy and charging policy approved by the Cabinet. In addition, Improved control of traffic access and circulation may improve air quality.

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

- 7.1 None

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

- 8.1 It is estimated that income of £68,000 p.a. should be achieved for the whole Thomas Street site.
- 8.2 Income in year 2009/10 of £45,000 is anticipated if charging commences in August. 2009.
- 8.3 In year 2009/10 estimated one-off expenditure of £8,000 is required to implement pay and display charging- ie. to install meters, signs and cover statutory advertising. Thereafter, additional annual expenditure specific to the site is estimated at £1,200 to cover meter maintenance, vandalism and cash collection.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 The charges can be imposed and regulations enforced on this car park within the existing terms of the Off Street Parking Places Order and under the provisions of the Traffic Management Act 2004. This is considered to be a “non-Key Decision “ within the Cheshire East definition in that it affects one Ward only and is below £100,000 in financial effect and is therefore appropriate for Portfolio Holder decision.

10.0 Risk Management

- 10.1 In present economic circumstances there is considerable risk to original forecast income levels. However imposition of charges will allow some payback of refurbishment and operational costs to

begin.

11.0 Background

- 11.1 The former Crewe and Nantwich Borough Council and Local Joint Committee gave initial approval, subject to statutory consultation, to the proposal to introduce pay and display charging on this car park.
- 11.2 Thomas Street car park remains one of a few car parks near the town centre of Crewe with no pay and display charge regime. The proposal was initially approved by Board on the grounds that as demand for parking in the town increased, regulation of this car park would be necessary to improve space availability.
- 11.3 Owing to prevailing economic conditions, Crewe and Nantwich Borough Council then decided to defer a decision on this matter for review along with all other car park charges by Cheshire East Council after April 1st 2009.
- 11.4.1 This review has taken place and the Cabinet adopted a Car Parking Strategy at its April 16th meeting. This Strategy stipulated that in principle all car parks could be considered for charging subject to the fulfilment of criteria stated within the charging policy as follows:

1.1.1 **Charging Policy**

Policy: This Authority will in principle impose charges for parking at levels reflecting local pressures and needs. These may vary:

- as between the different towns and smaller centres
- as between zones within the larger towns

Car parks currently not having charges will be reviewed and the need for application for charges considered in the light of the criteria stated above. Any charges imposed will be designed to regulate use and improve availability as well as diverting long stay away from very central locations. Income earned should cover operating and maintenance costs and allow necessary improvements to the useability, environment and security of a number of these sites. The new authority has inherited a number of off street car parks for which there is no charge. It is intended that parking charges will be considered only on those sites for which a good case can be made under the above criteria.

The reason for the particular charge regime was to accommodate the needs of many community based users of the Cumberland Sports Track.

- 1.2 Objections received during the previous consultation period are listed below. Original letters are available for inspection at Municipal Buildings, Crewe.

- 1.2.1.1 Matthew Levett, Vision Express
- 1.2.1.2 Neel Saini
- 1.2.1.3 Sam Redmond

- 1.2.1.4 Shirley Melia
- 1.2.1.5 Mr. M. Vodrey
- 1.2.1.6 Mr. C. Copeman, Vision Express
- 1.2.1.7 Amanda Yeomans

- 1.3 The majority of these concern low paid workers who would not easily afford to pay to park.
- 1.4 These objections should be considered again and a response given. Further, due to the time elapsed, this proposal must now be subject to another period of statutory consultation, and any objections arising from this period will be considered by the Portfolio Holder at a subsequent meeting.

12.0 Overview of Year One and Term One Issues

N/A

13.0 Access to Information

The Cheshire East Off Street Parking Places Order (Crewe and Nantwich) 2008

Notice of Proposal and Amendment to the Order in respect of Thomas Street Car Park Crewe.

Documents are available for inspection at: Legal Library, Municipal Buildings, Crewe The background papers relating to this report can be inspected by contacting the report writer:

Name: Paul Burns

Designation: Parking and Markets Manager

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CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting: 9 July 2009
Report of: Parking and Markets Manager
Subject/Title: Amendment to the Off-Street Parking Places Order (Crewe and Nantwich) to include the Civic Centre (Library) Car Park, Crewe

1.0 Report Summary

- 1.1 This report proposes the amendment of the Off-Street Parking Order (Crewe and Nantwich) to include the Civic Centre (Library) Car Park, Crewe.

2.0 Recommendations

That the Cabinet Member for Environmental Services

- (1) approve an amendment to the (General) (Off Street Parking Places) (Consolidation) Order 2007 (as amended to comply with the Traffic Management Act 2004), the effect of which will be to introduce control under the Act to The Civic Centre (Library) Car Park, Crewe; and
- (2) agree the controlled hours to be from 8am to 6pm Monday to Sunday inclusive, in accordance with the existing Order as applicable in the area of the former Borough of Crewe and Nantwich.

3.0 Reasons for Recommendations

- 3.1 The inclusion of this car park within the Order will enable proper patrols, regulation and enforcement against contraventions. Without a Car Park Order, contraventions cannot be enforced without considerable extra effort and expense.

4.0 Wards Affected

- 4.1 Crewe East

5.0 Local Ward Members

- 5.1 Councillors Steve Conquest, Margaret Martin and Chris Thorley

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

6.1 This accords with the parking and charging strategy approved by Cabinet in April.

6.2 Improved control of traffic access and circulation may improve air quality.

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

None.

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

8.1 The car park will be patrolled as part of existing beats by Civil Enforcement Officers (CEOs) from the Crewe based team. Thus no additional cost will be incurred. Any Penalty Charge Notices (PCNs) issued (maximum £70 each for parking in a disabled bay, and £50 for other contraventions, all halved if paid within discount period) will help to defray costs of the service.

8.2 Any surplus earned as shown in the On Street Parking Account must be used for improvements to highways or car parks first, under the terms of the Traffic Management Act 2004.

8.3 Should the means of payment and level of charges change in future, the existence of a valid Car Park Order will assist the management of the car park to achieve proper control of space availability and of income.

8.4 There will be some set up costs required in year 2009/10 for signs, lines and administration not exceeding £2,500 which should be absorbed through increased income. These will be met from income from current charging in this car park.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 The regulations may be enforced on this car park within the existing terms of the Off Street Parking Places Order and under the provisions of the Traffic Management Act 2004.

This is considered to be a “non-Key Decision “ within the Cheshire East definition in that it affects one Ward only and is below £100,000 in financial effect and is therefore appropriate for Portfolio Holder decision.

10.0 Risk Management

10.1 No significant risks are attached to this decision.

- 10.2 If it is not done the risk is that contraventions and other misuse on the car park cannot be enforced against without recourse to lengthy legal process.

11.0 Background

- 11.1 The Car park was previously managed by Cheshire County Council outside of Car Park Order control and was not subject to enforcement. It is now necessary to make this amendment to enable Cheshire East Parking Services to manage the site properly.

12.0 Overview of Year One and Term One Issues

- 12.1 N/A

13.0 Access to Information

The Cheshire East Off Street Parking Places Order (Crewe and Nantwich) 2008

Notice of Proposal and Amendment to the Order in respect of Civic Centre Car Park, Crewe.

Documents are available for inspection at: Legal Library, Municipal Buildings Crewe.

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

Name: Paul Burns
Designation: Parking and Markets Manager
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