

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Environmental Services**
held on Friday, 26th February, 2010 at Committee Suite 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor R Menlove

In attendance: Councillor Rod Fletcher

23 APOLOGIES FOR ABSENCE

There were no apologies for absence.

24 DECLARATIONS OF INTEREST

There were no declarations of interest.

25 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

26 PROPOSED TRAFFIC REGULATION ORDER AND OFF-STREET PARKING PLACES ORDER TO FACILITATE CIVIL ENFORCEMENT OF PARKING CONTRAVENTIONS IN THE CONGLETON AREA.

In accordance with Access to Information Procedure Rule 14 Members were asked to note that this matter had not been considered in the Forward Plan of Key Decisions to be taken between 1 January 2010 and 30 April 2010. Prompt action was, however, required in order to meet the planned implementation date and it would be impractical to defer the decision until it could be included in the next Forward Plan.

In addition, the Chairman of the Environment and Scrutiny Committee had agreed that the decision would be considered as urgent for the purposes of Scrutiny Procedure Rule 13 on the basis that any delay caused by the call-in process would mean that there would be significant delay in the implementation of civil enforcement powers within the area of the former Congleton Borough Council.

Consideration was given to the report of the Strategic Director Places on a proposed Traffic Regulation Order and Off Street Parking Places Order, to take account of enforcement in relation to on and off street parking respectively, under the provisions of the Traffic Management Act 2004.

At the meeting the following amendments were made to the wording of the report as follows: -

- para 9.4 deleted 'It is suggested that' from the first sentence
- para 11.5 deleted 'or other moving contraventions' from the fifth line

of that paragraph, and replaced it with 'and some moving traffic offences'

In response to questions concerning the consultation period it was confirmed that the statutory consultation period would be 21 days from the date of the public notice and that any objections would be referred back to the Cabinet Member for consideration at a future meeting.

RESOLVED

That

1. the Borough Solicitor, or his nominated officer, be authorised to advertise the intention to make a Traffic Regulation Order, pursuant to the Road Traffic Regulation Act 1984, to allow for consolidation of existing on-street Traffic Regulation Orders; civil enforcement of on-street parking contraventions under the Traffic Management Act 2004; and to reflect the agreed band of penalty charge referred to within 11.1 below; and
2. in the event that no objections are received to the proposed order within the statutory consultation period of 21 days, the Borough Solicitor be authorised to make the order referred to within 2.1.1 above. In the event that objections are received for these will be referred back to the Cabinet Member for consideration at a future meeting;
3. the Borough Solicitor, or his nominated officer, be authorised to advertise the intention to make an Order amending the Cheshire East Borough Council (Off Street Parking Places)(Congleton Area) Order 2010, pursuant to the Road Traffic Regulation Act 1984, to allow for civil enforcement of off-street parking contraventions under the Traffic Management Act 2004; and
4. in the event that no objections are received to the proposed order within the statutory consultation period of 21 days, the Borough Solicitor be authorised to make the order referred to in 2.1.3 above. In the event that objections are received these will be referred back to the Cabinet Member for consideration at a future meeting.

The meeting commenced at 9.45 am and concluded at 10.00 am

Councillor (none)