

CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting: 16th December 2010

Report of: Head of Safer and Stronger Communities

Subject/Title: Proposed Amendment of the Borough of Crewe and Nantwich (General) (Off Street Parking Places) (Consolidation) (Minor) Order 2008, to allow the sale of Annual and Seasonal Contract Permits for parking on specific long stay car parks.

1.0 Report Summary

- 1.1 This report proposes the amendment of the Borough of Crewe and Nantwich (General) (Off Street Parking Places) (Consolidation) (Minor) Order 2008 ('the Order') the effect of which will be to allow the sale of annual and seasonal contract permits for parking on the long stay car parks of Love Lane, Snow Hill and First Wood Street.

2.0 Recommendation

- 2.1 The Cabinet Member for Environmental Services is requested:

- 2.1.1 subject to statutory consultation, to approve a proposed amendment to the Order, the effect of which would be to make provision for the sale and use of annual and seasonal contract parking permits in relation to Love Lane Car Park, Snow Hill Car Park and First Wood Street Car Park, Nantwich, the cost of which would be as follows:

Annual Charge	£495
Quarterly Charge	£135

- 2.1.2 to authorise the Borough Solicitor, or officer acting on her behalf, to publish a notice of proposals in relation to the proposed amendment order, with any objections to be made within the statutory consultation period of twenty-one days. In the event that objections are received, for these to be referred back to the Cabinet Member for consideration at a future meeting.
- 2.1.3 in the event that no objections to the proposed amendment order are received, to authorise the Borough Solicitor, or officer acting on her behalf, to make and bring into force the proposed amendment order (as set out in 2.1.1 above) and to give notice thereof in accordance with statutory requirements.

3.0 Reasons for Recommendations

- 3.1 The Order currently contains no provision for sale of annual or quarterly contract permits, and does not, at present make provision for the issue of contract permits at all in relation to Love Lane Car Park, Snow Hill Car Park and First Wood Street Car Park, Nantwich. It is suggested that annual and quarterly contract permits would represent a convenient alternative to those customers who park most regularly in the town of Nantwich, especially those who work there. The discount offered compared with the cost of paying to park daily (i.e. £2.50 with effect from 18th December 2010) is beneficial as this the removal of the need to find change for pay and display machines.
- 3.2 The Council would benefit from the advance payment which improves cash flow.
- 3.3 The proposed charges are in line with the current contract charges elsewhere in the Borough where daily charges are equivalent to those in place in Nantwich i.e. £2.50 (as amended in the recent Notice of Variation with effect from 18th December 2010). The contract price represents a discount of 35% for customers parking up to 305 days per annum or an equivalent of £1.62 per day. The annual permit will in fact permit parking on 365 days of the year.
- 3.4 The car parks named have been specified, as they are the only long stay car parks in Nantwich. Shorter stay car parks are not appropriate for long stay permits.

4.0 Wards Affected

- 4.1 Nantwich

5.0 Local Ward Members

- 5.1 Councillors B Dykes, A Martin, A Moran

6.0 Policy Implications

- 6.1 The proposal is in line with existing policy of sale of contract permits elsewhere in the Borough. It should not lead any significant effect on climate change or Health and Safety.

7.0 Financial Implications

- 7.1 Cost of implementation should not exceed £2000 to include advertisements and signage.
- 7.2 Currently, spare capacity exists on most days in 1st Wood St and Snow Hill car parks as turnover is good at present, (more than 2 per bay per day on

average) and whilst the imminent increase in daily charges to £2.50 may reduce long stay parking, the offer of a contract at a discount may also increase income to compensate. However, until the take-up of contracts is known it is difficult to quantify the full financial impact on income levels.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 Section 122 Duty

Section 122 of the Road Traffic Regulation Act 1984 ('the Act') imposes a general duty on the local authority to have regard to certain factors when exercising its functions under the Act, including car parking order making. Section 122 states the following;

8.1.1 *'It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.'*

8.1.2 The matters specified under s122(2) are as follows:

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(e) any other matters appearing to the local authority to be relevant.'

8.1.3 It is considered that the change proposed in this report does not adversely effect any of the factors specified in section 122(2), and that it assists in securing the expeditious, convenient and safe movement of vehicular traffic and the provision of suitable and adequate parking facilities, as the proposals seek to provide customers the opportunity to utilise a more convenient method of payment.

8.2 The proposals suggested with the report require the proposing and making of an amendment order to amend the Order, the procedure for which is as

set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

- 8.3 The Regulations prescribe that before making an order a local authority must publish a 'notice of proposals' in a newspaper circulating in the area in which any road or other place to which the order relates is situated and to place documents relating to the proposals on deposit for inspection by members of the public. The local authority is also required to consult with certain prescribed bodies, including the Chief Officer of Police, and is required to take into consideration any objections received within the 21 day consultation period. Failure to consider any such objections would pose a risk to any subsequent decision. If any objections are received then these will be reported to the Cabinet Member for consideration.

9.0 Background and Options

- 9.1 These are covered within this report at 3.0 above

10.0 Risk Management

- 10.1 The risk of a large take-up of contracts resulting in a net loss of income is low judging from existing evidence in other locations where permits are sold.

11.0 Access to Information

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