

OFFICER DECISION RECORD (ODR2)

This form records an officer decision and is published in accordance with the Openness of Local Government Bodies Regulations 2014

Date of Decision	Thomas Moody
Decision Taker (including Job Title)	Director of Infrastructure and Highways
Specific Delegation	<p>Cheshire East Council's Constitution dated December 2022, Scheme of Officer Delegation as set out in Chapter 2, Part 5.</p> <p>By a delegation from the Executive Director of Place, taking effect on 19 August 2022, powers were delegated to the Director of Infrastructure and Highways.</p> <p>Under a LSoD, taking effect on 16 November 2022 the Director of Infrastructure and Highways delegated power in relation to: -</p> <ul style="list-style-type: none"> • Parking Services • Strategic Transport and Local Transport Plan <p>to the Head of Strategic Transport and Parking</p>
Brief Description of Decision	<p>1.To authorise the commencement of the statutory process under the Road Traffic Regulation Act 1984 for the removal of the Oak Street, Crewe car park from the Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015 in advance of a decision on planning application: 22/4964N</p> <p>2.If planning permission is granted and after due consideration of any representations received during the statutory consultation to authorise the making of the Order to remove reference to Oak Street, Crewe from the Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015.</p>
Reasons for the Decision and alternatives considered	<p>It is necessary to be able to permanently and formally remove the car park to vary the Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015. To vary the Order, it is necessary to go through a statutory process of advertising the intent to vary the Order giving an opportunity for representations</p>

	<p>to be made and considered in the decision-making process.</p> <p>The costs of the consultation advertising will be picked up by Children's services.</p> <p>To not commence the statutory process for the removal of Oak Street car park would leave references to the car park within the Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015.</p>
Member consultation and interests declared	Those Members on the Children's and Families Committee 23/2/23.
Significant Decision	YES/NO – I think it is as effects number of people living and working in more than one ward
Legal Implications	<p>To vary the Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015 the Council are proposing to make a variation Order under its powers contained within section 32 and 35 of the Road Traffic Regulation Act 1984.</p> <p>Regulation 4 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 states that where an Order is proposed to be made under section 32 and 35 that the procedures set out within the said regulations apply to that Order; the Council is required to consult upon its proposals.</p> <p>In the event that objections are received and not withdrawn, and the Council does not accede to those objections, upon making the Order the Council shall notify the objectors that the Order has been made and state the reason why the objections were not sustained (Regulation 17).</p> <p>On that basis I am satisfied that the proposals and decision are supportable.</p> <p>Andrew Poynton, Senior Planning and Highways Lawyer, 15/8/2023</p>
Financial Implications	I am satisfied that the decision is supportable. The costs of the consultation advertising will be picked up by Children's services. There will be a loss of income to the council from the reduction in Parking

	revenue. It is hoped that this will be offset by increases on other Cheshire East run car parks. Wendy Broadhurst, Lead Finance Partner 27/07/23
Confidential/Exempt Information	No
Background Papers	

Signed *Thomas Moody*
Thomas Moody

Dated **7 September 2023**