

# CHESHIRE EAST COUNCIL

**Report of:** Strategic Director Places  
**Title:** Response to the reasons for call-in  
(Cabinet Decision CE09/10-10 16<sup>th</sup> June 2009)

## 1 Introduction

The above cabinet decision was called in for further consideration by the Environment and Prosperity Scrutiny Committee on 16<sup>th</sup> June 2009.

The reasons for call in, contained within the Notice, are;

1. "Due to a lack of meaningful consultation over the car parking policies in the old Congleton Borough and also
2. the fact that the consultants report on which the report was based, was rejected by the scrutiny committee and cabinet of the old Borough Council.

## 2.0 Response to the Reasons for call-in

- 2.1 Reason: "Due to a lack of meaningful consultation over the car parking policies in the old Congleton Borough"

Response:

- i. Fundamentally, the decision taken by Cabinet on 16<sup>th</sup> June was to consult for the statutory period of 21 days on the proposed Cheshire East policy for the former Borough of Congleton area. This is a legal requirement under the Road Traffic Regulations Act 1984, as amended.
- ii. Prior to vesting day on 1<sup>st</sup> April, a Cheshire East Members Parking Task Group had been established to consider all transition matters for parking services and to formulate a parking strategy for Cheshire East Council. This work was then presented to, and the third draft endorsed, by the Places Advisory Panel at its' meeting on 11<sup>th</sup> March 2009. This Members Panel effectively carried out the 'pre-scrutiny' role suggested as lacking in the reasons for call-in.
- iii. The Cheshire East Parking Strategy, having been developed thorough the transitional Members structures, was formally adopted by Cabinet at its' meeting on 21<sup>st</sup> April 2009.
- iv. Paragraph 8.2 of the accompanying Cabinet Report stated:

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‘During Year one, the strategy will support the granting of Civil Parking Enforcement Powers in relation to the former Congleton Borough Council area and to the introduction of control and regulation of off-street parking in selected car parks in that area.’

- v. Further ‘consultation’ is currently under way through the recently formed Recession Mitigation Task Group to consider the relationship between car park charges and retail activity across Cheshire East.
- vi. The policy to introduce car park charges to control and regulate off-street parking in the former Congleton Borough Council area was agreed as part of the 2009/10 budget setting process. £375,000 annual income and £160,000 capital investment was included in the 2009/10 Cheshire East budget. The budget itself was extensively consulted on and finally agreed by Full Council on 24th February 2009

- 2.2 Reason: “the consultation report on which the report was based, was reflected by the scrutiny committee and Cabinet of the old Borough Council”

Response:

- i. Congleton Borough Council Prosperity Scrutiny Committee first considered the original study on 11<sup>th</sup> April 2007. The committee requested that the then Head of Safer Communities provide further information on Car park management and reconsidered a second draft on 10<sup>th</sup> July 2007.

At their July 2007 meeting, the committee concluded that other options should be explored and asked that the Congleton Borough Council Executive clarifies its’ priorities and objectives regarding the Car Parking review.

It was at this early meeting that the Prosperity Scrutiny Committee stated that it was dissatisfied with the consultants report as they felt it was flawed and biased in favour of introducing charging.

- ii. Congleton Borough Council Executive considered this report from Prosperity Scrutiny Committee at its meeting on 15<sup>th</sup> August 2007. Minute 46 resolved that:
  - a. The report be received;
  - b. That the Head of Safer Communities be requested to arrange to meet the chairman of the Prosperity Scrutiny Committee to clarify further the dissatisfaction expressed by the Committee in connection with the report received from RTA Associates

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- c. That the Head of Safer Communities be requested to submit a report to a future meeting of Executive on the study carried out by RTA Associates together with additional information clarifying the position of the Scrutiny Committee in respect of the comments now reported.
- iii. A subsequent report from the Head of Scrutiny Committee was submitted to Congleton Borough Council Executive on 19<sup>th</sup> September 2007. This included the adjustment to the original report requested by both the Prosperity Scrutiny Committee and Congleton Borough Council Executive.

Minute 61.b) of the Congleton Borough Council Executive meeting of 19<sup>th</sup> September 2007 refers. **It was resolved that the Head of Safer Communities be requested to produce a consultation document based upon the RTA study, for circulation to key stakeholders.**

It would appear that the original concerns of the Prosperity Scrutiny Committee had now been taken account of and the study was no longer considered 'flawed'. Congleton Borough Council Executive had now resolved to use it as the basis for consultation to key stakeholders.

This is the same decision made by the Cheshire East Cabinet on 16<sup>th</sup> June 2009, to consult on the introduction of car parking control and charging in the former Congleton Borough Council area.

- iv. A final report on this matter from the Head of Safer Communities was presented to Congleton Borough Council Executive on 16<sup>th</sup> January 2008

This report considered the impact of Local Government Review on the agreed consultation exercise and Congleton Borough Council Management Teams' view on whether this process was sustainable given the draw on staff resources to implement Local Government Review in Cheshire.

In light of the situation, Congleton Borough Council Executive resolved to maintain their established council policy of providing "free at point of use" parking. (Minute 111 Cabinet meeting 16<sup>th</sup> November 2008 refers).

- v. The RTA consultant is of the opinion that no flaws are inherent in the final report submitted to Congleton Borough Council and this appears to be borne out by the fact that the Executive resolved to use their final version as the basis for stakeholder consultation at their meeting on 19<sup>th</sup> September 2007.
- vi. The latest proposal considered by Cheshire East Cabinet on 16<sup>th</sup> June 2009 has developed this study further by including additional

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Congleton car parks for consideration for charging and an up-to-date commentary for each of the consultants' main findings.

- vii. Finally, it is understood that the report does not include every council-owned car park in the former Congleton Borough Council area. It does however seek to introduce charging for these where, in accordance with the Parking Strategy, a good case can be made.

These additional car parks will be subject to continual review to ensure the strategy principles are applied consistently across Cheshire East Borough. The first of these 'non-charged' or 'free' car parks is scheduled for review by the portfolio-holder for Environment in July. (Thomas Street Car Park in Crewe is a pre-existing free car park in the former Crewe and Nantwich Borough Council area)

### **For further information:-**

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### **Background Documents:-**

Car Parking Strategy and Cabinet Report 21/04/09

Prosperity Scrutiny Committee report to Congleton Borough Council Executive  
15/08/07

Minutes of Congleton Borough Council Executive 15/08/07

Report from Head of Safer Communities to Congleton Borough Council  
Executive 19/09/07

Minutes of Congleton Borough Executive 19/09/07

Report from Head of Safer Communities to Congleton Borough Council  
Executive 16/01/08

Minutes of Congleton Borough Executive 16/01/08