

CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting:	3 August 2009
Report of:	Head of Service - Safer and Stronger Communities
Subject/Title:	Off Street Parking Places Order – The Carrs Car Park, Chancel Lane, Wilmslow

1.0 Report Summary

- 1.1 The report provides details in relation to the proposed off street parking places order and the representation that was received during the consultation relating to the proposed order.

2.0 Recommendations

That the Cabinet Member consider the representation received and decide whether, in the light of the representation, to approve the level of charges and authorise the Borough Solicitor to make the order in accordance with the advertised notice of proposals.

3.0 Reasons for Recommendations

- 3.1 In accordance with the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996, the Council is obliged to give consideration to any representations that are received under Regulation 8 and not withdrawn before making the Order. In this instance only one representation has been received and this relates to the proposed charging structure and not to the principle of introducing the car park control order on The Carrs (Chancel Lane) car park, Wilmslow.

4.0 Wards Affected

- 4.1 Wilmslow South

5.0 Local Ward Members

- 5.1 Councillors G Barton, W Fitzgerald, P Menlove.

6.0 Policy Implications

- 6.1 The proposal is in accordance with Cheshire East Parking Policy approved by Cabinet on 21st April 2009 which supports national policy

objectives that seek to reduce the number of car borne commuter trips to encourage use of other forms of travel to work. The proposal will also will ensure that parking spaces are available to bona fide park and Parish Hall users. As such the proposals will support both climate change and health agendas.

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

- 7.1 As previously reported, the capital cost of the installation of ticket machines and associated signage is estimated to be £3000 which can be funded from within existing budgets

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

- 8.1 As previously reported, the car park control scheme is intended to be self financing.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 To enable control to be implemented on The Carrs (Chancel Lane) car park an amendment order is required to vary the Macclesfield Borough Council (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2008 in accordance with the procedure set out within the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 9.2 Regulation 13 of the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996 provides that before making an order the order making authority shall consider any objections duly made [under regulation 8] and not withdrawn.

10.0 Risk Management

- 10.1 There are no significant risks foreseen in respect of the decision requested as the proper procedures have been followed.

11.0 Background and Options

The intention to make an order on this car park was originally advertised on the 12th February 2009 following approval of the former Macclesfield Borough Council Cabinet on the 4th February 2009. Representations were received and the proposals were modified to reflect the needs of park and Parish Hall users. The proposal to make the order was subsequently re-advertised on the 4th June 2009 incorporating the agreed revisions following Cabinet Member approval dated 19th May 2009.

- 11.2 One representation has been received and not withdrawn and is set out below:

The proposed Tariffs and times for this car park have potential for confusion. A simpler scale for consideration would be

*Mon to Sat 8am to 6pm
20p per hour, max 5 hours, no return within 2 hours*

*Sundays and Bank Holidays
No Charge*

This would allow park, parish hall & town visitors reasonable time to use the facilities at nominal cost, with the minimum of confusion, yet still deter all-day parking. Revenues would be maintained.

In addition:

*I would like to suggest an exemption for Blood Transfusion Service staff and blood donors attending monthly sessions, signified by displaying an approved blood donor sticker in/on the vehicle.
Thus Wilmslow and East Cheshire Council would be actively supporting an essential service.*

- 11.3 The proposal approved by the Cabinet Member and subsequently advertised included the following tariff structure:

Mondays to Fridays (excluding Bank Holidays) 8am – 6pm
0-2 hours 20p
2-3 hour (maximum) 50p
No return within 2 hours

Saturdays and Bank Holidays
0-2 hours 20p
2-3 hours 50p
3-5 hours 80p
Over 5 hours £1.00

- 11.4 Officer's observations:

- 11.4.1 The proposed tariff structure is considered to be relatively straight forward and easy to understand and no significant operational problems are envisaged arising from its implementation. Charging on Bank Holidays is consistent with existing car park control measures operating on the Council's town centre car parks

- 11.4.2 Discussions had taken place with interested parties such as the Friends of the Carrs and representatives of the Parish Hall following their representations concerning the original proposal. The proposal now advertised has been agreed with them and reflects their needs in terms of their use of the car park.

The blood transfusion service can be accommodated within the control regime although those donating would be required to pay the parking charge if using the car park. It should be borne in mind that the measures are being introduced to discourage commuter parking to ensure that parking spaces are available for bona fide users of the Parish Hall and the Park, including those visiting the blood donor sessions. The nominal parking charge is necessary to cover the cost of control and enforcement, but the benefit to users is that parking space will be available to them which is not always the case at the present time.

- 11.4.3 If the representations received are accepted it would be necessary to advertise the revised proposals. This would mean that the intention to make an order on this car park will need to be advertised for a third time which could produce further representations which would need to be considered and will result in a further delay to the introduction of car parking control on this car park. Once the Order has been made, the process for varying the charges on the car park is much simpler than that required to make the order in the first place. This can be achieved by prior publication of a notice of the intended changes without the need to advertise an amendment to the control order. Therefore if it transpires that changes to the tariff structure may be deemed to be necessary in the future, this can be achieved relatively simply.

12.0 Overview of Year One and Term One Issues

- 12.1 It is suggested that the introduction of the Order as soon as possible within Year One is appropriate as this would mean that the benefits of the proposal, i.e. keeping the car park free for genuine users of the Parish Hall and Park, can be achieved as soon as possible.

13.0 Access to Information

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

Name: Bob Broughton
Designation: Principal Assistant Engineer
Tel No: 01625 504790
Email: bob.broughton@cheshireeast.gov.uk