

Portfolio Holder for Environment & Regeneration

Report Title: Notice of Motion: Holmes Chapel Medical Centre – Charge for temporary suspension of a Parking Regulation Order

Portfolio Holder: Portfolio Holder for Environment & Regeneration

Senior Officer: Frank Jordan, Executive Director of Place

1. Report Summary

- 1.1. Councillor Gilbert submitted a Notice of Motion at the Council meeting on 17 October 2019, which was referred to the Portfolio Holder for Environment & Regeneration for consideration and determination.

The Notice of Motion stated:

“That Council rescinds its requirement for Holmes Chapel Health Centre to pay a fee of £4,320 for access through the Holmes Chapel Library car park for the following reasons:-

1. Access is required to enable the Health Centre to construct an extension in order to meet the needs of a growing local population.

2. The car park produces no income for the Council and there will therefore be no loss of income as a result of the loss of four parking spaces for two months.

3. The charge amounts to profiteering at the expense of the NHS.

4. The charge adds unnecessary cost to a project to improve public services in Cheshire East.

- 1.2. In accordance with Appendix 2, Rule 5 to the Council’s Procedure Rules, the proposer of the Notice of Motion has been consulted prior to this matter being determined.

2. Decision

- 2.1. Having considered the request, it is not considered appropriate to waive the Council's existing charging policy in this case. The policy is publicly available on the website and is applied consistently across the Borough. Charges for the temporary suspension of parking bays are commonly levied by local authorities nationally. It would not be unreasonable to expect the building contractors to have made an allowance and accounted for such a charge in their contingency planning and cost estimate.
- 2.2. There does not appear to be any reason to warrant a waiver of the charging policy in this case.

3. Reasons for Decision

4. Other Options Considered

- 4.1. To agree the request to waive the charge is not considered appropriate for the above reasons.

5. Background

- 5.1. Councillor Gilbert submitted the above Notice of Motion to Council on 17 October 2019, which sought a waiver to Council policy being applied by rescission of a payment charge in this instance. The request related to 'executive' (not Council) functions in respect of the operation of a charging policy. The matter was referred to the Portfolio Holder for consideration.
- 5.2. The Portfolio Holder responded on 5 December 2019 to explain the charge had been levied in accordance with the Council's existing policy on suspension of parking bays, which is publicly available on the Council's website:

https://www.cheshireeast.gov.uk/car_parks_and_parking/parking_permits_and_contracts/parking_dispensation.aspx
- 5.3. The charge that had been levied related to the temporary suspension of the Parking Regulation Orders in respect of the Library car park. The charge followed a request from the Health Centre for prolonged use of these car park spaces for the duration of the redevelopment of the health centre.
- 5.4. On 7 January 2020, the Portfolio Holder responded in writing again to reiterate the above and offered to meet with Cllr Gilbert. A meeting took place on 3 March 2020 with Cllrs Gilbert and Kolker, the Portfolio Holder and relevant officers to explain the basis of the dispensation charging policy.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. None

6.2. Finance Implications

6.2.1. None

6.3. Policy Implications

6.4. None Equality Implications

6.4.1. Not applicable.

6.5. Human Resources Implications

6.5.1. None

6.6. Risk Management Implications

6.6.1. None

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. There are no direct implications for children and young people/cared for children.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. Not applicable.

7. Ward Members Affected

7.1. As above

8. Consultation & Engagement

8.1. Not applicable

9. Access to Information

9.1. None

10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

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Job Title: Director of Growth & Enterprise

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