

CHESHIRE EAST COUNCIL

Cabinet Member for Environmental Services

Date of Meeting: 19th October 2010
Report of: Head of Safer and Stronger Communities
Subject/Title: Congleton Parking Review Report

1.0 Report Summary

- 1.1 The report presents the Congleton Parking Review Report and recommendations and requests approval for the actions proposed in order to take the recommendations forward.

2.0 Recommendations

- 2.1 That the Cabinet Member for Environmental Services
- (1) note the review report (attached as an appendix to this report); and
 - (2) agree that officers take appropriate action to progress the recommendations within the review report, including, where appropriate, the production of further reports requesting that statutory consultation be carried out in relation to proposed orders.

3.0 Reasons for Recommendations

- 3.1 The Parking Review was undertaken as required and promised following the introduction of control and off street charging in Congleton town centre, in February 2010. The review took place in August and September of this year. The report sets out findings from the Review of the parking situation in the town centre in respect of both on and off street parking and control measures. The objectives of this Review were:
- To study the controls and facilities for parking in the central area of Congleton town and
 - identify changes needed to improve the provision, control and management of parking.
- 3.2 The Review consisted of analysis of off street car park usage and availability, of the on street parking restrictions, and of enforcement activity. Consultation took place with Ward councillors, town councillors and the town centre manager, and members of the Congleton Business Association. The recommendations in the report stem from these studies and consultation and are felt to represent an improvement to the control and provision of parking services in the town which still adheres to the objectives in the Council's Parking Strategy:

The Council's existing parking objectives set out to be consistent with and contribute to the overall aims of the National and Regional transport strategies which seek to:

- *Achieve a reduction in overall traffic*
- *To increase use of more sustainable and healthy forms of travel*
- *To achieve a more effective and efficient transport system, whilst taking into account:*
 - *The economic vitality of the town centre*
 - *The parking needs of people with disabilities*
 - *The parking needs of local residents, shops and businesses*

- 3.3 It is considered that the recommendations reflect the Council's recognition of local needs and pressures whilst still in keeping with the objectives of encouraging different travel choices and balancing the needs of different user groups. In this way the limited resource of parking in the town continues to be managed effectively.

4.0 Wards Affected

- 4.1 Congleton East and West

5.0 Local Ward Members

Congleton Town East -David Brown, Peter Mason, Andrew Thwaite
Congleton Town West - Gordon Baxendale, Roland Domleo, David Topping

6.0 Policy Implications - Climate Change and Health

- 6.1 No significant implications are identified

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

- 7.1 These will be dealt with in separate reports in cases where changes to Orders would be required
- 7.2 Costs of other actions including surveys for Residents Schemes, and repairs and improvements to signs and lines, are covered by existing expenditure budgets.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 S 122 Duty

- 8.1.1 Section 122 of 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;

'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 The changes proposed within the recommendations are a response to study and consultations which indicate that the changes will improve parking management and control. An analysis of the section 122 duty will be carried out in relation to any subsequent decisions relating to proposals to amend either off street parking places orders or traffic regulation orders.

8.2 As highlighted above, some of the recommendations within the review report would necessitate proposals to amendment orders made under the Road Traffic Regulation Act 1984. The procedure for making such amendment orders is as set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (of which statutory consultation and publication of proposals is a requirement). Any such proposals will be the subject of separate decision reports.

9.0 Background and Options

9.1 The background to the review report is set out within paragraph 3.0 above. It is suggested that the alternative option is not to approve that officers take action to progress the recommendations within the review report.

10.0 Risk Management

10.1 N/A

11.0 Overview of Year One and Term One Issues

11.1 N/A

Access to Information

Background Document:
The Congleton Parking Review Report

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