

## **Highways and Transport Committee**

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<b>Date of Meeting:</b>	21 July 2022
<b>Report Title:</b>	Notice of Motion 'Car Free Days and Parklets'
<b>Report of:</b>	Tom Moody, Director of Highways & Infrastructure
<b>Report Reference No:</b>	HT63/22-23
<b>Ward(s) Affected:</b>	All

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### **1. Purpose of Report**

- 1.1. This report responds to the Notice to Motion raised at Council relating to the opportunities for town or parish councils and local communities to promote initiatives, as part of World Car Free Day, entitled "Car Free Days and Parklets".
- 1.2. This report outlines actions required to address the issues raised by the Notice to Motion to Council in February 2022, where Council resolved that the matter be referred to the appropriate Committee.

### **2. Executive Summary**

- 2.1. This paper proposes the preparation of a short Communications Plan that will raise awareness of the relevant procedures for town and parish councils to promote a local car free event, including creation on temporary parklets, as part of World Car Free Day. This approach will ensure all relevant information requested in the Notice of Motion is made available to promoters in one place.

### **3. Recommendations**

Highways and Transport Committee is recommended to endorse the proposed response to the Notice of Motion, which will be made available on the Council's highways webpage.

#### **4. Reasons for Recommendations**

- 4.1. Much of the information that is referred to in the Notice of Motion is already available on the Council's web pages but to assist with any future applications or requests for this information, it will be summarised in the form of a concise Communications Plan to be shared with town/parish councils and community groups. This report addresses the points raised in the Notice to Motion.
- 4.2. These recommendations align with the Council's Corporate Plan aim of being an open council that has the objective of supporting sustainability initiatives within our communities.

#### **5. Other Options Considered**

- 5.1. There are no other options to be considered, in the interests of being open the information requested under the Notice of Motion to Council will be provided on the Council's webpages.

#### **6. Background**

- 6.1. World Car Free Day is an annual event when, all around the world, towns and cities take the opportunity to allow people to experience streets that are free of motor traffic. It's a great chance to re-imagine our streets around people. This year, World Car Free Day is to take place on 22<sup>nd</sup> September 2022. In the UK, the event is championed by the transport charity Living Streets and further information is available on their web site at <https://www.livingstreets.org.uk/about-us/our-work-in-action/world-car-free-day>
- 6.2. Parklets – informal miniature parks – are one opportunity where local communities can experience what happens when parking spaces are changes into spaces for community use with the provision of benches, seats and planters etc. Parklets have been uses successfully as temporary features during demonstration projects such as World Car Free Day (see web link above). They can be created during the temporary road closures that may be introduced for World Car Free Day to demonstrate the potential alternative uses of road-side parking spaces. Parklets are an option for such events though they are not essential and the merits of parklets need to be assessed locally on a case-by-case basis.
- 6.3. At Council on 24<sup>th</sup> February 2022, a Notice of Motion relating to the second round of consultation was raised by Cllr. Suzie Akers-Smith and seconded by Cllr. Denis Murphy.
- 6.4. The Notice of Motion proposed that:
  - 6.4.1. *The Council's Corporate Plan Green Priority of a thriving and sustainable place supports economic growth in the high street and encourages more*

*people to use their cars less and walk and cycle more especially for short journeys into and out of the town or village centre. Car Free Days and Parklets are a way of achieving this ambition as set out in the attached document (see links below).*

- 6.4.2.** *Council therefore requests that a communications plan be developed, explaining how residents and communities across the towns and villages are able to host a car free day and to introduce parklets within the high street for businesses before World Car Free Day on the 22<sup>nd</sup> September 2022.*

**6.5. Permits and Licenses**

- 6.5.1.** Any car free days would require a Temporary Traffic Regulation Order (TTRO) to legally close the street to moving traffic and parking. Initially, promoters should liaise with Cheshire East Highways by sending their proposal to [Cheshireeasttraffic@cheshireeasthighways.org](mailto:Cheshireeasttraffic@cheshireeasthighways.org). This will ensure that event planning can be informed by other activities on the local road network such as maintenance works or utility equipment repairs.
- 6.5.2.** Proposals can have a wide range of potential implications for other road users, including emergency services and public transport operators, therefore each case must be considered on its own merits. Consideration will need to be given to any impacts on people with disabilities, potentially requiring an Equalities Assessment to be completed. Impacts on any businesses using spaces for loading/servicing, as well as the loss of general parking provision are other factors to bear in mind. Event promoters should be able to demonstrate that they have consulted any affected business premises or residents and that there is general community support for the event.
- 6.5.3.** The costs for a TTRO are approximately £1,100 (excluding the costs of traffic management equipment e.g. signs, barriers, etc). The actual costs for any event can be estimated on a case-by-case basis to assist event promoters. The Council will consider foregoing administration costs where events are clearly of a wider community or environmental benefit.
- 6.5.4.** To provide a TTRO for a specific date, a minimum of 8 weeks notice to Cheshire East Highways is required to ensure statutory notices can be successfully made to cease the use of the area for traffic and parking.
- 6.5.5.** A Temporary TRO does not grant consent for any structure to be placed on the highway as part of creating a parklet. The Council's existing policy in relation to Alfresco Pavement Licences is the relevant procedure for the approval of any parklets that fall within the extent of the adopted highway.
- 6.5.6.** Proposals to install seating, tables, canopies and barriers for a seating area can, at the present time, be considered via the Temporary Pavement Licence process introduced under the Business and Planning Act 2020. Applications for this type of licence are free of charge currently. Issues to

be considered when considering a pavement licence application include visibility for pedestrians and other road users, the safety of people using seating area, adequacy of barriers providing protection from vehicles, ensuring measures are in place for management of the space and insurance cover.

- 6.5.7.** Currently, Temporary Pavement Licences issued under the Business and Planning Act 2020 can be issued to 30<sup>th</sup> September 2022. Legislation does not allow such licences to be issued beyond that date. With this second form of pavement licence the additional consent requirements are more complex.
- 6.5.8.** For any parklet required after 30<sup>th</sup> September 2022, the local highway authority may permit structures – seating etc - via a Pavement Cafe Licence which relies on the Highways Act. The charges for a license application under this process are set out at: <https://www.cheshireeast.gov.uk/pdf/highways/highwayslicensing/2022-23-highways-fees-and-charges.pdf>.
- 6.5.9.** This guidance will be updated should legislation change in ways that affect the options for licensing post-30<sup>th</sup> September 2022.
- 6.5.10.** Finally, should a World Car Free Day event (or similar) propose the sale of food or drink for public consumption, additional permits may needed from the Council's Regulatory Services [commercialservices@cheshireeast.gov.uk](mailto:commercialservices@cheshireeast.gov.uk).
- 6.5.11.** In cases where alcohol is to be served or entertainment provided, promoters should examine whether this requires any additional licences from the Council's Licensing Service [licensing\\_CE@cheshireeast.gov.uk](mailto:licensing_CE@cheshireeast.gov.uk).
- 6.5.12.** Committee will see that the procedures for arranging and hosting an event, such as a Car Free Day, are complex and every case will have different considerations. That does not mean a successful event cannot be achieved through the close cooperation between an event promoter – such as a Town or Parish Council – and the relevant services within Cheshire East Council.
- 6.5.13.** The main elements of this guidance have been summarised in a short note that has been made available to Town and Parish Councils as well as hosted on Cheshire East Councils website. This guidance will be updated periodically to ensure future World Car Free Day events can be planned effectively by local communities.

## **7. Consultation and Engagement**

- 7.1. It is essential the event promoters actively engage with the local community that is expected to host an event, such as one as part of World Car Free Day. This will ensure that practical considerations such as access to properties, deliveries and access for vulnerable or disabled persons can be fully considered during development of the event plan. Cheshire East Council would expect promoters to be able to demonstrate that there is general support for the event in the host community as part of the licensing process.
- 7.2. By working with the relevant Council departments to get all necessary consents in place, event promoters will best ensure that statutory notification / consultation procedures are complied with e.g. notification of road closures to the Emergency Services, public transport operators and other users through the TTRO procedures.

## **8. Implications**

### **8.1. Legal**

- 8.1.1. There are no direct legal consequences of this report.
- 8.1.2. Each proposed event will need to be compliant with the closure, permits and licence processes identified in paragraph 6.5, as assessed on a case by case basis.

### **8.2. Finance**

- 8.2.1. A modest amount of staff time is required to prepare the Communications Plan and update the Council's webpages. This will be covered through existing highway revenue budgets.
- 8.2.2. It is assumed that the budget for specific events will be considered on a case-by-case basis, with the promoter being responsible for ensuring an adequate budget is in place.

### **8.3. Policy**

- 8.3.1. There are no policy implication as a result of this response to the Notice of Motion.

### **8.4. Equality**

- 8.4.1. There are no equality implications as a result of this response to the Notice of Motion.
- 8.4.2. Equalities impacts of any proposed events will need to be assessed on a case-by-case basis.

### **8.5. Human Resources**

- 8.5.1. There are no Human resource implications as a result of this Notice of Motion.

## **8.6. Risk Management**

**8.6.1.** There are no risk management implications as a result of this Notice of Motion.

**8.6.2.** Risks arising from any proposed events will need to be assessed on a case-by-case basis.

## **8.7. Rural Communities**

**8.7.1.** There are no rural communities' implications as a result of this Notice of Motion.

## **8.8. Children and Young People/Cared for Children**

**8.8.1.** There are no Children and Young People/Cared for Children implications as a result of this response to the Notice of Motion.

## **8.9. Public Health**

**8.9.1.** There are no public health implications as a result of this response to the Notice of Motion.

## **8.10. Climate Change**

**8.10.1.** There are no climate change implications as a result of this response to the Notice of Motion.

**8.10.2.** Committee will note that raising awareness of World Car Free Day within Cheshire East is likely to make a positive contribution to improving public awareness of initiatives relating to Travel Behaviour Change, Place-making and the Global Climate Challenge.

<b>Access to Information</b>	
Contact Officer:	Richard Hibbert, <a href="mailto:Richard.hibbert@cheshireeast.gov.uk">Richard.hibbert@cheshireeast.gov.uk</a>  07866 157324
Appendices:	
Background Papers:	Notice of Motion to Council 24 <sup>th</sup> February 2022, "Car Free Days and Parklets" – Proposed by Cllr Suzie Akers-Smith, Seconded by Cllr Denis Murphy. <a href="http://modern.gov.cheshireeast.gov.uk/ecminutes/documents/s92377/Notices%20of%20Motion.pdf">http://modern.gov.cheshireeast.gov.uk/ecminutes/documents/s92377/Notices%20of%20Motion.pdf</a>