

Cabinet Member for Environment

Agenda

Date: Wednesday, 1st May, 2013
Time: 10.00 am
Venue: Cabinet Meeting Room - Westfields, Middlewich Road
Sandbach

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relating to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

For requests for further information

Contact: Cherry Foreman

Tel: 01270 686463

E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies

4. **Thomas Street Car Park, Crewe - Notice of Variation of Parking Charges** (Pages 1 - 4)

To consider a variation in the parking charges at this car park.

CHESHIRE EAST COUNCIL

REPORT TO: CABINET PORTFOLIO HOLDER ENVIRONMENTAL SERVICES

Date of Meeting:	1 May 2013
Report of:	Head of Public Protection and Enforcement
Subject/Title:	Notice of Variation of parking charges at Thomas Street Car Park, Crewe
Portfolio Holder:	Cllr David Topping

1.0 Report Summary

- 1.1 The Borough of Crewe and Nantwich (General)(Off Street Parking Places) (Consolidation) (Minor) Order 2008 ('the Crewe and Nantwich Order') (as amended) has set current charges on Thomas Street Car Park as follows:

Mon to Fri 8am to 5pm (Sats and Suns free):

up to 1hr	up to 2 hrs	up to 4 hrs	Up to10 hrs
£0.70	£1.00	£1.50	£2.20

- 1.2 The Head of Service and Portfolio Holder are requested to approve the variation of the tariffs from the levels shown to:

Mon to Fri 8am to 5pm (Sats and Suns free):

up to 1hr	up to 2 hrs	up to 4 hrs	Up to10 hrs
£0.50	£0.50	£1.00	£1.50

- 1.3 Annual permit price is currently is £400; the revised cost will be £308.

2.0 Decision Requested

1. To approve the variation of charges in relation to Thomas Street (East and West) car park in Crewe as set out above.

2. To authorise the Interim Head of Legal Services, or an officer acting on his behalf to publish a 'notice of variation' in relation to the amended charges, in accordance with section 35C of the Road Traffic Regulation Act 1984 and regulation 25 of the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996.

3.0 Reasons for Recommendations

- 3.1 The proposal is intended to achieve a fairer tariff and harmonisation with other similar locations by setting a fair price in respect of parking demand and location. The prices have been set at the lowest in Cheshire East town centres, (equivalent to that already charged in Congleton).
- 3.2 This proposal is felt to represent a fairer price which reflects the needs of the locality, whilst conforming to the policy that car parks should wherever possible and reasonable, bear charges that go some way to covering costs of operation and maintenance.

4.0 Wards Affected

- 4.1 Crewe Centre and Crewe East

5.0 Local Ward Members

- 5.1 Cllrs Faseyi, Martin, Thorley, Newton

6.0 Policy Implications

- 6.1 The proposed changes are in line with the Council's Parking Strategy.

7.0 Financial Implications

- 7.1 Increased income from longer stay parking. A net increase in income of £2500 is expected in the first year based on minimum 7% occupancy being achieved in year 1.
- 7.2 The cost of publication of the proposed 'notice of variation' in local newspapers and alteration of pay and display machines, signs and software, is of the order of £1000; this will be met from existing budgets.

8.0 Legal Implications

- 8.1 Section 35C of the Road Traffic Regulation Act 1984 states that where an order made under section 35(1)(iii) of the 1984 Act makes provision as to the charges to be paid in connection with the use of off-street parking places, the charges may be varied by notice.

- 8.2 Regulation 25 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provide that a 'notice of variation' given under section 35C must be published at least once in a newspaper circulating in the area in which the parking places to which the notice relates are situated at least 21 days before it is due to come into force. In addition, the authority is required by regulation 25(5) to display copies of the notice in the relevant parking places.
- 8.3 Section 122 of the Road Traffic Regulation Act 1984 imposes a general duty on the Council to exercise the functions conferred on them by the 1984 Act in such a manner "(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."
- 8.4 The matters specified under subsection (2) are: (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; (bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy); (c) 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 (d) any other matters appearing to the local authority to be relevant.'
- 8.5 It is suggested that the variation of the tariff proposed within the report is designed to be beneficial to the provision of suitable and adequate parking facilities off the highway, achieving harmonisation with other similar locations by setting a fair price in respect of parking demand and supply. It is not anticipated that the variation proposed will have a significant impact on any of the factors within subsection 122(2) because the price is considered to still be fair and reasonable and the same volume of parking bays remains available. The reduction in price should lead to reduced displacement of vehicles into neighbouring streets.

9.0 Risk Management

9.1 N/A

10.0 Background and Options

10.1 The existing charges were imposed over four years ago to be in line with what was then a uniform flat rate across Crewe. Since then, a Parking Review of Crewe has been carried out which recommended introduction of zonal fees, with car parks further from the centre such as Thomas St,

having lower charges for all day stay. At the current level of prices occupancy is very low with some displacement of vehicles into nearby streets.

The options are as follows:

- (a) To make the car park free. This would result in no contribution to operating cost and inconsistency in application of policy with other town centre car parks in the borough in this sense. (As it stands Saturdays are not charged, and nor is the hour from 5 til 6 from Monday to Friday. This concession was built into the Order originally to assist users of the sports amenities at adjacent Cumberland Sports Arena).
- (b) Alter to a different lower price: however this is the lowest charge consistent with other similar locations.
- (c) Not to approve any variation: the car park is likely then to remain under occupied and displacement into the streets would continue.

11.0 Access to Information

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

Name: Paul Burns
Designation: Parking Services Manager
Tel No: 01270 686819
Email: Paul.Burns@cheshireeast.gov.uk