

Cabinet Member for Service Commissioning Agenda

Date: Monday 8th September 2014
Time: 10.00 am
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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

To receive any 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

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4. **Development of a Car Parking Cost Neutral Pricing Policy** (Pages 1 - 4)

To approve consultation with key stakeholders on proposals for a car parking cost neutral pricing policy

CHESHIRE EAST COUNCIL

Cabinet Member for Service Commissioning

Date of Meeting:	8 September 2014
Report of:	Head of Communities
Subject/Title:	Development of a Car Parking Cost Neutral Pricing Policy
Portfolio Holder:	Cllr David Topping

1.0 Report Summary

- 1.1 Cheshire East Council as a Resident and Business First Council are keen to look at how we can support our local town and village centres. The Council plans to consult with local businesses, partnerships and people with disabilities on an off street parking pricing policy that reflects the needs of different areas and brings more people in to spend money in Cheshire East to boost the local economy. The Council recognises that all of the areas are unique and so are not advocating harmonisation of charges across Cheshire East.
- 1.2 The Council will focus on the key towns of Crewe, Nantwich, Macclesfield, Knutsford and Congleton as a starting point for consultation. The Council knows that car parks are not free as they have to maintain them and need to operate on a full cost recovery basis. What the Council can do is listen and act wherever it can to develop and implement a more attractive car parking policy to improve economic vitality.

2.0 Recommendations

- 2.1 That the Cabinet Member agree:
- i. that the Council consult with key stakeholders over proposals for an affordable and attractive parking policy with a particular emphasis on Crewe, Nantwich, Macclesfield, Knutsford and Congleton;
 - ii. to prepare a report setting out the outcome of the conversations with local businesses and to put a set of key recommendations for consideration by Cabinet on 11 November 2014.

3.0 Reasons for Recommendations

- 3.1 To listen to the views of key local stakeholders about what they think would help increase the economic vitality of our town and village centres.

4.0 Wards Affected

- 4.1 Crewe, Nantwich, Macclesfield, Knutsford and Congleton

5.0 Local Ward Members

- 5.1 Ward Members will be encouraged to report in on views from local stakeholders to inform the process.

6.0 Policy Implications

- 6.1 Carbon Reduction – Parking facilities should assist with reducing carbon emissions through reduced congestion in town centres and encourage public transport use.
- 6.2 Health- As above, effective parking services can help improve air quality by reducing vehicle emissions

7.0 Implications for Rural Communities

- 7.1 A potential reduction in prices for car parking in the larger towns will have a positive impact on those from rural communities who need to come into larger towns to shop and do business. It will be more affordable and will hopefully incentivise people to come into places like Nantwich more regularly.

8.0 Financial Implications

- 8.1 Car parks even when free are a cost to the Council and its Council Tax Payers. The possible introduction of a reduction in pricing could mean a loss of income. As this is at consultation phase, there are no immediate financial implications. However, full cost recovery for car parks is a principle that should be recognised in any consultation process and also the wider impact on Council budgets.

9.0 Legal Implications

- 9.1 If any proposed changes are approved by Cabinet in November it will be necessary to make a consolidated order under the Road Traffic Regulation Act 1984 (“the Act”) and to revoke any existing orders in relation to the affected car parks.

9.2 Section 122 Duty

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;

- 9.2.1 *‘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.*

9.2.2 The particular matters specified under section 122(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, and 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 passenger 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.*

Since the proposed Order is a Consolidation Order, the Order will have little change in respect of the above issues.

9.3 Section 35 of the Road Traffic Regulation Act 1984 ('the 1984 Act') provides local authorities with the power to make orders which make provision for the use of parking places provided by it and the conditions on which such parking places may be used. The procedure to be adopted in making orders under section 35 is set out within Schedule 9 to the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations).

9.4 The Regulations prescribe that before making an order a local authority must publish a 'notice of proposals' in a newspaper circulating in the area in which any road or other place to which the order relates is situated and to place documents relating to the proposals on deposit for inspection by members of the public. The local authority is also required to consult with certain prescribed bodies, including the Chief Officer of Police, and is required to take into consideration any objections received within the 21 day consultation period. Failure to consider any such objections would pose a risk to any subsequent decision. The outcome and objections from this consultation will need to be put to Cabinet in November before any decision is made whether to proceed with the proposed order.

10.0 Risk Management

10.1 There are no immediate risks in that this is a consultation exercise with local stakeholders to understand what they think about Cheshire East Council car park prices and whether a change in them would encourage more people to spend money.

11.0 Background and Options

- 11.1 Cheshire East Council as a Resident and Business First Council wish, subject to consultation, to set charges for parking which reflect local pressures and needs. It is also proposed that some electric vehicle charging bays will also be introduced in some of the car parks. In 2012, there was a very comprehensive piece of work undertaken by the Environment and Prosperity Scrutiny Committee. This clearly reflected that the introduction of harmonisation and increase in tariffs would not nurture strong communities and create conditions for business growth.
- 11.2 Conversations with businesses and local people since that date as well as research has shown that accessible, affordable and attractive parking places encourage people to shop in towns. Therefore, the Council wishes to continue those conversations and listen even more to local stakeholders on the way forward.
- 11.3 It is important that the Council works to a set of key consultation principles to ensure that the outcomes of the consultation are representative.
- 11.3 Therefore the Council will:
- Timeline the consultation to give people enough time to respond
 - Provide clear and easy to understand information to enable people to make informed comments
 - Ensure that we target the consultation depending on the needs of the audience and not ourselves.
 - Where a more appropriate organisation can undertake the consultation we will enable them to do this
 - Consultation will be done by area to ensure that the outcomes reflect the needs of those
 - Provide feedback from the consultation and information about when things may happen as a result.
- 11.4 Subject to Cabinet Member approval, the consultation will start in early/mid September.

12.0 Access to Information

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

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