

Cabinet Member for Communities

Agenda

Date: Tuesday, 22nd September, 2015
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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 relevant 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.

4. **Making of Consolidated Off Street Parking Order (Pages 1 - 60)**

To consider responses to the further consultation.

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Cabinet Member for Communities

Date of Meeting:	September 2015
Report of:	Steph Cordon Head of Communities
Subject/Title:	Making of Consolidated Off Street Car Parking Order
Portfolio Holder:	Cllr Les Gilbert

1. Report Summary

- 1.1 Cheshire East Council as a Residents and Business First Council are pro-actively considering how best to regenerate town centres and also keep the traffic moving safely and swiftly. To this end, consultation is beginning around a parking strategy with residents and businesses to establish safe and sufficient parking provision for each of our localities. A big part of this will be to ensure the pricing policy is attractive and contributes towards economic prosperity.
- 1.2 The purpose of this report is to formalise the making of an Off Street Parking Order for Cheshire East. We have committed as a Council to be less process laden and bringing together all of the different orders for Cheshire East into a consolidation order will make interpretation far easier and more robust, assist Adjudicators when considering appeals, and provide a strong platform to make any future changes. The order attached to this report retains the current position on car parks in terms of pricing with the exception of Crewe Railway Station parking. Other changes include the removal of car parks no longer in Council ownership or control and adding in a section to enable electric vehicle charging points.

2. Recommendations

- 2.1 That the Cabinet Member considers the responses to the further consultation exercise.

- 2.2 That, in the light of those responses the Cabinet Member decides whether to make the consolidated Off Street parking order attached at **Appendix A** and, if not, what steps to take next.
- 2.3 That, if the order is made, the Cabinet Member delegate any further changes to the order except in relation to fees and charges to the Head of Communities in consultation with the portfolio holder.

3. Reasons for Recommendations

- 3.1 To enable a consolidated car parking order to be established for Cheshire East taking into account any objections, comments or representations received as a result of the further consultation exercise.
- 3.2 To delegate decision making to the Head of Communities to enable her to make any future changes subject to the necessary consultation with statutory consultees and residents and businesses

4. Wards Affected

- 4.1 All those with Council owned parks.

5. Local Ward Members

- 5.1 Ward Members will be involved and engaged in the Council's parking strategy.

6. 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. Implications for Rural Communities

- 7.1 The consolidated order as proposed retains the status quo, but we will ensure that our rural communities who travel into the town and village centres to use local amenities will have the opportunity to be engaged in any future conversation about changes to make sure that they have a positive impact on rural communities.

8. Financial Implications

- 8.1 The additional income from changing ticket prices for the Crewe railway station car parks is estimated at up to £25k (albeit based on no change in the number of ticket sales). Otherwise there are no significant financial implications arising from the proposed consolidated parking order.
- 8.2 The financial implications of those car parks no longer in Council ownership or control have been captured previously in budgeting and business planning processes.

9. Legal Implications

- 9.1 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).
- 9.2 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. This exercise was carried out in September 2014 and there were no objections made to the proposed order.
- 9.3 The Regulations also provide that a local authority may modify a proposed order, whether in consequence of any objections or otherwise. However, before such an order is made, the authority must take such steps as appear to the authority appropriate for informing persons likely to be affected by the modifications; giving those persons an opportunity of making representations; and ensuring that any such representations are duly considered by the authority. Failure to consider any such objections would pose a risk to any subsequent decision.
- 9.4 Modifications have been made to the proposed order and a further consultation exercise has been carried out for those living in the areas affected by the proposed changes. Any responses will be considered by the portfolio holder as

part of the decision-making process about the final form of the car parking order.

10. Risk Management

- 10.1 This is a common sense approach to consolidating all off street parking orders into one order for Cheshire East. It makes it easier to make any changes after consultation with residents, businesses

11. Background and Options

- 11.1 In September 2014 the Council gave notice of its intention to make a consolidated off street car parking order for the borough of Cheshire East. We have committed as a council to be less process laden. Bringing together all of the different orders for Cheshire East into a consolidated order will make interpretation far easier and more robust, assist Adjudicators when considering appeals, and provide a strong platform to make any future changes. The order attached to this report is largely the same as that which was proposed in September 2014 except that it retains the current position on car parks in terms of pricing apart from the long stay car park in Crewe. In February 2015 the portfolio holder agreed to make some changes to the proposed order. A copy of that report is attached as **Appendix B**.
- 11.2 Where the Council decides to modify a proposed order, the authority must take such steps as appear to the authority appropriate for informing persons likely to be affected by the modifications; giving those persons an opportunity of making representations; and ensuring that any such representations are duly considered by the authority. The proposed modifications were advertised in the affected areas on the 4th September 2015. As these modified proposals largely reflect the current situation the deadline for consultation responses is relatively short but is considered to be adequate.
- 11.3 Responses are to be received by 21st September 2015. Any responses will be made available to and considered by the portfolio holder as part of the decision-making process about the final form of the consolidated off street car parking order.
- 11.4 In February 2015 it was intended to review the operation of the proposed order once it had been in place for 12 months. This work is now likely to be subsumed into the development of a parking strategy. The development of a parking strategy that deals with the supply and management of parking can be one of the most useful tools available to Cheshire East Council in helping us achieve our economic, social and environmental objectives and is likely to lead to further changes to the consolidated order that is eventually made.

11.5 In order to be able to implement those changes as quickly as possible it is recommended that the Head of Communities be given the authority to implement any further changes to the order except in relation to fees and charges which, under the Constitution, must be made by the portfolio holder for Communities.

11.6 A copy of the proposed draft off street parking order is attached as **Appendix A**.

12. Access to Information

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

Name: Steph Cordon

Designation: Head of Communities

Tel No: 01270 868401

Email: steph.cordon@cheshireeast.gov.uk

This page is intentionally left blank

CHESHIRE EAST BOROUGH COUNCIL (OFF-STREET PARKING PLACES)
(CONSOLIDATED) ORDER 2015

Cheshire East Borough Council (hereinafter called “the Council”) in exercise of its powers under Sections 32, 35, 35A and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended (“the 1984 Act”) and of all other enabling powers, and after consultation with the Chief Constable of Cheshire Constabulary in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

PART I GENERAL

1. This Order shall come into operation on the 2015 and may be cited as the “Cheshire East Borough Council (Off-Street Parking Places) (Consolidated) Order 2015”.
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

“2004 Act” means the Traffic Management Act 2004;

“2007 Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“Charging Days”, means those days other than Christmas Day and specified in column 4 of the Schedule:

“Charging Hours”, means the period specified in column 4 of the Schedule;

“Civil Enforcement Officer” means a person authorised by or on behalf of the Council to supervise Parking Places and to enforce the provisions of the Order and is defined by section 76 of the 2004 Act;

“Coach” means a public service vehicle within the meaning of Section 1 of the Public Passenger Vehicles Act 1981

“Disabled Person’s Badge” means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person’s badge;

“Driver” in relation to a Vehicle waiting in a Parking Place, means the person driving the Vehicle at the time it was left in the Parking Place or the person deemed to be the Driver under the terms of the Order;

"Electric/Plugged in Vehicle" means "any vehicle using electric motors for propulsion which requires plugging in to charge batteries".

“Electric Vehicle Charging Bay” means an allocated Parking Bay in any of the Parking Places at which an Electric Vehicle Charging Post is situated for the purposes of the charging of an Electric Vehicle;

“Electric Vehicle Charging Post” means apparatus which supplies electricity for the charging of Electric Vehicles;

“Enforcement Authority” means Cheshire East Borough Council;

“Expiry Time” is the time indicated on the Pay and Display Ticket and is the time by which the Vehicle must leave the Parking Place;

“Hackney Carriage Plate” shall mean a plate attached to a vehicle with a valid hackney carriage licence issued by the Council;

“Mini-bus” means a motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver as defined in The Road Vehicles (Construction and Use) Regulations 1986;

“Motor Car” means a motor vehicle as defined in Section 136(2) of the 1984 Act;

“Motor Cycle” means a motor vehicle as defined in Section 136(4) of the 1984 Act;

“Owner” in relation to a Vehicle means the owner as defined by Section 92(1) of the 2004 Act;

“Parking Attendant” means a person authorised by or on behalf of the Council to supervise any Parking Place;

“Parking Bay” means an area of a Parking Place, which is provided for the leaving of a Vehicle of a class specified and indicated by markings on surface of the Parking Place;

“Parking Permit” means a season ticket, contract permit, business permit or resident’s permit of a type and design issued by or on behalf of the Council;

“Parking Place” means an area of land specified by name in column 1 of the Schedule, provided by the Council pursuant to Section 32 of the 1984 Act for the purpose of leaving of Vehicles;

“Pay and Display Ticket” means a ticket issued by a Ticket Machine located in the Parking Place in which the Vehicle has been left or issued by a person nominated by the Council on payment of a charge and valid for a parking period as advertised at that Parking Place;

“Pay by Phone” means a telephone payment system provided by the Council whereby a parking charge stated in the Schedule to this Order (and any

appropriate administration charge) is collected by the Council or a Council appointed third party, via an arranged account, with payment being made over the telephone or by other electronic system (including via the internet) by credit or debit card or other means of secure authorised payment;

“Penalty Charge” means a charge set by the Enforcement Authority under the provisions of Section 77 and Schedule 9 of the 2004 Act;

“Penalty Charge Notice” means a notice issued by or served pursuant to the provisions of the 2004 Act, the 2007 Regulations or any subsequent legislation so enabling;

“Relevant Position”

- (a) In respect of a Vehicle displaying a valid Disabled Person’s Badge –
 - (i) in the case of a Vehicle fitted with a dashboard or a fascia panel, the badge is exhibited thereon so that part 1 (the front of the badge), is legible from the outside of the Vehicle; or
 - (ii) in the case of a Vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the Vehicle so that part 1 of the badge is legible from the outside of the Vehicle;
- (b) in respect of a Vehicle displaying a Pay and Display Ticket or Parking Permit –
 - (i) the ticket or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be seen and read from the front or side of the Vehicle; or
 - (ii) in the case of a Vehicle that is not fitted with a transparent windscreen, the ticket or permit is exhibited on the front of the Vehicle facing forwards and clearly visible;
- (c) in respect of a Vehicle displaying a Hackney Carriage Plate, in the position required by the conditions licensing the Vehicle as a Hackney Carriage;

“Ticket Machine” means an apparatus of a type and design approved by the appropriate Minister for the purpose of the Act, being apparatus designed to indicate the time by a clock and to issue parking tickets which show that a payment has been made of an amount or for a specified time of such payment, or the time at which the Vehicle must leave the Parking Place;

“Vehicle” means any Electric/Plugged in Vehicle, Motor Car, Motor Cycle, Coach or other mechanically propelled automobile.

- 3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order

4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
5. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
6. The Interpretation Act 1978 shall apply for the interpretation of this Order.

PART II
DESIGNATION AND USE OF PARKING PLACES

7. Each area of land specified in the Schedule hereto may be used, subject to the provisions of this Order, as a place to leave Vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are specified in relation to that area in the Schedule.
8. Where in the Schedule to this Order, a Parking Place is described as available for Vehicles of a specified class or Vehicles to be left in a specified location, no person shall cause or permit a Vehicle to wait in that Parking Place or in any Parking Bay within the Parking Place,
 - (i) unless it is of the specified class;
 - (ii) so that it is parked beyond the Parking Bay markings; or
 - (iii) in a position other than that specified; or
 - (iv) where there are no Parking Bay markings, in such a position that obstructs the entrances to and egress from the car park or obstructs any other vehicle; or
 - (v) unless in accordance with the signing provided in the Parking Place at the time of entry or as directed by an officer who is authorised to do so by the Council
9. No person shall cause or permit a Vehicle to wait in a Parking Bay
 - (i) marked for use by disabled persons unless the Vehicle displays a valid Disabled Person's Badge in the Relevant Position and immediately before or immediately after the act of parking the Vehicle has been or is about to be used by the person(s) in respect of whom the Disabled Person's Badge has been issued
 - (ii) marked for use as a taxi bay unless the Vehicle displays in the relevant position a valid Hackney Carriage Plate,
 - (iii) marked for Motor Cycles unless the Vehicle is a Motor Cycle
 - (iv) marked for Coaches unless the Vehicle is a Coach
10. Where a Parking Place is described within the Schedule as available on specified days, during specified hours or for a maximum period of stay, no person shall cause or permit a Vehicle to park in that Parking Place on any day, during such hours or for any period other or longer than those specified.

11. When a Vehicle has been left in any Parking Bay within a Parking Place described within the Schedule as having a maximum waiting time, the Driver of the Vehicle shall not within one hour of the Expiry Time permit the Vehicle to wait again upon that or any other Parking Bay within the Parking Place
12. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in a Parking Place:
 - (i) from closing a Parking Place or any part thereof for any period; and/or
 - (ii) from setting aside a Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations
13. When suspending the use of a Parking Place or any part thereof in accordance with the provisions of the preceding Article the Council or such person duly authorised by them shall place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or traffic sign indicating that the use of that Parking Place or that part thereof is suspended and that parking by Vehicles is prohibited
14. No person shall cause or permit a Vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is suspended or during such period as there is in or adjacent thereto a notice or traffic sign placed by or on behalf of the Council in pursuance of Article 12 and Article 13.
15. No person shall in a Parking Place without the express written permission of the Council, use a Vehicle, in connection with the sale of any article , including the Vehicle itself, to any person in or near the Parking Place or in connection with the selling or offering for hire of skill or services in any other capacity
16. The Driver of a Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in the Parking Place and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.
17. The Driver of a Vehicle using a Parking Place shall not park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place
18. In respect of a Vehicle in any Parking Place, no person shall:
 - (a) shout or otherwise make any loud noise to the disturbance or annoyance of users of the Parking Place or residents or occupiers of premises in the vicinity of the Parking Place.
 - (b) use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned

- (c) use any part of it for sleeping or camping or cooking, or for the purpose of servicing or washing any Vehicle or part thereof other than is reasonably necessary to enable the Vehicle to depart from the Parking Place
 - (d) wilfully sound any horn or any other similar instrument on a Vehicle except when necessary to alert other users that the Driver is about to change position of the Vehicle in or to depart from the Parking Place
 - (e) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council
 - (f) light or cause to be lit any fire
 - (g) use any vehicle or the Parking Place for advertising or attach advertisements in any form to vehicles parked within any Parking Bay or otherwise within a Parking Place.
19. Where in a Parking Place signs are erected or surface markings are laid for the purpose of
- (i) indicating the entrance to or exit from the Parking Place, or
 - (ii) indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place,
- No person shall drive or permit to be driven any Vehicle
- (i) so that it enters the Parking Place otherwise than by an entrance or leaves the Parking Place otherwise than by an exit, so indicated, or
 - (ii) in a direction other than so specified
20. No person shall, without the permission of a person authorised by the Council in that behalf, drive or permit to be driven any Vehicle in a Parking Place for any purpose other than the purpose of leaving that Vehicle in the Parking Place in accordance with the provisions of this Order or for the purpose of departing from the Parking Place. The Council hereby excludes the use of any Parking Place as a means of passage from one place to another place and Save as provided in this Order the right of passage within a Parking Place provided by the Council is available to a person driving or being conveyed in Vehicles and does not extend to pedestrians other than the Drivers of Vehicles and their passengers leaving or returning to their Vehicles and no rights of way whatsoever over the said Parking Place other than for the purpose of parking or removing Vehicles shall be deemed to have been granted by the Council.

PART III

CHARGES FOR PARKING

21. The Driver of a Vehicle using a Parking Place shall upon leaving the Vehicle in the Parking Place pay the appropriate charge (if any) for parking as laid down for that Parking Place within the Schedule to the Order.
22. The Driver of a Vehicle using a Parking Place, or any Parking Bay within the

Parking Place, shall upon parking the Vehicle in a Parking Bay, and prior to leaving the Parking Place, either purchase a Pay and Display Ticket or make a payment by Pay by Phone at the level of charge and for the period required in accordance with the scale of charges within the Schedule to this Order.

23. Save for payment by Pay by Phone, once a Vehicle has been parked within a Parking Place the Driver of the Vehicle shall:
 - (i) ensure that a valid Pay and Display Ticket has been obtained promptly and is displayed at all times the Vehicle is parked, to cover the entire period that the Vehicle is parked in the Parking Place, and
 - (ii) display the Pay and Display Ticket issued at that Parking Place in the Relevant Position on the Vehicle in respect of which it was issued.
24. A Pay and Display Ticket is not transferable from one Vehicle to another and on transfer the Pay and Display Ticket ceases to be valid.
25. A Pay and Display Ticket is valid only for the Parking Place in which it was issued. This is defined by the reference code of the Ticket Machine located in that Parking Place printed on the Pay and Display Ticket.
26. The expiry of the period for which the appropriate charge has been paid shall be:
 - (i) where a Pay and Display Ticket ~~the has been purchased, when the time shown on the clock of the issuing Ticket Machine is later than the Expiry Time shown on the Pay and Display Ticket displayed; or is displayed the expiry time shall be conclusively determined by the time displayed on the issuing ticket machine; or~~
 - (ii) where payment has been made by Pay by Phone, the period for which payment has been made and recorded has expired.
27. If at any time while a Vehicle is left in a Parking Place no Pay and Display Ticket is displayed on that Vehicle in the Relevant Position and in accordance with the provisions of Article 23 and, in a Parking Place where Pay by Phone is in operation, confirmation of non-payment or expiry of time purchased by Pay by Phone is obtained, it shall be deemed that the charge has not been paid.
28. If at any time when a Vehicle is left during the Charging Hours in a Parking Place and on the nearest ticket Machine in that Parking Place there is a notice placed by any person duly authorised by the Council, indicating that the said Ticket Machine is out of order, then a ticket shall be obtained from another Ticket Machine within the same Parking Place (where provided). Article 29 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order whether signed as such or not.
29. Where no valid Pay and Display Ticket can be obtained and displayed, Vehicles may be left in a Parking Place but may not be left for longer than the maximum period of parking in that Parking Place as set out within column 5 of the Schedule.

30. The Council may make Parking Permits available, and these shall be at the appropriate fee (if any), for a Vehicle of a specific class and for a specific Parking Place subject to any conditions as may be determined by the Council from time to time.
31. The Driver shall abide by the terms stipulated by the Council for the use of the parking Permit.
32. A Parking Permit is only valid in the Parking Place in respect of which it was issued and up to the date of expiry shown on the Parking Permit
33. A Parking Permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is deemed appropriate by the Council, this will be provided in accordance with the Council's policies.
34. The Driver of the Vehicle shall display the Parking Permit in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is left in the Parking Place.
35. When a Pay and Display Ticket or Parking Permit has been exhibited on a Vehicle in the Relevant Position no person shall remove the Pay and Display Ticket or Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

PART IV ELECTRIC VEHICLE PARKING BAYS

36. The Council may reserve in any of the Parking Places affected by this Order a number of Pay and Display Electric/Plugged in Vehicle Parking Bays for Electric/Plugged in Vehicles. An Electric/Plugged in Vehicle may only be left in an Electric/Plugged in Vehicle Parking Bay reserved for such vehicles during the period taken to charge the vehicles battery from the Electric/Plugged in Vehicle Parking Post
37. The Council shall install and maintain in proper working order at least one Electric Vehicle Charging Post in such position as it thinks fit in the vicinity of an Electric Vehicle Parking Bay
38. No person shall except with the permission of or under the direction of a person duly authorised by the Council cause or permit any vehicle to park during the prescribed hours on the prescribed days in any of the Electric Vehicle Parking Bays unless the Vehicle is an Electric Vehicle and is parked for the purpose set out in Clause 36 above

**PART V
EXEMPTIONS FROM DAILY CHARGES**

39. No daily charge shall be payable in respect of:
- (i) a Vehicle which displays in the Relevant Position a valid Disabled Person's Badge provided that the Vehicle immediately before or after the act of parking has been used or is about to be used by the persons(s) in respect of whom the badge is issued;
 - (ii) a Motor Cycle in a marked Motor Cycle Parking Bay; or
 - (iii) a Vehicle left displaying in a Relevant Position a valid Parking Permit valid for that Parking Place
40. If at the time when the Vehicle is left in a Parking Place during the charging hours there is no Ticket Machine at the Parking Place, or all the Ticket machines at that Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the Driver of that Vehicle shall be exempt from purchasing a Pay and Display Ticket. Article 29 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order whether signed as such or not.

**PART VI
RELOCATION, REMOVAL AND DISPOSAL OF VEHICLES**

41. A person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any Vehicles left in a Parking Place.
42. Any person removing a Vehicle from a Parking Place under the provisions of Article 41 or 44 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle
43. The Council may sell or otherwise dispose of, in accordance with current legislation, a Vehicle which has been, or could at any time be, removed from a Parking Place if the Vehicle appears to have been abandoned.
44. A person authorised by the Council may, using such measures as are appropriate, move or cause to be moved to any place he/she thinks fit, any Vehicle left in a Parking Place in contravention of Article 14 and the cost of movement or removal and safe keeping shall be the liability of the Owner of the Vehicle.

**PART VII
CONTRAVENTION**

45. Save for the provisions in Articles 18. 19 and 20 if a Vehicle is left in a Parking

Place without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice may then be issued and/or the Vehicle may be removed from that location.

46. In the case of a Vehicle in respect of which a Penalty Charge is payable, it shall be the duty of;
 - (i) a Civil Enforcement Officer to serve a Penalty Charge Notice in accordance with regulation 9 of the 2007 Regulations; or
 - (iii) the Enforcement Authority to serve a Penalty Charge Notice in accordance with regulation 10 of the 2007 Regulations
47. When a Penalty Charge Notice has been attached to a Vehicle in accordance with any of the provisions of this Order, it shall not be removed or interfered with except by or under the authority of the Owner or person in charge of the Vehicle or by some other person duly authorised by the Council.
48. The particulars given in the Penalty Charge Notice attached to the Vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

PART VIII REVOCATIONS

49. The following listed Orders and all Orders having the effect of amending them, whether made by Cheshire East Borough Council or any predecessor authority, are hereby revoked:
 - i) The Macclesfield Borough Council (Off-Street Parking Places) (Civil Enforcement and Consolidation) Order 2008
 - ii) The Cheshire County Council (Tegg's Nose Country Park The Borough of Macclesfield) (Off Street Parking Places) Order 1997
 - iii) The Cheshire East Borough Council (Off Street Parking Places) (Macclesfield Area) (Amendment) (Minor) Order 2011
 - iv) The Cheshire East Borough Council (Off Street parking Places) (Macclesfield Area) (Remenham Car Park Wilmslow) (Amendment) Order 2011
 - v) Cheshire East Borough Council (Off Street Parking Places) (Congleton Area) (Charging Hours, Congleton) (Amendment) Order 2011
 - vi) Cheshire East Borough Council (Off-Street Parking Places) (Congleton Area) Order 2010
 - vii) Cheshire East Borough Council (Off Street Parking Places) (Congleton Area) (Civil Enforcement and Amendment) Order 2010
 - viii) Borough of Crewe and Nantwich (General) (Off Street Parking Places) (Consolidation)(Minor) Order 2008
 - ix) Borough of Crewe and Nantwich (General) (Off Street Parking Places) (Consolidation)(Minor)(Edleston Road Car Park, Crewe) (Amendment) Order 2008

- x) Borough of Crewe and Nantwich (General) (Off Street Parking Places) (Consolidation) (Minor) (Wood Street East Car Park, Crewe) (Amendment) Order 2008
- xi) Borough of Crewe and Nantwich (General) (Off Street Parking places) (Consolidation) (Minor) (Thomas Street East and West Car Parks, Crewe and First Wood Street Car Park, Snow Hill Car Park and Nantwich Town Football Club Car Park, Nantwich) (Amendment) Order 2008
- xii) Cheshire East Borough Council (Off Street Parking Places) (Crewe and Nantwich) (Civic Hall and Dysart Buildings Car Parks, Nantwich) (Amendment) Order 2010
- xiii) Cheshire East Borough Council (Off Street Parking Places) (Crewe and Nantwich) (Snow Hill Car Park, Nantwich) (Amendment) Order 2010
- xiv) Cheshire East Borough Council (Off Street Parking Places) (Crewe and Nantwich) (Civic Centre (Library) Car Park, Crewe) (Amendment) Order 2010

50. Insofar as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the 1984 Act and existing at the time when this Order comes into operation, that provision of this Order shall prevail

THE COMMON SEAL OF)
CHESHIRE EAST BOROUGH COUNCIL)
Was hereunto affixed in the presence of)

Head of Legal Services and Monitoring Officer

Dated this day of 2015

SCHEDULE

MACCLESFIELD

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Town Hall (Visitors Car Park only)	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All days All hours	Monday to Friday 8.00am to 6.00pm	30 minutes	0 - 30 minutes	£0.30
Town Hall including Visitors' Car Park	As above	All days All hours	Saturday and Bank Holidays 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours	£0.70 £1.10 £2.30 £3.40 £4.30

					6 - 10 hours	£5.50
Exchange Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours	£0.70 £1.10 £2.30 £3.40 £4.30 £5.50
Grosvenor MSCP	As above	All days All hours	Monday to Saturday 8.00am to 7.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours	£0.70 £1.10 £2.30 £3.40 £4.30 £5.50
Pickford Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours	£0.70 £1.10 £2.30 £3.40 £4.30

					6 - 10 hours	£5.50
Churchill Way	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours	£0.70 £1.10 £2.30 £3.40 £4.30 £5.50
Christ Church	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £3.10 £3.90 £4.30 £230.00 £875.00
Old Library	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.60 £1.00 £2.10

					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00
Park Green	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00
Parsonage Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10

					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00
Sunderland Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00
Waters Green	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10

					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00
Station	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	3 days	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					2 days	£8.60
					3 days	£12.90
Duke Street	As above with the addition of	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					4 - 6 hours	£3.90

	(v) coaches				6 - 10 hours	£4.30
					3 month Permit	£230.00
					12 month permit	£875.00
					10 hours	£5.00
Commercial Road	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 days	0 - 1 hour	£0.50
					1 - 2 hours	£1.00
					2 - 3 hours	£1.70
					3 - 4 hours	£2.50
					4 - 6 hours	£3.10
					6 - 10 hours	£3.30
					2 days	£6.60
					3 days	£9.90
					4 days	£13.20
					5 days	£16.50
					3 month Permit	£180.00
					12 month permit	£655.00
Gas Road	As above	All days	Monday to Saturday	10 hours	0 - 1 hour	£0.50

		All hours	8.00am to 6.00pm		1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours 3 month permit 12 month permit	£1.00 £1.70 £2.50 £3.10 £3.30 £180.00 £655.00
Hibel Road	As above	All days All hours	None	None	None	None
Jordangate MSCP	As above	All days All hours	Monday to Saturday 7.00am to 7.00pm	12 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 12 hours 3 month permit 12 month permit	£0.50 £1.00 £1.70 £2.50 £3.10 £3.30 £180.00 £655.00

Whalley Hayes	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour	£0.50
					1 - 2 hours	£1.00
					2 - 3 hours	£1.70
					3 - 4 hours	£2.50
					4 - 6 hours	£3.10
					6 - 10 hours	£3.30
					3 month permit	£180.00
					12 month permit	£655.00
Princes Way	As above	All days All hours	None	None	None	None
Broken Cross	As above	All days All hours	None	None	None	None
Kennedy Avenue	As above	All days All hours	None	None	None	None

WILMSLOW

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff
The Carrs (Parish Hall car park)	(i) motor cars within the provision of section 136(2) of the 1984 Act	All days All hours	Monday to Saturday 8.00am to 6.00 pm	Mon to Fri excl. Bank Hols: 3	Mon to Fri: Up to 2 hours - £0.20

	(ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act			hours Sat/Bank Hols: 10 hours	Up to 3 hours - £0.50 Sat/Bank Holidays: Up to 2 hours - £0.20 Up to 3 hours - £0.50 Up to 5 hours - £0.80 Up to 10 hours - £1.00	
South Drive (long stay section)	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	In the section of the car park signed long stay	
					0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					4 - 6 hours	£3.90
					6 - 10 hours	£4.30
					3 month permit	£230.00
					12 month permit	£875.00

South Drive (Short Stay Section)	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours	In the section of the car park outside the area signed long stay	
					0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
Hoopers	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10
					3 month permit	£300.00
					12 month permit	£1,130.00
Rex	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 3 hours	£2.10
					3 - 4 hours	£3.10

					3 month permit	£300.00
					12 month permit	£1,130.00
Spring Street	As above	All days All hours	Monday to Saturday 7.00am to 10.00pm	10 hours	0 - 1 hour	£0.70
					1 - 2 hours	£1.10
					2 - 3 hours	£2.30
					3 - 4 hours	£3.40
					4 - 6 hours	£4.30
					6- 10 hours	£5.50
					3 month permit	£300.00
					12 month permit	£1,130.00
Leisure Centre	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 hours	0 - 1 hour	£0.60
					1 - 2 hours	£1.00
					2 - 5 hours	£3.40
Broadway Meadow	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 days	0 - 1 hour	£0.50
					1 - 2 hours	£1.00
					2 - 3 hours	£1.70
					3 - 4 hours	£2.50

					4 - 6 hours	£3.10
					6 - 10 hours	£3.30
					2 days	£6.60
					3 days	£9.90
					4 days	£13.20
					5 days	£16.50
					3 month permit	£180.00
					12 month permit	£655.00

ALDERLEY EDGE

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
South Street	(i) motor cars within the provision of section 136(2) of the 1984 Act	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours unless a 3 month or	0 -1 hour	£0.40
					1 - 2 hours	£0.80

	(ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act			12 month permit holder in which case, 10 hours	2 - 3 hours 3 - 4 hours 3 month permit 12 month permit	£1.80 £2.10 £155.00 £570.00
Ryleys Lane	As above	All days All hours	None	None	None	None

KNUTSFORD

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Booths	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.40 £0.80

	3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act					
King Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £3.10 £300.00 £1,130.00
Silk Mill Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	4 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £3.10 £300.00 £1,130.00
Old Market Place	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.60 £1.00 £2.10

					3 - 4 hours 4 - 6 hours 6 - 10 hours 3 month permit 12 month permit	£3.10 £3.90 £4.30 £230.00 £875.00
Princes Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours 3 - 4 hours 4 - 6 hours 6 - 10 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £3.10 £3.90 £4.30 £230.00 £875.00
Tatton Street	As above with the addition of	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.50 £1.00 £1.70

					3 - 4 hours	£2.50
					4 - 6 hours	£3.10
					6 - 10 hours	£3.30
					3 month permit	£180.00
					12 month permit	£655.00

HANDFORTH

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
School Road	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as	All Days All Hours	None	None	None	None

	defined in section 136(5) of the 1984 Act					
Wilmslow Road	As above	All Days All Hours	None	None	None	None
Handforth Library Car Park	As above	All Days All Hours	None	Maximum 3 hours stay no return within 3 hours	None	None

PRESTBURY

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Springfields	(i) motor cars within the provision of section 136(4) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All Days All Hours	None	None	None	None

Shirleys	As above	All Days All Hours	None	None	None	None
----------	----------	-----------------------	------	------	------	------

POYNTON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Civic Hall	(i) motor cars within the provision of section 136(4) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All Days All Hours	None	None	None	None

BOLLINGTON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking	Charging Days and Hours	Maximum Period Vehicle may wait within	Tariff	
-----------------------	---------------------	--	-------------------------	--	--------	--

		Places		Charging Hours		
Pool Bank	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All Days All Hours	None	None	None	None

DISLEY

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Community Centre	i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of	All Days All Hours	None	3 hours and no return within 3 hours	None	None

	goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act					
Station Approach	As above	As above	None	None	None	None

TEGGS NOSE COUNTRY PARK

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Tegg's Nose Country Park Car Park	i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	Between 10.00am and 10.00pm on All days between Easter Bank Holiday Friday to 31 October inclusive and also ALL Saturdays and Sundays	Between 10.00 am and 10.00pm on all days of operation	None	0 - 30 minutes 30 minutes - 1 hour 1 - 3 hours 3 - 10 hours	None £0.60 £1.70 £2.00

		throughout the year				
--	--	------------------------	--	--	--	--

CREWE

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Chester Street	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All days All hours	Monday to Saturday 8:00am to 6:00pm	10 hours	0 - 1 hours	£0.70
					1 - 2 hours	£1.10
					2 - 4 hours	£2.10
					Up to 10 hours	£2.90
Civic Centre (Library)	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	All day	£2.90
					12 month permit	£460.00
Cotterill Street East	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour	£0.70
					1 - 2 hours	£1.10

Cotterill Street West	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	20 minutes	None	None
Delamere Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.70 £1.10
Edleston Road	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Gatefield Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Holly Bank	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.70 £1.10
Hope Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hours 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90

Lyceum Square	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	3 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.70 £1.10 £2.10
Oak Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Pedley Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours Up to 10 hours	£0.70 £1.10 4.50
Railway Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 days	1 day 2 days 3 days 4 days 5 days	£4.50 £9.00 £13.50 £18.00 £22.50
Victoria Centre	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 hours	0 - 1 hour 1 - 2 hours	£0.70 £1.10

					2 - 4 hours 4 - 5 hours	£2.10 £2.60
Windycote	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Wood Street East	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Wrexham Terrace	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours	£0.70 £1.10 £2.10 £2.90
Browning Street	As above	All days All hours	None	None	None	None
Edward Street	As above	All days All hours	None	None	None	None

South Street	As above	All days All hours	None	None	None	None
Lord Street	As above	All days All hours	None	None	None	None
Thomas Street	As above	All days All hours	None	None	None	None
Union Street	As above	All days All hours	None	None	None	None
West Street	As above	All days All hours	None	None	None	None
Wood Street West	As above	All days All hours	None	None	None	None
Wellington Square	As above	All days All hours	None	None	None	None
Prince Albert Street	Vehicles displaying a disabled person's badge only	All days All hours	None	None	None	None
Market Square	Vehicles displaying a disabled person's badge only	All days All hours	None	None	None	None

NANTWICH

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Bowers Row	(i) motor cars within the provision of section 136(4) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.70 £1.10

	constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act					
Bowling Green	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours 4 - 5 hours	£0.60 £1.00 £2.10 £2.60
Church Lane	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.60 £1.00
Civic Hall	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours 4 - 5 hours	£0.60 £1.00 £2.10 £2.60
Dysart Buildings	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	5 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours 4 - 5 hours	£0.60 £1.00 £2.10 £2.60

First Wood Street	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £2.90 £150.00 £555.00
Love Lane	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours Up to 10 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £2.90 £150.00 £555.00
Manor Road	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	2 hours	0 - 1 hour 1 - 2 hours	£0.60 £1.00
Market Area	As above	All days	Monday to Saturday	2 hours	0 - 1 hour	£0.60

		All hours	8.00am to 6.00pm		1 - 2 hours	£1.00
Snow Hill	As above	All days All hours	Monday to Saturday 8.00am to 6.00pm	10 hours	0 - 1 hours 1 - 2 hours 2 - 4 hours Up to 10 hours 3 month permit 12 month permit	£0.60 £1.00 £2.10 £2.90 £150.00 £555.00

CONGLETON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Back Park Street	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of	All days All hours	Monday to Saturday 9.00am to 5.00pm	10 hours	0 - 2 hours 2 - 4 hours 4 - 10 hours 3 month permit	£0.50 £1.00 £1.50 £80.00

	goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act				12 month permit	£300.00
Antrobus Street	As above	All days All hours	Monday to Saturday 9.00am to 5.00pm	10 hours	0 - 1 hour 1 - 2 hours 2 - 4 hours 4 - 10 hours	£0.30 £0.50 £1.00 £1.50
Chapel Street	As above	All days All hours	Monday to Saturday 9.00am to 5.00pm	10 hours	0 - 2 hours 2 - 4 hours 4 - 10 hours 3 month permit 12 month permit	£0.50 £1.00 £1.50 £80.00 £300.00
West Street	As above	All days All hours	Monday to Saturday 9.00am to 5.00pm	10 hours	0 - 2 hours 2 - 4 hours 4 - 10 hours 3 month permit 12 month	£0.50 £1.00 £1.50 £80.00 £300.00

					permit	
Princess Street	As above	All days All hours	Monday to Saturday 9.00am to 5.00pm	3 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.30 £0.50 £1.00
Fairground	As above	All days All hours	Monday to Saturday 9.00am to 5.00pm	3 hours	0 - 1 hour 1 - 2 hours 2 - 3 hours	£0.30 £0.50 £1.00
Blake Street/Egerton Street	As above	All days All hours	None	None	None	None
Park Street	As above	All days All hours	None	None	None	None
Rope Walk	As above	All days All hours	None	None	None	None
Roe Street	As above	All days All hours	None	None	None	None
Rood Hill	As above	All days All hours	None	None	None	None
Royle Street	As above	All days All hours	None	None	None	None
Thomas Street	As above	All days All hours	None	None	None	None
Brereton Heath Country Park	As above with the addition of (v) coaches	All days All hours	All days All hours	10 hours	0 - 1 hour 1 - 3 hours 3 - 10 hours Season	£0.60 £1.70 £2.60 £38.00

					Ticket	
					Season Ticket (Members of approved clubs)	£20.00

ACTON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Chester Road	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All days All hours	None	None	None	None

AUDLEM

Name of Parking Place	Classes of Vehicles	Days and hours of	Charging Days and Hours	Maximum Period	Tariff	
-----------------------	---------------------	-------------------	-------------------------	----------------	--------	--

		operation of Parking Places		Vehicle may wait within Charging Hours		
Cheshire Street	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All days All hours	None	None	None	None

HASLINGTON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Waterloo Road	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section	All days All hours	None	None	None	None

	136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act					
--	---	--	--	--	--	--

SHAVINGTON

Name of Parking Place	Classes of Vehicles	Days and hours of operation of Parking Places	Charging Days and Hours	Maximum Period Vehicle may wait within Charging Hours	Tariff	
Queen Street	(i) motor cars within the provision of section 136(2) of the 1984 Act (ii) motor cycles as defined in section 136(4) of the 1984 Act (iii) motor vehicles constructed or adapted for the conveyance of goods or burden the unladen weight of which does not exceed 3500 kilograms (iv) invalid carriages as defined in section 136(5) of the 1984 Act	All days All hours	None	None	None	None

CHESHIRE EAST COUNCIL

Cabinet Member- Service Commissioning

Date of Meeting: 23 February 2015
Report of: Steph Cordon, Head of Communities
Subject/Title: Car Parking Consolidation Order 2015
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. We undertook a consultation with local businesses, residents and partnerships in 2014 so as to ensure that any proposed changes to pricing policy, including off- street parking orders reflected the needs of different areas and bring more people in, to spend money. We recognise that all of the towns and villages within Cheshire East are unique and so we are not advocating harmonisation of charges across Cheshire East.
- 1.2 This report sets out a staged approach to deliver a more attractive pricing policy to improve economic vitality. After our initial consultation, we now propose to amend our proposed consolidated off-street parking places Order in order:
- 1.2.1 To introduce increased charges in two Council owned car parks located by Crewe Railway Station (Pedley Street and Railways Street) for long stay parking which would mean an increase in parking charges as shown in the table below:

No. of Days	Existing Price (£)	Proposed Price (£)
1	3.50	4.50
2	7.00	9.00
3	10.50	13.50
4	14.00	18.00
5	17.50	22.50

This is still cheaper than non-Council owned car parks. We propose to monitor the impact of these proposed charges and report back to the Portfolio Holder as to whether this has made any noticeable difference to either income or usage. We will continue as part of our broader regeneration plans to improve the offer of our town and village centres.

- 1.2.2 To amend the maximum stay period at the Community Centre Car Park in Disley to 3 hours and the South Street Car Park in Alderley

Edge to 4 hours unless a 3 mth or 12 mth permit is held and then the max 10 hours still applies.

- 1.2.3 To provide for the future introduction of electric/plugged in vehicle charging bays and associated infrastructure.
 - 1.2.4 To provide for the removal of certain car parks from the control of Cheshire East as various leases have come to or are coming to an end or the car park has been demolished; and
 - 1.2.5 To provide for the consolidation of a number of relevant parking orders into the proposed Cheshire East Borough Council (Off Street Parking Places) (Consolidated) Order 2015.
- 1.3 A proposed Order was consulted upon in September 2014. Pursuant to the consultation with local stakeholders it was decided that further amendments were required to the draft Order in order to take into account the interests of local residents and businesses and as a result it is proposed that the charges at:

Macclesfield	Christchurch
	Churchill Way
	Commercial Road
	Duke Street
	Exchange Street
	Gas Road
	Grosvenor MSCP
	Jordangate MSCP
	Old Library
	Park Green
	Parsonage Street
	Pickford Street
	Sunderland Street
	Town Hall
	Waters Green
	Whalley Hayes
	Macclesfield Station
	Total

Crewe	Chester Street
	Christchurch
	Civic Library
	Cotterill Street
	Crewe Alex
	Delamere Street
	Edleston Road

	Gatefield Street
	Hollybank
	Hope Street
	Lyceum Square
	Oak Street
	Pedley Street
	Victoria Centre
	Wood Street East
	Wrexham Terrace
	Railway Street
	Total

Nantwich	Bowers Row
	Bowling Green
	Church Lane
	Civic Hall
	First Wood Street
	Love Lane
	Manor Road
	Market Area
	Snow Hill

will remain as they currently are and will not be subject to change.

2.0 Recommendations

- 2.1 To approve and authorise for statutory consultation, amendments to the proposed traffic regulation order under the Road Traffic Regulation Act 1984 to introduce and consolidate the off street parking restrictions, as set out in paragraphs 1.2 and 1.3 above, and in the event that no objections are received, or where objections are made but withdrawn then authorise the making of the order.
- 2.2 That the Investigations Manager and Interim Parking Services Manager be authorised to implement the Order.
- 2.3 That the impact of the proposed order be measured over 12 months and be reported back to the Portfolio Holder.
- 2.4 To support the continued improvements within the CEO team as **detailed below** which will support the development of a parking strategy enabling a service review and redesign of civil enforcement to provide a more effective service by July 2015.

3.0 Reasons for Recommendations

To ensure that appropriate enforcement is accommodated within a consolidated Order

- 3.1 To bring the daily charge for commuter parking at two station car parks in Crewe in line with others within the Borough
- 3.2 To take account of some updated car park control provisions
- 3.3 To allow for the introduction of Electric/Plugged in vehicles
- 3.4 To allow the focus of enforcement to change, gradually shifting onto the following types of things:-
 - Where unlawful or inconsiderate parking stops traffic (or the flow of traffic)
 - Where cars parked on pavements block the walk way for pedestrians who then have to go into the road to pass the cars (particularly in school areas)
 - Where the unlawful or inconsiderate parking is dangerous
 - Where emergency vehicles are prevented from travelling down the highway
 - Where spaces are taken up which should be used for disabled people

Allowing for exceptional events and circumstances and engaging with the community at such events by handing out leaflets and conducting surveys rather than giving out fines

4.0 Wards Affected

- 4.1 All – Specifically Crewe for the Station Car Park increases

5.0 Local Ward Members

- 5.1 The consultation on the order will include views from Ward Members and they will be encouraged to report in on views 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 consolidated Order will ensure appropriate enforcement takes place, even on free short stay car parks.
- 7.2 A more focused and supported team will be able to ensure that those areas in need of parking enforcement action alongside support at specific events will obtain that support irrespective of whether any Penalty Charge Notices are issued and irrespective of whether it is on street or off street, where the law allows us to enforce in such areas.

8.0 Financial Implications

- 8.1 The additional income from changing ticket prices for the Crewe railway station car parks is estimated at up to £25k (albeit based on no change in the number of ticket sales).
- 8.2 Based on total costs and income in 2013-14, removing car park spaces at the car parks noted in the table below may lead to a net loss of income to the Council of some £108k; though other car parks may be used as alternatives.

Car Park	Net cost / (income) in 2013-14
King Edward House, Macclesfield	£1,578
Festival Hall, Alderley Edge	-£6,621
Christ Church, Crewe	-£91,389
Parade, Alderley Edge	£13,321
Crewe Alex	-£25,295
Total	<hr/> -£108,407 <hr/>

- 8.3 The impact of changing the nature of work of the Enforcement team may affect income levels, but this is difficult to estimate at this point. It is suggested that the effects are monitored and reported to the Portfolio Holder, when the position is clearer.

9.0 Legal Implications

9.1 Section 122 Duty

Section 122 of the Road Traffic Regulation Act 1984 ("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;

9.1.1 *'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.*

9.1.2 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.

9.2 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).

9.5 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. This exercise was carried out in September 2014 and there were no objections made to the proposed order.

- 9.6 The Regulations also provide that a local authority may modify a proposed order, whether in consequence of any objections or otherwise. However, before such an order is made, the authority must take such steps as appear to the authority appropriate for:
- (a) informing persons likely to be affected by the modifications;
 - (b) giving those persons an opportunity of making representations; and
 - (c) ensuring that any such representations are duly considered by the authority.
- 9.7 Failure to consider any such objections would pose a risk to any subsequent decision.

10.0 Risk Management

- 10.1 There is a risk that those affected negatively by the increased charges at long stay car parks in Crewe may complain about the proposals. However, the proposed increases are still cheaper than those of non-Council car parks.

11.0 Background and Options

- 11.1 Cheshire East Council as a residents and business first Council wish, subject to consultation, to set charges for parking which reflect local pressures and needs. 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. 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.
- 11.2 The changes proposed will:
- Improve economic vitality of town centres by getting people on the High Streets spending money and enjoying leisure and cultural activities.
 - Understand and respond to the uniqueness and differences in our areas.

- Provide affordable and attractive parking based on needs of local people, visitors, people with disabilities, businesses and shops.
- Keep traffic moving.
- Maintain the reputation of the Council as one that puts residents and businesses first.

11.3 The following have been taken into account when making these changes.

- Housing, Employment and Regeneration opportunities
- Sustainable Transport Options
- Potential impact on Council Finances

12.0 Access to Information

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

Name: >Steph Cordon
Designation: > Head of Communities
Tel No: >868401
Email: >steph.cordon@cheshireeast.gov.uk