

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/> <u>-£108,407</u>

- 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