

**CAR PARKING REVIEW 2009
(Report by the Democratic and Central Services)**

1. INTRODUCTION

- 1.1 The purpose of this report is to consider the Cabinet's decision on the Car Parking Review 2009, which has been called-in for scrutiny by the requisite three Members of the Panel.

2. BACKGROUND

- 2.1 The Overview and Scrutiny Panel (Environmental Well-Being), on 9th February 2010, considered a report by the Head of Planning Services seeking authorisation to introduce a range of measures through the making of a revised Off-Street Parking Places Order for implementation from 1st June 2010. A copy of the report has been attached as an Appendix. Having considered the report, Members raised concerns over the possible implications of introducing charging at Riverside Park, St Neots. Given that footfall in St Neots has fallen and that the town is suffering from traffic congestion, it was felt that the implementation of parking charges at Riverside Park would further exacerbate these issues and would increase air pollution in the town centre. The Panel, therefore, invited the Cabinet to consider allowing 3 hours free parking in the whole of Riverside Car Park, which would benefit shoppers who wish to park there and those who want to use the Park for leisure and recreational purposes. The Panel suggest that an appropriate charge should be set for those who park longer than 3 hours with payment on exit which may reduce enforcement costs.
- 2.2 The Cabinet, at their meeting held on 11th February 2010, also considered the report by the Head of Planning Services and, as a result, decided that:
- (a) the provision of 38 spaces offering 2 hours free parking in a demarcated area at Riverside Car Park, St. Neots should be included as part of an Off-Street Parking Places Order 2010 for planned implementation on 1st June 2010;
 - (b) that the Car Parking Working Group should be requested to consider those issues raised by the Overview and Scrutiny (Environmental Well-Being) Panel and the promotion of environmental issues at the end of the statutory consultation period; and
 - (c) that the Director of Environment and Community Services should be authorised, after consultation with the Executive Councillor for Planning Strategy and Transport, to make and confirm Off-Street Parking Places Orders in future years involving any changes of minor significance and reviews of charges in line with inflation.
- 2.3 Following publication of the Cabinet's decision, Councillor P M D Godfrey, K M Baker and D Harty called-in the decision. The reasons

given for the call-in are that the decision takes no account of the issues raised by the Overview and Scrutiny Panel. The decision will:

- lead to more cars and vehicles parking in areas adjacent to the car park and increased use of the town centre car parks;
- create additional congestion in the High Street and town centre;
- increase pollution in the High Street, in an area identified by Environmental Health as above accepted levels;
- continue the reduction in retail footfall currently being experienced in St Neots, and
- reduce visitors and tourism opportunities.

The decision is 'called-in' to enable further consideration before the Order is made and for the Panel to raise the issues directly with the Cabinet.

- 2.4 The Panel is therefore invited to consider the decision of the Cabinet. The appropriate Executive Councillor, Councillor D B Dew, has been invited to attend.

3. CALL-IN

- 3.1 Members are reminded of the guidance for call-in as set out in paragraph 14 of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

- 3.2 The Panel has various options which are as follows:-

- ◆ if, having considered the matter, the Panel is still concerned about it, then it may be referred back to the Cabinet for reconsideration, setting out in writing the nature of the Panel's concerns or the Panel can refer the matter to full Council. If referred back to the Cabinet, the latter would then be required to reconsider their decision within a further 10 working days, amending the decision or not, before adopting a final decision;
- ◆ if the Panel decides not to refer the matter back to the Cabinet, the decision shall take effect from the date of the Overview and Scrutiny Panel meeting;
- ◆ if the matter is referred to full Council and the Council does not object to the decision which has been made, then no further action is necessary and the decision will become effective on the date of the Council meeting; or
- ◆ if the matter is referred to full Council and they decide to object, they have no ability to make decisions in respect of an executive decision unless it is contrary to the policy framework or contrary to or not wholly consistent with the budget. Unless this is the case, the Council can refer any decision to which it objects back to the Cabinet, together with the Council's views on the decision. The Cabinet can then decide whether to amend the decision or not before reaching a final decision and implementing it.

4. PROCEDURE FOR MAKING AN ORDER

- 4.1 The procedure for making an Order is closely prescribed and takes some time to complete. Once the decision to make an Order is taken it is advertised in a local newspaper and sent to various prescribed consultees. There is then a four weeks period in which comments can be made. Any comments must be reported to the Cabinet and the Cabinet must decide whether to hold an inquiry to consider them. If it is decided that an inquiry is not required and the Order is confirmed with or without modifications, it then has to be advertised again giving an opportunity for representations to be made to the High Court within six weeks concerning the procedure the Council has used to bring the Order into force. Subject to there being no objections, the Order takes effect from the end of this period.
- 4.2 The date on which an Order would come into force clearly depends on the option the Panel takes. If the Panel takes the first option above, the timetable for making an Order would be as follows:

16 March	Cabinet reconsiders decision
24 March	Order published
21 April	Consultation period ends
22 April	Cabinet considers objections (if any)
30 April	Call-in period ends
5 May	Order published second time
16 June	Period for representations to High Court ends
1 July	Order comes into force (if no representations)

This table has been devised on the assumption that the Cabinet will hold a special meeting on 16th March to consider the Overview and Scrutiny Panel's comments. It is usual for Orders to apply from the start of a month.

- 4.3 Alternatively, if the Panel took the second Option, the Order could be advertised immediately and the need for the Cabinet to meet again would be removed. If the Order was advertised on 9th March, the Cabinet could consider any objections any time after 7th April and, applying the same timescale as above, the Order could come into force on 1st June as originally intended.
- 4.4 A decision to refer this matter to full Council would considerably delay the process as the next meeting is not until 21st April 2010.

5. RECOMMENDATION

- 5.1 The Panel is invited to consider how to respond to the call-in of the decisions by the Cabinet relating to the Car Parking Review 2009.

BACKGROUND PAPERS

Council Constitution
Car Parking Review 2009– Cabinet Report, 11th February 2010

Contact Officer: Tony Roberts

 (01480) 388015