Decisions of the Cabinet Member for Highways and Environment
(Councillor Crompton)

28\textsuperscript{th} January, 2016 at 5.15 pm
at the Sandwell Council House, Oldbury

Observer: Councillor Dhallu.

1/16

Previous Decisions

The formal record of the decisions taken by the Cabinet Member for Highways and Environment on 17\textsuperscript{th} December, 2015 were confirmed.

Business Matter

2/16

Objections Arising From The Advertising of the Borough Council of Sandwell (Off Street Parking Places Order No. 23) 2016

It was reported that on 11\textsuperscript{th} November 2015, the Cabinet approved proposals to advertise changes to the Borough Council of Sandwell (Off Street Parking Places Order), which included the introduction of paid for parking at Sandwell Valley Country Park and Dartmouth Park, West Bromwich (see Minute No. 189/15).

The changes to the Order were formally advertised from 26\textsuperscript{th} November to 31\textsuperscript{st} December 2015. Objections had subsequently been received during this period.
A petition containing 122 signatures had been received objecting to the proposals as it was felt that it would discourage visitors to park.

The petition requested that the Council reconsider the introduction of parking charges at Sandwell Valley Country Park and any other parks in Sandwell, or to restrict charges to peak times in the summer months.

In addition, during the statutory consultation period, the Council had received 45 representations objecting to the proposed introduction of paid for parking. Details of each concern raised and the Council’s response were submitted.

Objections were received in relation to the displacement of parking to Forge Lane and Park Lane, West Bromwich creating safety issues. Residents of Lloyd Street, Dagger Lane, Slaithwaite Road and Woodward Street, West Bromwich currently experienced problematic parking at weekends and during peak periods in the summer and on event days.

The following objections were made relating to the proposed charges:-

- in winter months, free parking after 6pm was unlikely to benefit visitors as the car parks were closed;
- the car parking charges at Sandwell Valley would rise over time;
  parking charges would reduce the number of visitors and regular users would avoid the parking charges by using other nearby parks;
- car parking charges would go against the Council’s campaign to encourage people to exercise.

The Cabinet Member informed the objectors that it was not anticipated that the parking charge would cause significant decline in the number of visitors to Sandwell Valley.
The following concerns were raised relating to the Dartmouth Park Trust:

- parking charges could not be used to fund new attractions;
- the Council were planning to charge for a facility they did not own;
- charges would conflict against Council policy to encourage people to exercise and would also be in contradiction of the Council's aim to promote cycling because people would be discouraged from bringing cycles into the Valley by car;
- the land concerned was gifted by the former Earl of Dartmouth to the people of West Bromwich under perpetual Deed of Covenant. Objectors’ understanding was that the Deed of Covenant was conditional on free access being granted to the area. This condition had been observed for many decades and objectors explained that any variation from it would be prohibited by the relevant authorities including the Charity Commissioners.

The Cabinet Member informed objectors that The Dartmouth Park indenture of 1919 and the covenants that were attached to the land only applied to lands identified in the indenture. The only car park that was within the provisions of the indenture was the existing Lloyd Street car park. The Council owned the land at Dartmouth Park as Trustee to permit the land to be used as a public park or open space. The Lloyd Street car park was within Dartmouth Park land. It was not provided by the Council as Highway Authority under the provision of the Road Traffic Regulations Act. It was therefore proposed to remove Lloyd Street from the Borough Council of Sandwell (off street parking places order).

Further representations were made by objectors outlining additional concerns which they raised with the Cabinet Member at the meeting relating to:

- the lack of notification to residents on the consultation process;
- the time of the Highways and Environment Decision Making Session;
- legal advice;
- how the traffic counts were collated;
- the installation of the wiring and cables around the Valley carpark.
The objectors were subsequently informed that:-

- the wiring and cables were installed for the lighting around the Valley and that the pay and display units were powered by solar panels;
- the consultation period had been extended over the Christmas period to enable residents and visitors to the Valley to make any objections;
- the consultation period had lasted a total of seven weeks;
- notices had been placed around Sandwell Valley and Dartmouth Park;
- press articles had been published and the Council had written to local residents;
- traffic counts had been taken over various times and days, including season variation.

Having considered the objectors’ concerns, the Cabinet Member clarified that:-

- the income from charges would be used for the maintenance of Sandwell Valley and the proposed leisure facilities were ideas for a future development;
- the areas in which charges were not permitted in Sandwell Valley and Dartmouth Park under the Road Traffic Regulations Act would be omitted from the off street parking places order;
- car parking charges would not stop visitors from accessing the park;
- the Council acted as the trustee for Dartmouth Park and no separate trust group was being set up;
- the money raised from car parking charges would be used towards the maintenance and operation of the car parks at Sandwell Valley. Should there be a surplus after the costs of maintenance has been recovered, this surplus would be used for environmental improvements at Sandwell Valley Park;
- car parking charges would operate seven days a week.

The Cabinet Member considered further representations from the local ward councillor requesting that car parking charges at Sandwell Valley and Dartmouth Park not be implemented.

The Cabinet Member subsequently adjourned the meeting to consider all representations now received.
Having considered all objections and representations received, the Cabinet Member was of the opinion that the issues raised did not merit requesting the Cabinet to reconsider its decision to introduce paid for parking within Sandwell Valley.

However, the Cabinet Member was minded to recommend to Cabinet that the hours of paid for parking at Sandwell Valley be amended to 9.00am to 3.00pm during the winter months, October to March in which daylight savings took place.

An equality impact assessment had been carried out for this proposal.

**Decision:-**

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<td>(1) that the Cabinet be recommended to:-</td>
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<td>(a) remove the Lloyd Street car park, West Bromwich from The Borough Council of Sandwell (Off Street Parking Places Order No.23) 2016;</td>
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<td>(b) amend the paid for car parking charges at Sandwell Valley Country Park, West Bromwich during the winter months, October – March to apply from 9.00am to 3.00pm;</td>
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<td>(2) that no action be taken in response to objections received in relation to the introduction of parking charges in Sandwell Valley Country Park, West Bromwich;</td>
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(3) that in connection with Decision (1) above, the Director – Regeneration and Economy inform the objectors of the decision of the Cabinet Member for Highways and Environment.

(Proceedings ended at 6.58pm following an adjournment between 6.33pm and 6.52pm)