

Submission by the Greenway Rota Group*

to the

Cabinet of Warwickshire County Council

on 14 April 2016

**OBSERVATIONS ON AND OBJECTIONS
TO THE
PROPOSAL TO INTRODUCE PARKING CHARGES
AT THE
STRATFORD-UPON-AVON GREENWAY**

* The Greenway Rota Group is the group of local residents who, on a voluntary basis, have locked and unlocked the gate at the Seven Meadows Road entrance to the Stratford Greenway every day of the year since December 2010

RECENT BACKGROUND**1. 24 January 2007**

- a. On 24 January 2007 a proposal to introduce parking charges was unanimously rejected by the then Stratford-on-Avon Area Committee of Warwickshire County Council.
- b. The report submitted to the Area Committee at the time by its officers contained no detailed business case.
- c. Objections raised before the Area Committee included:-
 - i. A lack of any such business case.
 - ii. A real fear of ‘displacement parking’ (sometimes referred to as ‘parking creep’) into the unrestricted residential streets adjacent to the Seven Meadows end of the Greenway (e.g. Old Town Mews, Wetherby Way, Sandfield Road and adjoining streets).

Apart from the obvious inconvenience and disturbance for residents, it was noted that this could also adversely affect access and egress by emergency vehicles (something later recorded again by the Warwickshire Observatory in 2015 its report in connection with the current proposals).
 - iii. Overwhelming objection by local residents and their declared frustration at the views of council officers in not working sympathetically with them.
 - iv. Any such proposals should have been seen in the light of the overall parking situation in the town.
 - v. The introduction of charges at the Milcote end could result in dangerous displacement parking on the country road by which it is approached.

NOTE:

Recent experience suggests that this is still a problem even without parking charges.

Indeed, it may have increased of late – possibly vehicles from recent developments south of the town such as Meon Vale seeking access to the Greenway without coming into Stratford itself.

- b. The present Leader of the County Council and Cabinet member (Councillor Izzi Seccombe) was a party to that unanimous vote.
- c. Councillor Chris Saint was also a member of the Area Committee and therefore a party to that unanimous vote and, in his current capacity as Leader of Stratford-on-Avon District Council, he has already written (in 2015) to the Cabinet to renew his objections to the current proposal.

2. DURING 2010

- a. There was apparently a further attempt by officers to introduce parking charges in the first part of 2010 via the then portfolio holder (believed to be Councillor Alan Cockburn who is a member of the current Cabinet).

- b. When this became public knowledge, local objectors called a very well attended public meeting at which representatives of the council were again unable to produce any detailed business case.
- c. In the face of massive public objection (and the apparent suggestion at the time by objectors that an inappropriate procedure was being attempted) the proposal was abandoned in favour of the current arrangement with local residents.

This has seen the rota group successfully unlock and lock every day of the year (including Christmas Day) since December 2010.

3. **16 JULY 2015**

- a. On this date a third attempt to introduce parking charges came before the Cabinet.
- b. Again, no detailed business was presented.
- c. Despite objections again being put before the Cabinet by various councillors, residents and consultees, the Cabinet, rather than rejecting the proposal, decided to postpone consideration pending the submission of a detailed business case which will now come before Cabinet on 14 April 2016 in one form or another.

CONSIDERATION OF ANY POSSIBLE BUSINESS CASE

1. **BUSINESS CASE NOW PRESENTED BY COUNTRY PARKS**

The business case data from Country Parks (which only came into the public domain formally this afternoon) indicates that two possible sets of potential **GROSS** receipts will be presented to Cabinet:-

- £27,880 (based on 50p for the first hour and 50 per hour thereafter)
- £44,241 (based on £1.00 for the first hour and then 50 per hour thereafter)

a. **£27,880**

- i. This assumes 20% displacement and a 30% take up of £36 annual passes
- ii. If the management of the car park (including locking and unlocking) were then, as intimated, to be given over to an as yet unspecified commercial body on a suggested 50:50 basis it is now being claimed that the net annual accrual to Country Parks would be £13,940
- iii. Such a projection appears flawed for at least the following reasons:-
 - The capacity of the Seven Meadows car park is, in practice and from our observations, much closer to 100 and not 120 so this aspect of the projection appears exaggerated by some 20%

- As noted below, the June 2015 Warwickshire Observatory report recorded:-

Some 50% of respondents would visit Stratford Greenway 'much less often' if the Council were to enforce the proposed changes

This appears not to have been factored in to its full potential impact.

- As noted above, Greenway users at the Milcote end already park on the roadside so why would they change their habits if the car park there ceased to be free?

This could result in minimal use of (and revenue from) that car park.

- A gross receipt of £27,880 would equate to a very optimistic (and unrealistic) average of well over 152 vehicles every day of the year paying 50p per hour for what appears, from our detailed observations, to be the average dwell time for leisure users of under one hour (given that the 30% annual pass holders would be paying mere pence a day).
- No indication has been seen of any figure below which a commercial company would not consider its own involvement viable.

b. £44,241

- i. This assumes 25% displacement and a 30% take up of £36 annual passes
- ii. If the management of the car park (including locking and unlocking) were then, as intimated, to be given over to an as yet unspecified commercial body on a suggested 50:50 basis it is being suggested that the net annual accrual to Country Parks would be £22,120

iii. Such a projection appears flawed for at least the following reasons:-

- The capacity of the Seven Meadows car park is, in practice and from our observations, much closer to 100 and not 120 so this aspect of the projection appears exaggerated by some 20%
- As noted below, the June 2015 Warwickshire Observatory report recorded:-

Some 50% of respondents would visit Stratford Greenway 'much less often' if the Council were to enforce the proposed changes

This appears not to have been factored in to its full potential impact.

- As noted above, Greenway users at the Milcote end already park on the roadside so why would they change their habits if the car park there ceased to be free?

This could result in minimal use of (and revenue from) that car park.

- A gross receipt of £44,241 would equate to a very optimistic (and unrealistic) average of well over 121 vehicles every day of the year paying £1.00 per hour for the average dwell time for leisure users of under one hour (given that the 30% annual pass holders would be paying mere pence a day).
- A charge of £1.00 for the first hour would directly and disproportionately affect the core leisure users whose general dwell time is, according to our detailed observations, under one hour.
- The likelihood of displacement/parking creep is, therefore, greatly increased.
- The possibility of £1.00 for the first hour was not aired in the preparatory 2015 survey/consultation (see Paula Cheesman's letter to local residents of 27 January 2015) and would then, it is suggested, invalidate the basis of that survey/consultation.

This would then leave the new proposal of £1.00 for the first hour totally unsupported by prior public consultation.

Any possible last minute reversion at Cabinet to 50p might present as merely a device.

- The mere mention at this stage of such an amended charging structure is, of itself, clear evidence that the structure that was originally aired in 2015 would inevitably creep up and within a very short period.
 - No indication has been seen of any figure below which a commercial company would not consider its own involvement viable.
- c. It is understood that, even if approval to introduce charges were to be given by the Cabinet on 14 April, it would be quite a few months before any contract could be entered into with a commercial body and the new regime implemented.

Given that the present arrangement with the rota group was predicated on the basis of no charges being imposed then, given the inevitable collapse of that arrangement, there appears to be no identified interim arrangement to cover locking and unlocking in the meantime.

There is then the danger, especially over the summer months, of a return to past public order problems at the site with the resulting burden on the police.

At the time the current submission was being prepared it appeared that Country Parks had not consulted with the local police about this aspect of their proposals or about their proposals in general.

- d. Once the Seven Meadows car park presents and becomes known as a general Pay & Display facility then its core usage would doubtless change from its currently claimed intended use as an adjunct to a leisure facility.

It is quite conceivable that for at least five days a week (and increasingly for seven days a week as the shopping/working week continues to expand) commuters, shop workers etc would see the £36 p.a. annual pass (with a short walk into town) as

eminently preferable to daily car parking charges in the town centre or to the £500 p.a. annual pass applicable in certain town centre car parks.

The morning queues of traffic coming into town along the whole of the Seven Meadows Road from the Shipston Road roundabout are already considerable and it is quite possible that a commuter, on noticing the new profile of the Seven Meadows car park, might think it well worth £36 p.a. to avoid, if nothing else, the second part of that queue as it continues into town.

This could then have the following potential consequences:

- The more realistic number of 100 places at Seven Meadows could be snapped up for a large part of the week by pass holders but with a corresponding annual **GROSS** income to Country Parks of not much more than £3,600.
 - The District Council, for its part, could lose up to £50,000 a year if those 100 users were to have moved away from buying its £500 annual passes in the town centre.
 - There could be dangerous queues on Seven Meadows Road as annual pass holders and/or leisure users wait to get in as soon as possible after the opening time to be sure of obtaining a space.
 - The car park could then be full from shortly after 8.00 a.m. with minimal movement (and, therefore, minimal further income generation) for the rest of the day (any suggested earlier opening time would not alleviate this possibility).
 - Those then unable to gain entry (pass holders or the core leisure users) would doubtless seek an immediate alternative in adjoining residential streets.
- e. This would completely undermine any revenue estimates presented by Country Parks.
- f. A local resident will register to attend to address the Cabinet on further aspects of this matter (especially the methodology used to arrive at the numbers of potential users, any extrapolation there from and the final projections said to arise).

2. DATA COLLECTED BY THE ROTA GROUP

- a. The group undertook full-day data collection exercises at the Seven Meadows car park with the following results:-

	MONDAY 23.11.2015 Weather fine	SUNDAY 29.11.2015 Weather fine	SUNDAY 28.2.2016 Weather fine	SUNDAY * 13.3.2016 Weather fine
Number of vehicles that exited within a few minutes of entering the car park (e.g. dropping somebody off, drinking a coffee, having a cigarette, killing time etc) – it is assumed that such users would not wish to pay parking charges in such circumstances.	33	17	17	48 This is massively distorted by factors on the day – please see below

	MONDAY 23.11.2015 Weather fine	SUNDAY 29.11.2015 Weather fine	SUNDAY 28.2.2016 Weather fine	SUNDAY * 13.3.2016 Weather fine
Number of vehicles where occupants walked off in the direction of town and didn't return for some time (shoppers, workers etc – not the intended core users of the Greenway)	16	16	27	30
Number of vehicles overall where occupants clearly used the Greenway itself for leisure purposes	99	98	117	290
Average dwell time for the leisure users in the box above	43 minutes	50.45 minutes	48 minutes	64 minutes
Potential GROSS daily income based on 50p an hour from the declared target leisure users of the Greenway	£49.50	£49.00	£58.50	£145
Adjusted potential GROSS daily income to take account of the possible full impact of the statement by the Warwickshire Observatory in its report of June 2015:- <i>Some 50% of respondents would visit Stratford Greenway 'much less often' if the Council were to enforce the proposed changes'</i>	£24.75	£24.50	£29.25	£72.50

*The car park was overwhelming busy on 13.3.2016.

Not only was it the first fine day for quite a while, it also came immediately after the heavy floods in the town a couple of days beforehand which were still significantly affecting the recreation ground and many walks along the river.

It doubtless then saw artificially inflated usage displaced from other parts of the town.

The usage on this date is probably as high as it will ever get but should, by no means, be taken as any indication of a norm.

The potential gross income figures above have assumed that, given an average dwell time of 64 minutes, most users (especially given a pay on entry system) would in reality restrict their usage to no more than 60 minutes rather than pay an extra 50p for the further 4 minutes.

This is a fundamental problem with a pay on entry system for such a facility – leisure users will be reluctant to pay for more time than they usually take just to avoid a possible penalty notice by unintentionally prolonging their stay.

Spot checks on the following Sunday (also a fine day) showed a reduction of around 50%, something much nearer to the usual fine weather levels.

- b. Our further observations over the past 7-8 months suggest that the extent of usage does, in fact, depend as much (if not more) on the weather as on any seasonal factors as such and, when the weather is bad, usage of the Greenway (and therefore of its car park) decreases significantly.

It is suggested, therefore, that it is necessary to base any projected GROSS income on a broad spectrum of usage and not on a best case scenario.

OTHER OBJECTIONS RAISED BY THE ROTA GROUP AND THE PUBLIC

(To be considered alongside all objections presented to the 16 July 2015 meeting of the Cabinet)

1. PARKING CREEP and RESTRICTED ACCESS/EGRESS

- a. These were issues raised before and by the former Area Committed itself at its meeting in January 2007 and clearly formed part of its reasoning to reject the charging proposal at that time.
- b. Since then parking problems in the area have clearly increased (regardless of how caused) e.g.
 - At the time the present submission was being prepared notice had been given by WCC of its intention to impose increased parking restrictions on Sandfield Road, clearly to deal with a worsening parking problem being experienced there.
 - Parking restrictions have recently been imposed by WCC on areas such as Mill Lane (formerly one of the very few unrestricted roads giving access to the walking routes around the area of the Greenway).
 - Cherry Orchard and neighbouring residents are believed to have already raised parking concerns with local county councillors.

Such increased parking restrictions will, of themselves and without more, have the knock-on effect of causing any vehicles so displaced to seek parking in the few still unrestricted residential areas such as Old Town Mews and Wetherby Way.

NOTE:

Since the recent introduction of parking restrictions in Mill Lane this road is virtually devoid of cars for most of the time (including late at night when one would have assumed that the 'resident' permit holders would be at home).

The 15+ vehicles that previously parked there without charge will already have been displaced into other streets.

Such piecemeal parking measures (including the present proposal at the Greenway) therefore serve only to complicate the problem and move it to another area without really solving anything in a coordinated and sensitive manner.

- c. It has already been noted above that the Warwickshire Observatory reported in 2015 that:-

'Some 50% of respondents would visit Stratford Greenway much less often if the Council were to enforce the proposed changes'.

Such respondents may, of course, instead choose to continue to use the Greenway but find free parking on the adjoining residential streets – on the figures in the table above this could potentially push at least 50 of their vehicles a day onto such streets.

- d. Parking is a major problem that applies across many parts of the town and, therefore, requires a local coordinated, town-based consideration and resolution involving the County Council, the District Council and the Town Council.

The present proposal in respect of the Greenway can only serve to exacerbate matters and compromise any solution.

This was clearly recognised by the former Area Committee in its minutes of June 2007:-

'There was a need to have regard to the parking situation in Stratford on Avon as a whole'

Nothing has changed – if anything, that need has become even greater.

A local resident will register to attend to address the Cabinet on further aspects of this matter.

2. **THE CHARACTER OF THE GREENWAY AND POTENTIAL CHANGES TO THAT CHARACTER**

- a. The Stratford Greenway is fundamentally dissimilar to any other Country Parks sites and in particular to the other three greenways in Warwickshire in that:-
 - The greenway site and car park at Ufton Fields are not managed by WCC
 - The car park adjoining Offchurch Greenway is not owned by WCC
 - There is no off-street parking at the Kenilworth Greenway
 - The Stratford Greenway is the only WCC greenway that is within the direct curtilage of a town centre and immediately adjoins significant residential streets
- b. It is clear from the above that the introduction of parking charges at the Stratford Greenway has the obvious potential to:-
 - Drive away the core (often family) leisure users - in the face of a declared Government drive to encourage the taking of more exercise
 - Suck in commuters and shoppers
 - Adversely affect the nature of the adjoining residential areas
- c. The Stratford Greenway then has its own totally individual character within the town, one that should not be compromised by an insensitive and uncoordinated parking measure.

3. **FAILURE TO TAKE ACCOUNT OF RELEVANT GOVERNMENT GUIDANCE**

A local resident will register to attend to address the Cabinet on this aspect.

4. **WIDER FINANCIAL CONSIDERATIONS**

- a. Information provided by the Country Parks Department itself in 2015 disclosed that the Stratford Greenway, after disaggregating its otherwise centralised costings system, operates with an annual revenue surplus:-

ANNUAL INCOME		
• Leases (carriages & racecourse)	£14,541	
• Events	£7,687	£22,228
ANNUAL APPORTIONED REVENUE OUTGOINGS		
• Flail mowing	£1,000	
• Fence renewal	£5,000	
• Ranger time	£ 12,000	
• Waste disposal& fuel etc	£1,000	£19,000
APPARENT ANNUAL REVENUE SURPLUS		£3,228

Notes:

- In addition, the value of the contribution by the volunteer rota group (which has now been in operation for over five years) is very conservatively put at at least £7,500 to £8,000 p.a.
 - In the case of certain externally organised events at the Greenway, the volunteers have been asked to unlock as early as 7.00 a.m. (thereby positively facilitating the generation of fees from those events and without the need for a paid council employee or agent to turn out both at a weekend and very early in the morning, presumably on overtime)
 - Any reduction in the recreational use of the Greenway brought on by the introduction of parking charges could, of course, adversely affect the financial viability of the two privately run businesses at the Carriages thereby potentially threatening that existing source of revenue to Country Parks. Along with the cost of parking, the loss of these facilities (the only real additional facilities currently provided by anybody at the Stratford Greenway) would then further reduce the attractiveness of the Greenway as a leisure site.
- b. It has been made clear to us that any potential net accrual (of whatever size) to Country Parks from the introduction of parking charges at the Stratford Greenway will not be hypothecated to that site but will find its way into the general Country Parks pot in which the Stratford Greenway would have to compete with other sites for its application.

There is then no guarantee that any part of any net income raised from the current proposals will go towards the Stratford Greenway itself, let alone balancing the consequential inconvenience/cost to local residents or towards benefiting the immediate locality.

- c. Given the increasing development to the south of the town, it is understood that the suggestion has already been made that consideration might be given to trying to capitalise parts of the future works at the Stratford Greenway and making application as appropriate to the Community Infrastructure Levy Fund.

This, it is suggested, would be a far more financially and socially preferable approach.

5. **FAILURE TO TAKE PROPER ACCOUNT OF THE INTERESTS AND OBJECTIONS OF OTHER INTERESTED PARTIES, INCLUDING LOCAL RESIDENTS AND COUNCIL TAX PAYERS**

- a. Objections have already been made in connection with the current deferred proposals by, amongst others:-
- i. Nadhim Zahawi, the MP for Stratford-upon-Avon (objections originally made in 2010 and again in 2015 in respect of the current postponed proposal).

- ii. Councillor Chris Saint, the Leader of Stratford-on-Avon District Council (by way of vote in 2007 and by way of letter to the Cabinet in 2015 in respect of the current postponed proposal).
- iii. Stratford-upon-Avon Town Council in 2015 in respect of the current postponed proposal.
- iv. County (as well as District and Town) Councillors Jenny Fradgley and Kate Rolfe in 2015.
- v. It is understood that they will attend on 14 April 2016 to renew their objections.
- vi. District Councillor Molly Giles (whose Shottery Ward includes Wetherby Way and Sandfield Road) in 2015 and subsequently to be renewed for 14 April 2016.
- vii. As reported by the Warwickshire Observatory in its preparatory report of June 2015:-
 - The vast majority of the 198 online questionnaire responses as well as the 47 from a paper questionnaire (with 79% overall directly objecting).
 - The 141 local residents who signed one of the three petitions submitted.
 - The 27 local residents who submitted letters of objection.
- viii. The rota group itself (despite otherwise prospectively being relieved of the burden of turning out twice a day on every day of the year).
- b. Any outcome whereby local residents, as a consequence of any parking creep arising, would have to go the expense and trouble of seeking a residents' permit scheme (assuming that were even feasible) serves only to pass the practical/financial burden onto both to a small number of council tax payers and also onto one or more other county council departments involved in parking control/enforcement.

6. **AN APPARENT LACK OF 'JOINED UP' LOCAL GOVERNMENT DECISION MAKING**

- a. The minutes of the Area Committee of 24 January 2007 noted there was a need to have regard to the parking situation in Stratford as a whole.

This re-emerged in the report of the Warwickshire Observatory in June 2015.

- b. The current Town Council Neighbourhood Plan exercise (which encompasses the town end of the Greenway) aims to review parking across the whole of the town.
- c. Even assuming that the town actually requires further general parking provision (perhaps questionable) it would be an unfortunate reflection on local political decision making if all relevant parts of local government were not to be involved in jointly addressing this increasingly vexed local problem.

- d. Indeed, there is no indication that the County Council's own Parking Management Department has had any input into the present proposals.

7. **THE ABANDONMENT OF A GOOD EXAMPLE OF LOCALISM/THE BIG SOCIETY**

The current volunteer arrangement has:-

- a. Been a very effective and reliable example of community involvement for over five years.
- b. In passing, resulted in any on-site issues being reported promptly to the Country Parks Department.
- c. Saved the Council many thousands of pounds.
- d. Seen the virtual absence of past public order problems that arose when the gate remained unlocked overnight (e.g. as mentioned in the minutes of the 24 January 2007 Area Committee).

CONCLUSION

The Cabinet is requested to continue to reject any proposals to introduce parking charges at the Stratford Greenway and to find other ways to resolve any internal budgetary issues within the Country Parks Department.

The introduction of charges would doubtless raise some net income for Country Parks but this must be seen in the light of the still uncertain business case and be weighed against massive public objection and the interests and wishes of local council tax payers.

WCC's own Principles of Decision Making include proportionality, clarity and consideration of all options and it is trusted that these will serve to reject the current proposals.

Furthermore, it is hoped that any such rejection of the current proposals will be accompanied by an indication that they should not be resurrected for some considerable time – it cannot be in anybody's interests, including those of the Council and the public purse, for the present process to be repeated every few years.

The volunteer rota group, for its part, will continue to operate the current arrangements for as long as there is no decision to introduce such charges.

6 APRIL 2016

Submission by the Greenway Rota Group*
to the
Communities Overview and Scrutiny Committee
of Warwickshire County Council
on 3 May 2016

OBSERVATIONS
on the
DECISION OF THE CABINET
on
14 APRIL 2016
to
INTRODUCE PARKING CHARGES
AT THE STRATFORD GREENWAY

* The Greenway Rota Group is the group of local residents who, on a voluntary basis, have locked and unlocked the gate at the Seven Meadows Road entrance to the Stratford Greenway every day of the year since December 2010

The Group made written submissions to the Cabinet and enlarged on them in person at the meeting.

THE DECISION ITSELF

1. It remains the submission of the Rota Group that, regardless of all other considerations and objections, the decision of the Cabinet on 14 April 2016 was not justified on the merits of the case.
2. In particular, it is suggested that the Cabinet, in that decision, failed to adhere to the *Key Principles for Decision Making* in Article 8.2 of the Council's Constitution.

THE CABINET'S DECISION MAKING PROCESS

However, whether or not, in the final analysis, the decision might be justifiable, it is suggested that the Cabinet's decision making process itself was flawed (and its decision therefore open to challenge) for at least the following reasons:-

1. The Cabinet failed to make specific reference to the *Key Principles for Decision Making* or to show that it had weighed them (let alone applied them), especially in the light of the overwhelming political and local objections.
2. It failed to demonstrate that it had considered each and every one the individual objections placed before it.
3. In particular:-
 - a. It failed to show that it had fully examined and assessed the two differing sets of usage and finance data put before it.
 - b. It failed to demonstrate that it had fully considered the cost of implementation and management of any charging scheme.
 - c. It failed to show that it had addressed the issue of whether the current predominantly leisure use of the Greenway would be adversely affected by the introduction of parking charges there (or that such use was even fundamental to its objectives).

This was particularly surprising given the Council's own *Rights of Way and Recreational Highway Strategy 2011-2026*

- d. It failed to consider (let alone to be seen to take legal advice on the matter from its officers in attendance) whether, in the very particular circumstances of the case, the purely permissive provisions of section 43(2) of the Countryside Act 1968 might also have to be viewed in the light of the Department for Transport's *Operational Guidance to Local Authorities: Parking Policy and Enforcement 2015* given that the two appear not to be mutually exclusive.
- e. It specifically failed to demonstrate that it had taken an holistic, coordinated approach across the county council itself, let alone across the other two local authorities affected.
- f. It failed to consider any possible alternative methods of raising the comparatively small (and very uncertain) sums that the introduction of charges might raise.

4. Furthermore, when considering the suggested inevitable ‘parking creep’ that would ensue:-
 - a. The Cabinet failed to make clear whether or not this impact on local residents would be considered proportionate to the desired outcome (i.e. the provision of a new source of income for the council).
 - b. The Cabinet’s consideration, such as it was, of the possibility of addressing any ‘parking creep’ by way of a residents’ parking scheme showed a poor grasp of the such schemes:-
 - i. There was no discussion as to whether or not the county council had any guidelines for the creation of such schemes or whether those guidelines would support a scheme in the particular residential streets adjacent to the Stratford Greenway.
 - ii. There was no discussion of the likelihood that such a scheme would, in practice, serve only to reduce parking revenue.

Leisure users (whose average dwell time has been assessed at generally under 60 minutes) would inevitably park in the newly controlled streets just a few yards away from the car park, streets where free parking for up to two hours would generally be expressly permitted under the scheme.
 - iii. There was thereafter no discussion that this would, in addition to possibly decreasing revenue, also quite possibly increase the problem that any residents’ scheme would purport to address.
5. The Cabinet failed to demonstrate that it had adequately considered the written submission by the Rota Group:-
 - a. Both the original 2015 consultation and resulting Warwickshire Observatory report had unquestionably been based on a proposed charge of 50p for the first hour.
 - b. The subsequent Observatory report for the Cabinet on 14 April 2016 had introduced an alternative proposed charge of £1.00 for the first hour but without further consultation.
 - c. The written submission by the Rota Group had drawn express attention to this lack of consultation.
 - d. Yet, there was no mention of this within the Cabinet discussions until a non-Cabinet councillor present raised the matter part-way through.

The new proposal of £1.00 was thereafter hastily withdrawn
 - e. There can be only two conclusions:-
 - i. Cabinet members had not read the Rota Group’s written submission which had expressly covered this point OR
 - ii. They had read the submission but chosen to ignore the point

- f. Either way, it reflects badly on the Cabinet’s decision making process.
6. In the final analysis the Cabinet gave no clear reasons for its decision but left objectors and observers with the clear impression that the chance to raise some small and uncertain amount of revenue would, in essence, override all other considerations and that its decision had never really been in question.

CONCLUSION

1. The Communities Overview and Scrutiny Committee appears to have three options open to it:-

1. Take no action

It is suggested that, in the light of the above, this would not be appropriate.

2. Refer the matter back to Cabinet

It is suggested that public confidence in the Cabinet in this matter has been irretrievably eroded:-

- a. Through the manner in which the Cabinet went about its decision making
- b. Having made its views on the matter so clearly known via such a process, the Cabinet is unlikely to change its mind

3. Refer the matter to full Council

It is respectfully suggested that this is the only appropriate course of action.

However, might any such referral then be an opportunity for the Country Parks Department to review whether or not it wishes to continue with its proposals?

27 April 2016