

Cabinet Planning and Parking Panel  
1 November 2018

WELWYN HATFIELD COUNCIL

\* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET PLANNING AND PARKING PANEL held on Thursday 1 November 2018 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors S.Boulton (Chairman)  
H.Bromley (Vice-Chairman)

H. Bower (substituting for S. Kasumu) A.Chesterman,  
J.Cragg, C.Gillett, S.Glick, G.Hayes, A Rohale, P.Shah  
and P.Zukowskyj

ALSO Tenants' Panel Representatives

PRESENT: R. Rose

OFFICIALS Parking and Cemetery Services Manager (V. Hatfield)  
PRESENT: Governance Services Officer (G. Paddan)

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98. SUBSTITUTIONS

The following substitution of Panel Member had been made in accordance with Council Procedure Rules 19-22:-

Councillor H. Bower for Councillor S. Kasumu.

99. APOLOGIES

An apology for absence was received from Councillor S. Kasumu.

100. MINUTES

The Minutes of the meetings held on 6 September 2018 and 4 October 2018 were approved as correct records and signed by the Chairman.

101. PUBLIC QUESTION TIME AND PETITIONS

The following question was received and the Chairman responded:

**Question from Cllr P Cook**

Why has the Section 106 for Ellenbrook Park not been signed since 2010?

## **Response**

A section 106 agreement requiring amongst other things the provision of Ellenbrook Park and its handover to an Ellenbrook Trust has been signed and was completed on 29<sup>th</sup> December 2000. This agreement remains in force.

When Welwyn Hatfield Borough Council and St Albans District Council considered the details of an interim landscape scheme in 2010, prior to the opening of the Ellenbrook Park to the public, it was intended to conclude a variation or supplemental deed to the original S106 to recognise this interim scheme. Detailed discussions subsequently took place between all interested parties to the original Section 106 in an effort to agree a draft of a supplemental deed. This was never signed because of the complexities of the issues but as the interim scheme was implemented, and the Park has been open to the public since November 2010 and has been maintained at the landowner's expense there has been no need to pursue this supplemental deed.

The establishment of the Trust and the handover of the Park however remains outstanding. When the current mineral extraction application for land within the Park was received by Hertfordshire County Council in 2016, they took the view that any grant of permission for mineral extraction should be subject, amongst other matters, to a deed of variation to the original S106 from 2000 that would take into account the up to date knowledge of timescales and area of extraction in specifying the handover of the Park to the Trust.

The heads of terms of such a deed of variation are largely agreed between the three councils and the landowner. At present there is a point of disagreement in that the landowner wishes to vary the terms of the original S106 to provide that the ownership of an area of land within the Park in Welwyn Hatfield (known as site Hat 2) will be retained by them until the end of 2022 and will only then be the subject of a 125 year lease to the Trust if the landowner has not been successful in obtaining an allocation or permission for housing on that land. [The landowner has also submitted a planning application for housing on the land which is currently awaiting validation by Welwyn Hatfield BC]. The local authorities are not in agreement to this change being part of the proposed variation, therefore the variation cannot currently be concluded. It is difficult to see this situation being resolved until the Welwyn Hatfield Local Plan has progressed further through its examination.

In the absence of either the originally proposed supplemental deed from 2010 or the more recently proposed deed of variation in connection with mineral extraction, the original Section 106 from 2000 remains in force. The County Council will decide the way forward in terms of the current mineral application, but the Park remains open to the public and continues to be maintained by the landowner at their expense, pending resolution of matters relating to the proposed lease and handover to the Trust.

102. NORTHAW AND CUFFLEY PARISH COUNCIL - CAR PARK CHARGES

Report of the Corporate Director (Resources, Environment and Cultural Services) on the Northaw and Cuffley Parish Council's (NCPC) car park charges. The report noted that Northaw and Cuffley Parish Council has had a lease for 125 years with Welwyn Hatfield Borough Council (WHBC) to manage both Sopers Road and Maynard Place car parks since 2000. Members noted that the Parish Council was responsible for the maintenance and management of these car parks.

Both of the car parks have charges, however, NCPC cannot raise charges, as there is a legal requirement for WHBC to consider as part of the Traffic Regulation Order legislation. The current charges applied are as follows:

<b>Maynard Place car park</b>				
Operational Days and Hours	Charging Days and Hours	Duration	Charges	
All days and all hours	Monday - Friday 8am-6pm	0-1 hour	Free	
		0 - 2 hours	Free for Blue Badge Holder	
		0 - 2 hours	£0.50	
		2 - 3 hours	£1.00	
		3 - 4 hours	£1.50	
		More than 4 hours	£5.00	
		Saturday 7:30am-1:30pm	0-1 hour	Free
	0 - 2 hours		Free for Blue Badge Holders	
	0 - 2 hours		£0.50	
	2 - 3 hours		£1.00	
	3 - 4 hours		£1.50	
	More than 4 hours		£5.00	
	<b>Sopers Road</b>			
	All days and all hours	Monday to Friday All hours	All day	£4.50
Saturday All hours		All day	£2.00	

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The report noted that the Parish Council had also made a request to change the parking restrictions by adding a requirement that vehicles leaving the car park should not return before two hours had elapsed. This would require an amendment to the existing Traffic Regulation Order. As Cuffley was already in the Parking Services work programme the consultation process was already underway. The Officer advised that any objections to the proposal would be heard by this Panel and Cabinet in the usual way.

The following points were raised and discussed:

- Evidence not having been provided to the Panel via the report. A member was concerned regarding the approval of the proposal without factual evidence. The Officer advised that this was a formality, as the car park and land belonged to the Parish Council and they are not obliged to provide any other information. The charges have gone through the Parish Committee approval process earlier in the year which was minuted. The Parish Council had raised this as an issue, which they take seriously and had approached the Borough Council to amend the Traffic Regulation Order to encourage turn over at the short stay car park to provide flexibility.
- The Panel were advised that the proposal had been checked by legal.
- The cost of all day parking at Sopers Road car park was considered together with the walking distance for motorist visiting local trades.
- A question was raised in respect of disabled parking bays not being marked at Sopers Road car park. It was clarified that due to this car park being off the industrial area it was not suitable for customers with mobility issues due to the route from the car park to the shops or rail station.
- A question was raised about the wording on the signage which related to blue badges. The Officer confirmed that the proposed changes are not applicable to blue badge holders therefore the wording will not need to be changed in Maynard Place car park.

RESOLVED

That the Panel note and recommend to Cabinet to approve the changes that Northaw and Cuffley Parish Council would like to make to the fees and charges in Maynard Place car park.

Meeting ended at 7.50 pm  
GP