

Wyre Forest District Council

Record of a Council Decision delegated to be made by an Officer

This includes a record of an Executive Decision made by an officer under Regulation 13, Part 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Item decided: Amendments to the Wyre Forest (Off-Street Parking Places) Order 2018 (“the Parking Places Order”) have been advertised with a view to removing ten spaces required to dedicate land for highway purposes. Objections have been considered and it is decided that no changes to the proposed removal of the spaces and the consequential amendment to the Parking Places Order are necessary and that the new Wyre Forest District Council (Off Street Parking Places) Order 2019 Order should be made, the requisite notice published and the Order come into force from 5th August 2019.	
Officer who has taken the decision	Corporate Director: Economic Prosperity & Place
Date of the decision	6th June 2019
Reason for the decision/alternatives considered	Delegated authority was granted by Cabinet on 26/3/19 to advertise the proposed changes to the Parking Places Order to reduce the capacity of St Mary’s car park in order to dedicate land for highway purposes to facilitate the proposed ‘left in, left out’ from the Ringway to the end of Clensmore Street; to consider any objections and to decide whether the changes to the Order should be made. A number of objections to the proposals were received and have been responded to as attached. No proposed amendments are proposed to the reduction in parking numbers and the revised Order should be made.
Date and source of Delegated Decision (if appropriate)	Cabinet 26/03/19
Council/Cabinet member consulted – if applicable	Corporate Director: Community, Wellbeing & Environment; Cabinet Members for Economic Regeneration, Planning and Capital Investments; and Operational Services
Any interest declared by the Consultee or officer	None

Wyre Forest District Council (Off – Street Parking Places) Order 2019

St Mary's Church Car Park, Kidderminster

Consideration of objections received in response to public consultation. Twenty Five letters of objection were received and the nature of the objections are summarised below with the response.

Objection	Response
<p>1. There is a shortage of car parking already when there are special occasions celebrated at St Mary's Church (e.g. baptism, wedding, funeral and other civic services). Usual Sunday congregation comprises 70 people, most of whom travel by car, the reduction of parking spaces will make existing car parking worse.</p>	<p>The Council understands that it would be desirable for the Church to have access to as many spaces as possible to support its functions. However the car parks are open to all members of the public and are not provided exclusively for church use. There is additional parking within 100m of the Church at the end of Church Street across the ringroad (easily accessed using the subway that is immediately at the front of the Church) or within 200m at either Weavers Wharf or the Swan Centre.</p> <p>In order to assess the wider impact of proposed changes to St Mary's car park as well as other car parks in the wider Kidderminster Town Centre, the Council commissioned a strategic study in 2018 which was conducted by White, Young, Green. In reaching their conclusions WYG advised that <i>"St. Mary's is a small, self-contained car park that has a limited impact on town centre parking. The net loss of 10 spaces may mean that a few season ticket holders may need to relocate, although there appears to be sufficient spare capacity to absorb this change with little impact."</i> The Council has to balance the needs of the Church with other daily uses and the WYG report indicated that overall the use of St Mary's car park is operating well under capacity at less than 65% on weekdays and less than 45% on Saturdays and when WYG undertook projections of capacity needs in 2026 they still only projected occupancy levels of less than 70% at the busiest time on weekdays and much less at weekends.</p>
<p>2. Fewer parking spaces will impede the ability of St Mary's Church to attract visitors.</p>	<p>The Council understands the historic importance of St Mary's & All Saints Church and the regrettable impact that the ringroad had on severing it from the town centre and its parishioners. The Council is supportive of highlighting the presence of the Church and has included finger post signage from the town to the Church to encourage more visitors. However, as stated in 1. above, St Mary's car park is not exclusively there for</p>

	<p>the use of the Church and there are car parks available in reasonable walking distance with far greater capacity.</p>
<p>3. The proposed new access onto St Mary's Ringway will make it less safe for vehicles using the access to the front of the church.</p>	<p>This consultation is with regard to the impact of reducing the number of parking spaces on St Mary's car park, it is not with regard to the safety of the proposed new highway arrangements. The design of the new highway has been undertaken by Worcestershire County Council as Highway Authority and as such has been independently assessed by the Road Safety Audit (RSA) Team who input into the design of the new highway and will undertake four stages of RSA during the design, implementation and post implementation use of the new arrangements. Based on the RSA audits as part of the design stage the design has been amended to incorporate signage, road markings and HGV restrictions; further the geometry of the junction has been designed to prevent vehicles exiting the ring road at excess speeds. Further, in 2018 two planning applications were made, both of which included the proposed highway arrangements and were available for the public to comment on. Firstly, application 18/000025/REG3 was made to Worcestershire County Council for the highway works; this was registered on 16th May 2018 and approved on 26th October 2018. Secondly, application 18/0285/OUTL was received by Wyre Forest District Council on 25th April 2018 for the erection of residential units on the Churchfields Business Park and was approved on 20th November 2018. This also gave an opportunity to comment on the reconfiguration of the highway. In both cases, matters concerning the safety of the new arrangements would have been valid points for consideration as part of the determination of those applications.</p>
<p>4. The additional houses as part of the proposed new development will exacerbate the problem in 3. above and may lead to queuing on the Ringway and increase the likelihood of accidents.</p>	<p>In 2018 two planning applications were made, both of which included the proposed highway arrangements and were available for the public to comment on. Firstly application 18/000025/REG3 was made to Worcestershire County Council for the highway works; this was registered on 16th May 2018 and approved on 26th October 2018. Secondly application 18/0285/OUTL was received by Wyre Forest District Council on 25th April 2018 for the erection of residential units on the Churchfields</p>

	<p>Business Park and was approved on 20th November 2018. This also gave an opportunity to comment on the reconfiguration of the highway, as well as offering an opportunity to comment on the proposed additional houses and their impact on the wider area and uses, including that of the Church. In both cases, matters concerning the safety of the new arrangements would have been valid points for consideration as part of the determination of those applications. Worcestershire County Council in their capacity as highway authority were consulted as statutory consultees on both planning applications and will have raised any concerns they might have had over highway matters and these will have been taken into consideration in determining the planning applications.</p>
<p>5. Reducing the number of spaces in the car park will place greater difficulty on those with mobility issues who need to use the disabled spaces.</p>	<p>The proposed re-configured car park will contain the same number of parking spaces for disabled users (2) as at present. The Church also has the ability to ensure that the six spaces it is in control of immediately adjacent the Church remain available for those with mobility problems.</p>
<p>6. The parking at the Church (6 spaces) is already inadequate and the loss of spaces in the car park will exacerbate that.</p>	<p>The Council understands that it would be desirable for the Church to have access to as many spaces as possible to support its functions. However the car parks are open to all members of the public and are not provided exclusively for church use. There is additional parking within 100m of the Church at the end of Church Street across the ring road (easily accessed using the subway that is immediately at the front of the Church) or within 200m at either Weavers Wharf or the Swan Centre.</p> <p>In order to assess the wider impact of proposed changes to St Mary's car park as well as other car parks in the wider Kidderminster Town Centre, the Council commissioned a strategic study in 2018 which was conducted by White, Young, Green. In reaching their conclusions WYG advised that <i>"St. Mary's is a small, self-contained car park that has a limited impact on town centre parking. The net loss of 10 spaces may mean that a few season ticket holders may need to relocate, although there appears to be sufficient spare capacity to absorb this change with little impact."</i> The Council has to balance the needs of the Church with other daily uses and the WYG report indicated that overall the use of St Mary's car park is operating well</p>

	<p>under capacity at less than 65% on weekdays and less than 45% on Saturdays and when WYG undertook projections of capacity needs in 2026 they still only projected occupancy levels of less than 70% at the busiest time on weekdays and much less at weekends.</p>
<p>7. The Church is already 'blighted' by the Ringway (particularly noise) and the new access will bring the problem even closer; including impacting on activities in the Chantry.</p>	<p>It is recognised that the Church is already in proximity to the ring road and to Clensmore Street which gives access to the car park and to the Church itself. Reducing the number of car parking spaces will not alter the relationship the Church has with the surrounding roads. Any objections regarding the opening up of Clensmore Street from the ring road and perceived impact that would have are matters that should have been raised through the consultation on the planning applications (see 3 & 4 above). No objections were raised by Worcestershire County Council as statutory consultee on the planning applications in terms of the matters raised by this objection. Worcestershire Regulatory Services were also a consultee on both planning applications and would have considered any noise issues as part of their remit in this respect; no objections were raised by them in terms of noise matters.</p>
<p>8. Will affect other meetings that the Church is used for (e.g. Slimming World, DCC and Friends of St Mary's)</p>	<p>See response to 1 above; clearly any of these additional meetings which might possibly take place outside the normal workday hours will mean that attendees will not be competing for spaces with other town centre daytime users.</p>
<p>9. St Mary's Church is part of the 'Ismere Team' of churches comprising 6 and acts as a Hub for worship; this will be compromised by the new highway arrangements.</p>	<p>See response to 1, 2, 3 & 6 above.</p>
<p>10. "choke point" at Horsefair should be removed and entrance to Kidderminster Ringroad made more practical and welcoming.</p>	<p>This objection does not relate to the reduction in car park spaces and should have been made at the time of the planning applications (see 3 above). Nevertheless, it is assumed that this is a reference to the signalised junction at Broad Street, Radford Avenue, Stourbridge Road and Blackwell Street. The proposed highway improvements will see a new access created from the island on the ring road, through the former CMS Vauxhall car dealership and on to Churchfields where there will be a choice of either turning left down to the Church or right up to Broad street and the Horsefair. The new road configuration at the current</p>

	<p>signalised junction will ensure that traffic moves more freely, especially along Blackwell street which will become one way. The proposed works will remove this 'choke point' and improve access to the ring road, as suggested by the comment.</p>
<p>11. St Mary's Church has already been cut off from some of its parishioners by the ringroad and the new access will constrain the Church even further.</p>	<p>See 7 above.</p>
<p>12. Hearses and bridal cars will not be able to negotiate the turn into the new road from the Ringway.</p>	<p>This objection does not relate to the reduction in car park spaces. Nevertheless see comments in 3 & 10 above. The new access from the ring road onto Clensmore Street is provided in addition to the principal access as described in 10 above; the new access arrangements will make it easier for larger vehicles to access the Church than under present conditions which require access from Broad Street along Churchfields. The new access from the ring road to Clensmore Street provides another alternative access, reducing congestion at other access points and adding further capacity to the highway network.</p>
<p>13. Emergency vehicles may find the new road layout more difficult to negotiate the access from Churchfields to the entrance to the Church.</p>	<p>See 12 above.</p>
<p>14. Land was compulsorily purchased from the Church by the Council some years ago and there was an assurance that no visitor attending the Church would be subject to a charge – this has since recently been withdrawn. The whole of that land was only to be used for parking vehicles.</p>	<p>This is factually incorrect. No land has been compulsorily purchased and no such assurances exist. Charging on the car park applies to all visitors. The land is not subject to any restrictive covenant as to its use.</p>
<p>15. The Church and its courtyard area are Listed Buildings and the proposed works are within the curtilage of the Listed buildings. Any demolition of the curtilage Listed wall to improve sight lines would be regrettable.</p>	<p>No works to the car park or the new access are within the curtilage of any Listed Buildings.</p>
<p>16. There are other alternatives to gain access to the development site than the one proposed off the Ringway, such as through the car dealerships, by locating the access nearer to the Methodist Church and by building a new bridge over the canal to connect</p>	<p>See 12 above, the new proposals do exactly as this comment suggests. This does not relate to the reduction in car parking spaces.</p>

<p>Clensmore Street to Carpet Trades Way.</p>	
<p>17. Article 9 of the Human Rights Act would be breached as the noise from the new road will breach rights to practice and observance.</p>	<p>Article 9 of the HRA refers to 1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching practice and observance.</p> <p>2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.</p> <p>The proposed reduction in car park spaces does not affect this right, access to the Church will not be impeded or restricted in any way. If the objection relates to the impact of the highway works then see 3, 4 & 7 above.</p>
<p>18. New road arrangements will make it even more difficult for people to find the Church from the Ringway.</p>	<p>See 12 above, the new access arrangements will make it easier to access the Church either from the ring road island or from the new access into Clensmore Street. This does not relate to the reduction in car parking spaces</p>
<p>19. Did the survey build in capacity needs for parking in the future arising from other carriageway developments in the town?</p>	<p>See 6 above; the modelling undertaken by White Young Green included a 2026 capacity scenario and the proposed number of parking spaces in the car park was appropriate for future growth.</p>