

Report Title: **Parking Service Report on the Call-in of a decision taken by The Executive on 23 January 2007 recorded at minute TEX 148**

Forward Plan reference number (if applicable):

Report of: **Ann Cunningham , Head of Parking and CCTV services**

Interim Director of Urban Environment : **Graham Beattie**

Wards(s) affected: **All**

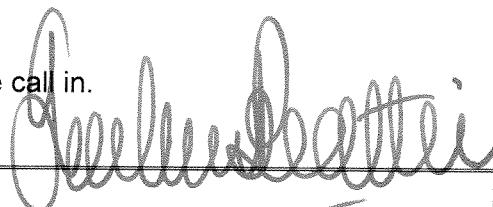
Report for: **Consideration by Overview and Scrutiny committee**

**1. Purpose**

1.1 To respond to matters raised in the call in of the report titled' Review of Parking Fees and Parking Charges Policy' that was presented to the Council Executive on 23 January 2007.

**2. Recommendations**

2.1 That members note the response to matters raised in the call in.



Report Authorised by: **Graham Beattie, Interim Director Urban Environment**

Contact Officer: **Ann Cunningham, Head of Parking and CCTV Services**  
Tel: 02084891355

e-mail: [ann.cunningham@haringey.gov.uk](mailto:ann.cunningham@haringey.gov.uk)

**3. Local Government (Access to Information) Act 1985**

3.1 The following background papers were used in the preparation of this report;

The report on the review of Parking fees and Parking Charging Policy to the Executive on 23 January 2007.

#### **4. Matters raised in the Call-in Strategic Implications**

- 4.1 The Call-in states that it is unacceptable that Council does not propose to fully consult local residents before proceeding to statutory consultation on this matter.
- 4.2 The Call-in states the Council has brought disrepute onto its existing consultations on controlled parking, given that an entirely different regime of charges has been proposed to residents only weeks ago.
- 4.3 The report agreed by the Executive contains serious factual errors that the Committee needs to consider.
- 4.4 The banding scheme proposed will create confusion and limit potential environmental benefits.
- 4.5 The charges will fall only on certain parts of the borough, and disproportionately on those with lower incomes.
- 4.6 The decision is properly the prerogative of the whole Council.
- 4.7 There has not been sufficient time for members of the public and Councillors to consider the effect of these far reaching proposals, a full public consultation exercise is needed to ensure the widest possible support, to make fully public the impact of these proposals, and to identify deficiencies in the way the proposals have been drafted and to seek improvements.
- 4.8 Full public consultation should also be accompanied by a scrutiny review on the issue and should consider: the precise definition of the bands and their potential impact on emissions savings; the likely progressivism of the tax, potential differences between its operation in Haringey and other Boroughs which have considered the matter in greater depth. Only after this process should the council bring forward revised proposals.

#### **5. Parking Service Response – the absence of consultation with Local Residents prior to proceeding to Statutory Consultation**

- 5.1 The Council introduces and maintains charges for on and off-street parking under the provisions of the Road Traffic Regulation Act 1984 as amended and the Road Traffic Act 1991. The decision taken at the Council Executive on 23 January 2007 was to proceed to statutory consultation on proposed changes. This will involve a 21-day consultation period providing any interested party the opportunity to make representation regarding the proposals. The Council's intentions will be notified in the local press, as well as other statutory publications and we will also display notices in all roads or other places affected by the proposals. Documents will be also available for public inspection.
- 5.2 The issue of differential permit charges has been in the public domain since the development of the draft Local Implementation Plan [LiP] in 2005. The Draft LiP made reference to a review of residential parking permit charges and specifically proposed to give a discount on the standard resident's parking permit for electric vehicles and for LNG, LPG and hybrid cars and for smaller conventionally fuelled vehicles. Conversely it is proposed that a premium be charged for larger conventionally fuelled vehicles.

- 5.3 The draft LIP was approved at the Council Executive in March 2005. A copy of the full document was placed in the Members' room, and public consultation undertaken between May and July 2005. An article was included in the May edition of Haringey People inviting comments on the draft and a dedicated email address provided as part of putting the draft LIP on the Council's website. The final LIP included a separate Parking and Enforcement Plan [PeP] and was agreed by Executive in July 2006.
- 5.4 There was only one resulting comment on parking permits, from Friends of the Earth, Tottenham and Wood Green , which suggested that '*the Council should encourage more carbon-efficient vehicles in particular the use of biodiesel for its own vehicles, the use of electric vehicles, the use of hybrids. It can also encourage more fuel efficient vehicles in the wider community through conditions on its contracts and differential residents' parking charges according to fuel efficiency of the vehicle*'.
- 5.5 This is a significant level of consultation into the principle of changing existing fees and charging structures.
6. **Parking Service Response- the Council has brought disrepute onto its existing consultations on controlled parking**
- 6.1 The principle of the revision of both the basis for and level of permit charges was included in the Parking and Enforcement Plan [PeP], and in the forward plan since May 2006, although details of those proposals were not finalised until the report to the January Executive was prepared.
- 6.2 These remain proposals until formal statutory consultation is undertaken and the results of this are considered by the Executive.
7. **Parking Service Response – the report agreed by the Executive contains serious factual errors.** Clarification was sought on this point and the alleged factual errors are;
- (a) *It is misleading to cite in paragraph 13.2, the DVLA tax bands as 'emissions-based best practice model'*
- (b) *To state in paragraph 13.2 that a number of London boroughs have already adopted this charging structure is incorrect*
- 7.1 Classification using emission banding was established by Central Government and has been used at a national level by the DVLA for several years and as such this represents an accepted and tested model for such classification.
- 7.2 A number of London Boroughs currently operate a differential permit charging structure, with discounts offered to smaller vehicles or those run on alternative fuel, encouraging the use of vehicles with lower CO<sub>2</sub> emissions, for example ;
- Barnet offers reductions for LPG and electric vehicles
  - Camden offers 75% discount for electric run vehicles
  - Hackney offers 25% discount for LPG run vehicles , with free permits for electric run vehicles
  - Islington offer £20 discount for LPG run or electric run vehicles
  - Tower Hamlets offer 50% discount for LPG or electric run vehicles
  - Wandsworth offer a 'Green' permit for £16 per annum

7.3 Richmond, Camden and Lambeth also propose to take this further and introduce sliding scale charges based on emissions.

**8. Parking Service response – The banding scheme proposed will create confusion and limit potential environmental benefits**

8.1 The banding scheme is based on vehicle excise duty or car tax banding, with the number of bands reduced to simplify categories for applicants and to ease associated administration. Classification using emission banding was established by Central Government and has been used for several years for the purpose of car tax and as such is familiar to drivers. Although there are two types of charges proposed, in time this will become predominantly one as older vehicles are replaced with newer models to which CO<sub>2</sub> banding will apply.

8.2 The date of registration, engine size and CO<sub>2</sub> banding [ if it applies] are documented on the logbook, which is already required as part of the permit application process. The collection of additional data is therefore a straightforward addition to the permit application process.

8.3 A number of other Local Authorities are also implementing an emissions based charging structure for permits. The Mayor for London intends to introduce differential tariffs based on emissions to the daily congestion charge.

8.4 Although vehicles in general have become more fuel efficient, the trend towards larger engined vehicles will have the opposite effect by increasing CO<sub>2</sub> emissions. Measures that discourage people from acquiring and using vehicles with higher CO<sub>2</sub> emissions will have a beneficial effect on air quality.

**9. Parking Service Response – the charges will fall only on certain parts of the borough, and disproportionately on those areas with lower incomes**

9.1 This charge will only apply to those motorists residing within a controlled parking zone [CPZ] and who need to purchase a residential parking permit. This is in effect a charge levied for a service provided by the Council. When proposed charges are compared with permit charges in other boroughs, we remain extremely competitive. Our nearest neighbour Camden proposes a similar emissions based approach; based on four bandings, rising in increments from £70 to £145.

9.2 At the lower end of the scale, proposals represent a small increase of £5 on the current charge for smaller vehicles or those with lower CO<sub>2</sub> emissions, with a £15 charge applying to vehicles with the lowest emissions.

**10. Parking Service Response – changed recommendation 1 -The decision is properly the prerogative of the whole Council.**

10.1 The decisions on all the matters within the report are, legally, “executive” functions that must be taken by Haringey’s Executive and cannot be taken by the full Council. If the proposals were outside the Council’s budget/policy framework this would require reference to full Council but this is not the case.

**11 Parking Service Response – changed recommendation 2 - a full public consultation exercise is needed**

11.1 As stated previously, the issue of differential parking permit charges has been in the public domain since the development of the draft Local Implementation Plan [LiP] in 2005. The draft LiP was approved at the Council Executive in March 2005. A copy of the full document was

placed in the Members' room, and public consultation undertaken between May and July 2005. An article was included in the May edition of Haringey People inviting comments on the draft and a dedicated email address provided as part of putting the draft LIP on the Council's website. The final LIP included a separate Parking and Enforcement Plan [PeP] and was agreed by the Executive in July 2006.

11.2 The statutory consultation process proposed will involve a 21-day consultation period providing any interested party the opportunity to make representation regarding proposals. The Council's intentions will be notified in local press and well as other statutory publications and we will also display notices in all roads or other places affected by proposals. Documents will be also available for public inspection.

11.3 This demonstrates a commitment to consultation, both through the development of the LiP and through the statutory consultation process.

## **12. Parking Service Response – changed recommendation 3 - Full public consultation should also be accompanied by a scrutiny review on the issue**

12.1 Many Local Authorities have already adopted a charging structure linked to their environmental aims. A number propose to take this a step further and link charges directly to emissions. The Mayor for London intends to introduce differential tariffs based on emissions to the daily congestion charge.

12.3 Measures that discourage people from acquiring and using vehicles with higher CO<sub>2</sub> emissions will have a beneficial effect on air quality. Although any particular proposed difference in charge levels might not on its own represent a sufficiently strong fiscal incentive for drivers to change the vehicle used, the policies of individual Councils should be seen in the context of a much wider range of measures to promote "greener" travel. The message that larger engined vehicles contribute more towards climate change will become increasingly important.

12.4 Members of the Overview & Scrutiny Committee can commission reviews on any topic but, given the current workload and the time required to bring any scrutiny review to a conclusion, a full review of parking charges would inevitably result in significant delay to the implementation of the proposals. The Committee will need to take this into account when assessing the arguments that favour the early implementation of measures to reduce CO<sub>2</sub> emissions.

## **13 Comments from Head of Legal Services**

13.1 The Head of Legal Services has been consulted on the contents of this report. The proposals in the original report were consistent with the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991 (as amended) and the Regulations. The statutory 21- day consultation process under the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 is all that is legally required by way of public consultation. The Executive will need to consider the results of this consultation carefully and in accordance with legal advice before taking the final decisions.

## **14 Comments of Director of Finance**

14.1 The Director of Finance comments in the original report indicated the significant financial implications which would accrue for the Council's budget strategy 2007/08 to 2010/11 if the parking fees and charges proposals are delayed from their revised target date of 1 April 2007 or not implemented at all. A budget shortfall of £48k would result for each months delay from

the target date and a shortfall of £575k if the proposals are not implemented at all. Alternative savings proposals would have to be identified and agreed to cover any budget gap.

## **15 Recommendation**

15.1 That Members note the responses to the matters raised in the call in.