

Communities Overview & Scrutiny Committee

Thursday, 9 January 2020

Minutes

Attendance

Committee Members

Councillor Alan Cockburn (Chair)
Councillor Dave Shilton (Vice-Chair)
Councillor Jenny Fradgley
Councillor Seb Gran
Councillor John Holland
Councillor Keith Kondakor
Councillor Bhagwant Singh Pandher
Councillor Caroline Phillips
Councillor Andrew Wright

Portfolio Holders

Councillor Izzi Seccombe, Leader of the Council
Councillor Jeff Clarke, Transport & Planning

Warwickshire County Councillors

Councillor Kate Rolfe
Councillor Jerry Roodhouse
Councillor Alan Webb
Councillor Jonathan Chilvers
Councillor Nicola Davies

Residents

Mr Marsh Whieldon
Mr Richard Lees
Mrs Ellen Boylin
Mr Jed Master
Ms Sarah Watson
Mr Keith Madden

Officers

Mark Ryder, Strategic Director for Communities
David Ayton-Hill, Assistant Director for Communities
Paul Taylor, Traffic and Safety Manager
Tom McColgan, Democratic Services Officer

1. General

(1) Apologies

Councillor Jenns sent his apologies for the meeting.

(2) Member's Disclosures of Pecuniary and Non-pecuniary Interests

Councillor Gifford declared that he lived in a parking permit zone and his wife was a permit holder.

2. On-street Parking Consultation Analysis and Proposed Way Forward

The Chair noted that six residents had registered to speak, and he invited Mr Whieldon to speak on behalf of Mrs Owen who could not attend the meeting.

Mr Whieldon raised the follow points:

- Old Town in Stratford-upon-Avon consisted of rows of terraced houses on narrow streets which meant that parking spaces were in high demand especially as the current permit scheme allowed two hours of free parking for visitors.
- While residents welcomed the reduced increase in the prices of permits, they remained concerned about the digital system for managing visitor permits. Residents did not think that a system requiring every car to be scanned by the traffic warden to check if they had a proper permit would offer any efficiencies over a system that simply required a warden to check the dashboard of a car.
- The digital system would also be challenging for elderly residents who may not have access to the internet or may be less confident managing an online account.
- Mr Whieldon called on the Council to: continue with paper permits particularly for visitor permits, increase the cost of permit by 20% for all residents regardless of the number of permits, and to move to residents only parking on evenings and Sundays in Old Town, Stratford-upon-Avon

The Chair invited Mr Lees to address the Committee.

Mr Lees raised the following points:

- Shakespeare's England had publicly stated that they believed that the proposed changes to the scratch card system would be a detriment to those wishing to stay in Stratford. Overnight guests represented the greatest value to the local economy not only as they paid for accommodation but also through spending more in local businesses. Overnight visitors represented £200 million to the local economy while only making up around 10% of the total visitors in the area.
- Guesthouse owners in Stratford felt that the current system of scratch off tickets was working well and allowed guests flexibility. The online system would require more conversations between guesthouse owners and visitors and would lack the flexibility of the current system as it would require booking parking in advance.

- The new system increased the risk of a guesthouse paying for parking that was not needed or of a guest receiving a parking ticket in error.

The Chair invited Mrs Boylin (Chair - Concerned Rugbeians Against Parking Proposals) to address the Committee.

Mrs Boylin raised the following issues:

- Paragraph 1.16 of the report being considered by the Committee stated that both Leamington Spa Business Improvement District and the Chamber of Commerce were consulted but it did not mention Rugby First.
- Paragraph 2.19 provided information about the original survey given to residents. The consultation had only provided two potential new permit schemes to choose from and so residents had chosen the lesser of two evils but this did not indicate support.
- Paragraph 2.22 outlined the reduced price increase which was welcomed by residents but the new pricing model would still have a significant impact on families as households with three permits would see an 47% increase in the cost of parking permits.
- Paragraph 2.26 stated that the permitting scheme needed to be self-financing. The fact that the scheme was operating at a loss raised questions about why the permit scheme was outsourced in the first place as the scheme operated by Rugby Borough Council had worked well and Concerned Rugbeians Against Parking Proposals called for a new system to be brought inhouse either by the Borough and District Councils or by the County Council.
- Paragraph 2.28 referenced civil enforcement officers who before September 2019 had seldom been seen in Rugby but now appeared to be patrolling in new vans and uniforms. Their patrols had also included Sundays despite parking restrictions only applying from Monday – Saturday.
- Houses in Multiple Occupation were also increasing the pressure on parking with multiple households occupying one house and using more cars than a single family home would usually require.

The Chair invited Mr Master (Concerned Rugbeians Against Parking Proposals) to address the Committee.

Mr Master raised the following points:

- Paragraph 2.31 of the report stated that 74% of respondents to the consultation agreed that it would be good to offer an online service and 49% felt misuse could be better tackled using an online system. These responses however could not be taken as representative of the 17,000 permit holders as only 2,000 responses had been received. This meant that the vast majority of permit holders were not aware of the potential move to a digital system.
- The costs of a digital scheme would largely remain the same as enforcement would still take place in person so the only saving would be the cost of printing permits and scratch cards.
- There was no obvious benefit to residents of the new scheme and the implementation deadline of April 2020 did not provide enough time to smoothly transition from the current system.

The Chair invited Ms Watson (Concerned Rugbeians Against Parking Proposals) to address the Committee.

Ms Watson raised the following points:

- The current visitor permit system was working well and an equivalent digital system that had been introduced in Peterborough had proved to be inefficient and intrusive. For those who were unable to access the internet the new system would be entirely inaccessible and the suggestion that family or friends could help them access permits precluded the possibility of them being independent and was discriminatory.
- The new system only allowed for one visitor at a time which did not allow for situations when multiple parking spaces may be required such as when trades people were working, carers were at an address, or a party.
- The new system was invasive and demeaning to residents who were essentially being required to limit their visitors and log them with the Local Authority.

The Chair invited Mr Madden (Concerned Rugbeians Against Parking Proposals) to address the Committee

Mr Madden raised the following points:

- The report provided to the Committee by officers was an inditement of the proposed changes to the permit scheme. It was a catalogue of complaints and mistrust of the Council and did not address the concerns residents had raised.
- The BBC reported in November 2019 that Councils in England had raised a £900 million surplus from parking charges and the Rugby Observer reported that parking enforcement in Warwickshire which included the permit scheme raised a surplus of just over £2 million in 2018/19. The surplus had grown on average by £144,000 annually over the last four years. This did not support the claims made in the report that the current scheme was not self-funding.
- The proposed increases in charges were unfair in light of the £2 million surplus generated for the Council by parking currently.
- Precedents had been set by the High Court that Local Authorities would not be allowed to use parking charges to raise surplus revenue for other transport costs in a case brought against the London Borough of Barnet. Mr Madden stated that Warwickshire County Council risked a similar legal challenge if they pursued a scheme that raised a surplus.

The Chair thanked the residents for attending and for making their representations to the Committee.

The Chair noted that several Councillors who were not members of the Committee had requested to speak and invited them to address the Committee.

Councillor Rolfe raised the following issues:

- The older people who had spoken to Councillor Rolfe had been unanimously opposed to an online permit system and their preference would be to retain the physical visitor parking permits. The online system would not work for older people in Stratford.

- Individuals who did not have access to the internet or are not confident using it would likely not have responded to the consultation which was primarily conducted online meaning their views were not reflected.
- Misuse of visitor permits could be tackled within the existing permitting scheme through simply removing permits if they were misused. An online system did not offer any additional protections beyond this.
- Limiting the number of permits to two plus a visitor permit per household would help to manage demand for parking in congested areas.
- The system proposed by officers would not work and the changes should not go ahead. A small increase in pricing may be acceptable but the increases suggested in the report were not reasonable.

Councillor Chilvers raised the following points:

- The Avenue Road to Adelaide Road Residents Association had raised concerns and had written a letter to the Chief Executive which had also been passed to the Committee. Their key point was that there was a lack of justification for the increase in cost proposed by the Council. Officers had since confirmed that the permit scheme cost around £1million while raising £350,000, leaving a shortfall of around £650,000 pa, but this was not publicised within the consultation. However, the Residents Association argued that the whole parking system is integrated and generated a surplus when taken as a whole. Thus, any price increase was akin to intentionally creating a surplus which as a previous speaker had pointed out was not permitted under law. The Residents Association also reported that they could not find any annual parking reports that had been published after 2016/17. A report outlining the financial position of the County's parking schemes should be published annually and would have provided the financial information that was lacking in the consultation.
- Parking permits were a way of rationing a scarce resource and should be administered fairly. Due to the increasing levels of Houses in Multiple Occupation in Leamington the pressure on parking permits had increased but the actual levels of demand and supply for parking spaces was not included within the report or consultation. The level of oversubscription would be a worthwhile subject for investigation by the Task and Finish Group recommended in the report as understanding the level of demand would help to determine how best to ration parking spaces.
- Misuse of parking permits was an issue that most residents would welcome a crackdown on and this would be another topic for the Task and Finish Group to review.

Councillor Gifford raised the following points:

- Residents were not happy with the manner in which the consultation had been conducted. There was no demand to change the system which residents felt was flexible and working well. The systems the District and Borough Councils had previously operated had also worked well.
- The change in the parking scheme seemed to be primarily for the benefit of the contractor and not for the residents.

Councillor Roodhouse raised the following points:

- A change in the permit scheme could be an opportunity to create a fairer system but the report in front of the Committee did not represent this. It was disappointing that since the initial proposals were brought to Cabinet in April 2019 there that not been more investigation into how the system could be made fairer.
- The current supplier's change in software that seemed to have necessitated the change in permit scheme halfway through the contract may be a matter for Audit to investigate as it did not seem to have been a transparent process. The full business case for the changes had not been made available for members to scrutinise nor had a timeline of when officers and the Portfolio Holder were made aware of the changes that would be required. A significant and fundamental change to Council policy should be subject to a full business case and project timeline.
- The revised equalities impact statement had not be included in the report and given the concerns raised about the impact on older people of the change to a digital solution it was important that this document was included with the report.
- Any increase in the cost of permits and changes to the system should be delayed until issues raised by residents had been addressed.

Councillor Davies raised the following points:

- Leamington Clarendon had the majority of free on-street parking in Leamington Spa and residents appreciated that there was a balance between businesses, residents and visitor parking. The key issues that residents had raised about the proposed changes were a desire to move to a fairer system and concerns about accessing an online system.
- An online system risks discriminating against groups who did not have access to the internet particularly older people. Allowing the option of a paper based system for those who need it especially for visitor permits would help to reassure residents.

Councillor Webb raised the following points:

- The overall parking budget for the County was in surplus while the residents permit scheme was in deficit. Permit holders were forced to pay a premium for parking near their homes out of necessity and it may not be the most equitable approach to increase this levy as every resident had the right to use the highway and contributed to its upkeep through council tax. Cross subsidising the residents permit scheme with other parking revenue was a more equitable approach.
- There was no mention of relief or discount schemes as was available for council tax.

The Chair thanked the Councillors who had addressed the Committee and invited Councillor Clarke to introduce the report.

Councillor Clarke thanked the residents who had addressed the Committee and the 2,500 individuals who had responded to the consultation. He stated that all 17,000 permit holders had received information in the post about the consultation. The permit system had to provide a fair way to manage parking spaces balancing the needs of businesses, visitors and residents. The report recommended that a task and finish group investigate how parking permits impact upon business including the issues around guest houses raised by a previous speaker. Councillor Clarke sought to reassure Councillors and residents that the new system would not be completely digital and that there would be ways for those who did not have online access to obtain permits.

He stated that Cabinet would give due consideration both to the consultation responses and to comments made in the Committee meeting before taking a decision.

David Ayton-Hill responded to some of the key points raised in the representations from Councillors and residents:

- There was a broader trend towards digitising services both within the council and the public sector more widely. The change in the permitting system fell in line with this approach. Moving to a digital system would also help to secure savings when the Council recommissioned the resident permit scheme as nationally the market was moving to using digital platforms. There would however be a helpline that residents could call to either get help with the online system or order permits over the phone.
- Moving to a digital platform would aid in enforcement and detecting misuse as civil enforcement officers would be scanning number plates to check for valid permits. If the same car is scanned using a permit on the same street between 9-5, Monday to Friday but not at any other times it may indicate that the permit was not being used by a resident.
- The digital visitor permit system did not change the current rules that allowed for one permit, one visitor.
- The Council did not want to negatively impact on guesthouses and the new system was designed to allow a permit to be issued as a visitor checked in rather than in advance.
- The Council reached out to all Business Improvement Districts and was keen to engage with town centre partnerships to explore how the parking system works and how the demands of residents and businesses could best be balanced.

Councillor Fradgley welcomed the additional consultation period including the special meeting as she felt that stakeholders had not been fully engaged before the report first came to Cabinet in April 2019. She stated that she had previously been involved in running workshops with residents of Old Town, Stratford in respect of parking times and one of the key points to come out of the workshops was a feeling that moving to two residents permits per house rather than three would assist in alleviating overcrowding issues. She stated that the bed and breakfasts in Stratford tended to be small family owned businesses that were vulnerable to pressure from 'Air B'n'B' as well as larger hotels coming into the area. She stated that she understood the new system only allowed one parking permit per room. A lot of business came in the form of group bookings with multiple guests sharing a room and there would be no flexibility for booking in their cars. She hoped that these sorts of details would be looked at by the Task and Finish Group.

Councillor Holland stated that he had lived in a residents parking zone for almost 30 years and that it had completely transformed the environment for the better and he believed that most residents living in a permit parking zone would not want to give it up. He stated that with the residential development outlined in local plans parking permit schemes would become even more important as the demand for spaces increased. Councillor Holland also stated that he felt that the financial burden of the parking schemes was not fairly shared among road users; residents paid for permits and in some areas visitors had to purchase tickets for on street parking, but there were areas covered by a permit scheme where visitors could park free of charge. This was an area that should be looked at as it was effectively asking residents to subsidise visitor parking. Ensuring that the parking scheme was fairly funded had to be one of the first issues the Task and Finish Group tackled. Councillor Holland also felt that the Task and Finish Group should investigate whether one group of enforcement officers could be employed by the Districts and Boroughs and County to

monitor both on and off-street parking. Car Parking also formed part of Traffic Management Strategies developed by the district and boroughs and was a key part of improving air quality and ensuring that town centres thrived. Councillor Holland suggested that any changes to the scheme should be delayed until the Task and Finish Group had reported as any new pricing should support the recommendations of the group.

Councillor Shilton thanked residents for their representations. He stated that he felt it was particularly important that concerns about accessing the digital system were addressed to ensure that no one was excluded from the new system. Councillor Shilton proposed an amendment to recommendations three as below:

“That **following Cabinet the Communities OSC establish** a short-duration Task and Finish Group ~~be established~~ to investigate other aspects of on-street parking management, such as business permitting, ~~and~~ environmental considerations **and tourism.**”

Councillor Shilton stated that this amendment clarified that the Task and Finish Group would be established by the Communities Overview and Scrutiny Committee thus giving Members more control over its scope which he hoped would help to address some of the concerns expressed by previous speakers.

Councillor Gran seconded the amendment.

Members agreed the revised wording.

Councillor Kondakor stated that he had requested additional financial information from officers to confirm the figures Councillor Chilvers had stated earlier. He noted that the figures showed that there was around a £675,000 deficit in the current scheme. The deficit could be reduced in two ways; either through raising additional revenue or through reducing the running costs, and the Task and Finish Group needed to look at both aspects. Finding ways to reduce running costs could enable a diminished increase in price to reach a breakeven point. Councillor Kondakor also noted that the report did not identify the parking capacity of permit areas. The purpose of a permit scheme was to manage demand but if the levels of demand and supply were not known it was hard to evaluate any proposed scheme. He also stated that he felt the scratch card system for bed and breakfast worked well and cautioned that moving to a less flexible electronic system would have a negative impact on visitor spending. He also noted the significant mismatch in the value of a parking space used by a resident compared to one used by a bed and breakfast guest.

Councillor Phillips stated that she did not believe in principle that asking residents to pay for permits was a fair system. She stated that the Task and Finish Group should consider how the parking permit system would work for houses of multiple occupation where there may be multiple households living in a single house.

Councillor Clarke thanked the Committee for their comments in addition to the representations already made by residents and local Members. He reminded Councillors that resident permit schemes had been introduced at residents' behest. He also confirmed the figures quoted by Councillor Chilvers and others that put the scheme at around £675,000 pa in deficit. The overall parking surplus was mostly a result of penalty charges issued to drivers parking on double yellow lines. As well as supporting the resident parking scheme the surplus also went towards maintaining the highway including footpaths and public transport schemes.

The Chair asked Councillor Clarke to take forward the representations made at the meeting for Cabinet to consider when they took a decision on parking permits. This was expected at their March 2020 meeting.

The Chair called a vote on the recommendations as amended. The recommendations were approved with 5 votes for, 3 against and 1 abstention.

Resolved:

1. That the analysis of the parking consultation feedback as provided in Appendix A is noted.
2. That the proposed changes to on-street parking management as provided in section 2 below are endorsed by the committee and put forward for consideration at Cabinet.
3. That following Cabinet the Communities OSC establish a short-duration Task and Finish Group to investigate other aspects of on-street parking management, such as business permitting, environmental considerations and tourism.