

# **Cabinet**

**8 October 2020**

## **On-street Parking Management Changes**

### **Recommendations**

That Cabinet approves:

- 1) the variation of charges for on-street parking throughout the Civil Parking Enforcement areas of Warwickshire pursuant to section 46A of the Road Traffic Regulation Act 1984 in accordance with the pricing structure proposed in this report.
- 2) drafting and consulting on the necessary variation orders pursuant to sections 45 and 46 of the Road Traffic Regulation Act 1984 throughout the Civil Parking Enforcement areas of Warwickshire to introduce a virtual permit system and make the other changes to that system proposed in this report.
- 3) the maintenance of the current permit pricing scheme.
- 4) establishing a short-duration Cross-Party Working Group as proposed in paragraphs 2.45-2.50 to make recommendations as to the future basis of permit pricing and the opportunities for parking management to promote environmental sustainability and the visitor and general economy.

### **1.0 Key Issues**

- 1.1 Proposals to change the management of on-street parking within the civil parking enforcement (CPE) areas of Warwickshire were presented at Cabinet on 11 April 2019.
- 1.2 Further to that meeting, a period of public consultation on the proposals was carried out from 22 July 2019 to 22 September 2019. All residents eligible for parking permits (over 17,000) were contacted, with a response rate of close to 15%. 85% of those contacted did not respond. No inference of acceptance of the proposed changes is taken from this. Guesthouses, local BID companies and Chambers of Trade were written to and the Chief Officers of affected districts and boroughs were contacted.
- 1.3 The results of that consultation were collated and analysed and presented on 9 January 2020 at Communities Overview and Scrutiny Committee (OSC) together with a report containing amendments to the original parking proposals.

- 1.4 The contents of the papers giving details of the original Cabinet proposals from 11 April 2019 and the OSC discussions are publicly available through WCC's Democratic Services or directly through the Council website. Minutes of these meetings are also accessible through these routes.
- 1.5 The following bullet points summarise the headline responses of the feedback analysis and comments made during the Overview and Scrutiny Committee on 9 January:
- disagreement with the proposal to raise permit costs in line with the published prices
  - criticism of the proposal to raise permit prices in light of a parking budget surplus
  - request for annual parking reports to demonstrate parking finances
  - broad agreement with the move away from paper-based permitting to digital virtual permits
  - agreement to control visitor permit misuse through the introduction of online virtual permitting
  - concern that those without internet access may struggle to use the new virtual permitting system
  - agreement with removing the proposal to limit visitor parking through an annual allowance of hours
  - criticism of the increase to guesthouse visitor parking from £3 to £5 per 24 hours and switch to virtual online permitting from the existing scratchcard process.
- 1.6 Traffic management objectives to guide the exercise of powers to regulate on-street parking are contained in section 122 of the Road Traffic Regulation Act 1984, which is in Appendix A. These objectives include aims such as the safe and convenient flow of traffic, air quality standards and sustainability and the proposals in this report have to be considered against those criteria.
- 1.7 The law also requires that the County Council keep a single ring-fenced on-street parking account for all on-street parking income and expenditure. It is permissible to seek to recover the costs of regulating on-street parking, but it is not permissible to set charges for the purpose of achieving a surplus. If charges which are set in order to achieve the traffic management objectives produce a surplus, that is permissible; what is not permissible is setting charges *with the objective* of creating or increasing a surplus. Legislation requires that any surplus on the parking account can only be used for road/traffic schemes, environmental schemes and public transport.
- 1.8 The Government's Guidance for Local Authorities on Enforcing Parking Restrictions says "Civil parking enforcement should contribute to the authority's transport objectives. A good civil parking enforcement regime is one that uses quality-based standards that the public understands, and which are enforced fairly, accurately and expeditiously." A fuller extract from the Guidance relating to policy objectives is set out in Appendix A. The proposals in this report seek to achieve transport objectives within a framework that

distributes costs and discourages abuse in a manner that is fair and equitable for all kinds of users of parking spaces.

## 2.0 Options and Proposals

### Proposals

#### Residents permit pricing

- 2.1. Residents' permit schemes are almost always introduced at the request of the residents themselves, following consultation. Almost half (43%) of Warwickshire's housing stock does not provide off-street parking. These schemes are one of the ways Warwickshire manages the demand for kerbside space from all of the competing demands upon it, in the discharge of its duties under section 122 of the Road Traffic Regulation Act 1984 (see Appendix A). In 2007, Cabinet adopted a policy in which it is stated that the permit scheme should be self-financing.
- 2.2. These permit schemes incur a cost burden which involves maintaining a permit database, managing applications and issuing permits, the legal aspect of varying the traffic regulation orders underpinning the schemes, on-street lining and signing, providing enforcement through civil enforcement officers and managing a robust, open, transparent and legally compliant penalty charge notice processing and appeals process.
- 2.3. Charges for residents' permits were first introduced in 2004/5 at £15 and have risen in price just once since then, in 2016, to £25. The cost of administering the permit scheme is not met fully by the revenue obtained from charging for permits. Analysis has shown that the full cost of administering the permit scheme is close to £80 per permit. We charge £25. Other civil parking enforcement income effectively subsidises the permit scheme.
- 2.4. Warwickshire's current charges are low in comparison to other local authority areas (see tables below). Nationally, the latest available figures (2016) showed that the average cost of residents' on-street parking permits was £64 each, which is significantly higher than the current cost of Warwickshire's permits. The proposed price rises should be considered therefore against both local and national charges.

Table 1. Comparison with neighbouring shire county resident's parking permit charges, taken from their latest available data:

Local Authority	1 <sup>st</sup> permit	2 <sup>nd</sup> permit	3 <sup>rd</sup> permit	Visitors permit*
<b>Warwickshire</b>	<b>£25</b>	<b>£25</b>	<b>£25</b>	<b>£25</b>
Derbyshire	£35	£50	£50	£13
Leicestershire	£50	£50	n/a	£10
Staffordshire	£49	£49	n/a	£49
Gloucestershire	£60	£120	n/a	£12
Oxfordshire	£65	£65	£130	£25
Northamptonshire	£35	£35	n/a	£35

Table 2. Comparison with Midlands councils' resident's permit costs, taken from their latest available data:

Local Authority	1 <sup>st</sup> permit	2 <sup>nd</sup> permit	3 <sup>rd</sup> permit	Visitors permit*
<b>Warwickshire</b>	<b>£25</b>	<b>£25</b>	<b>£25</b>	<b>£25</b>
Worcester City	£30	£40	£60	varies
Birmingham	£19	£38	£38	75p/day
Coventry	£20	£20	£20	-
Sandwell	£31.80	£37.10	£50.90	£7.20/week
Walsall	£40	£50	n/a	n/a
Solihull	£108	£108	£108	£108

\* Visitor permit restrictions and conditions of use vary considerably between local authorities so direct comparison is difficult.

- 2.5. The consultation feedback has demonstrated that the option to increase permit prices at all is generally unwelcome, with a significant number of negative comments.
- 2.6. Additionally, since the proposals were first put forward, the world has been struck by the coronavirus pandemic. The UK has not escaped the impact of the disease which has resulted in not only the sad loss of many people, but also had significant economic effects on businesses and individuals alike.
- 2.7. Therefore, in recognition of these on-going impacts, the consultation feedback and the concerns raised at the Overview and Scrutiny Committee, it is proposed to maintain the current resident permit pricing as shown below:
- 2.8. Residents' permits will stay at **£25** for each permit up to a maximum of three residents permits per eligible property, as is the case currently at the majority of eligible properties. Visitor's permits will also remain at **£25**.
- 2.9. The existing £25 annual permit charge will therefore see all day all year round on-street parking remain at under **seven** pence per day for the vast majority of permit holders who have just one permit.

- 2.10. The proposed Cross-Party Working Group will then consider any future permit price rise mechanisms in the context of greater benchmarking with other Local Authorities, inflationary pressures, the ringfenced account, and the costs of administering a resident's permit scheme. Given there has been no price rise since 2016, the proposed Cross-Party Working Group will also consider the appropriate timescales for regular review of permit charges.
- 2.11. This approach considers and accommodates much of the feedback we received during the period of the consultation in relation to permit charges and takes account of the serious impact of the coronavirus pandemic.

### **Digital online permitting**

- 2.12. The move towards online virtual permitting was identified in the original contract with NSL when civil parking enforcement was brought back under Warwickshire County Council control in 2014.
- 2.13. The switch to a digital online permitting system was broadly supported both in terms of using it to manage their own permit applications and to control the misuse of visitors permits. Three quarters of respondents indicated that they would use such a system to manage their own permits, with half in agreement that visitor permit misuse should be tackled this way and just over one third against.
- 2.14. Paper based permitting systems are increasingly rare in the marketplace with more and more operations switching over to digital systems. These include vehicle excise duty, tv licensing and passport applications. Last year more rail tickets were used digitally than via traditional paper tickets.
- 2.15. The relative lack of paper based permitting systems on the market will lead to additional costs for Warwickshire CC in sourcing and procuring a replacement to the existing system. There is also the question of technical support which is unlikely to be developed further for such systems.
- 2.16. The provision of a digital online process has been identified as a move towards greater efficiency and, because such efficiency requirements have been built into the contract with the service provider, this is cost neutral in procurement terms to the council. This would not be the case with a replacement paper-based permit system.
- 2.17. There was some criticism of the proposal to move to online digital permitting systems from respondents who had no access to the internet. Analysis shows that this was a fairly common comment from elderly respondents. Our approach, as outlined in the consultation documentation, is to provide a phone and postal service to manage the small number of permit holders to whom this applies.
- 2.18. An alternative approach might be for friends or family to manage the account holder's account on their behalf.

2.19. It is proposed to formally consult upon the introduction of the online digital permitting system. The introduction would be from the start of the next financial year 2021/22.

### **Proposals - Visitors**

2.20. The cost of purchasing a visitor's permit will stay at **£25** per annum. This will remain at the same cost as the residents permits.

2.21. The increasing scarcity of paper-based permitting systems and the likely additional costs faced by the council in sourcing and implementing a system which will need to be technically supported throughout the lifetime of the contract means that a switch to a digital system for managing visitor's permits is necessary and proposed.

2.22. It is intended therefore to manage visitor parking through the online digital permitting system requiring the visitor's registration number to be logged. This is purely so that civil enforcement officers (CEOs) can see, via their handheld devices, which cars are parked legitimately.

2.23. It is proposed to formally consult upon the introduction of the online digital permitting system. The introduction would be from the start of the next financial year 2021/22.

2.24. We will retain an effective phone management service for those without internet access. This will allow residents to manage their visitors at or before their time of arrival without having to go online. However, we anticipate that the vast majority of users will register their visitors quickly and easily online.

2.25. Alternatively, family members may wish, with the agreement of the account holder, to manage the service on their relative's behalf. Visitors may be logged in advance of their visit or at the time of their arrival. We intend to address any concerns over ease of use with detailed communication before the new system goes live. We will also monitor usage of the online and phone systems and review as necessary.

2.26. There will be no annual hours limit on visitor parking. The proposal to provide an annual allowance of hours for visitor parking is removed. The current system of one visitor vehicle at a time will be reflected in the new online virtual permitting process. As with the current arrangement, multiple visitor vehicles at the same time will not be allowed through the visitor's permit system.

2.27. Once a visitor's vehicle is registered, they will not need to re-register each time they arrive, unless a different visitor has been registered in the meantime. This, in effect, mirrors the current system of passing a paper permit to each new visitor upon their arrival.

- 2.28. The registration of visitor's vehicle details will go a small way to reducing the misuse of visitor's permits but will not provide the degree of control that was anticipated through use of an annual hourly parking allowance. Additional kerbside space is therefore unlikely to be released.
- 2.29. The visitor vehicle information will be held securely on our service provider's servers in much the same way that existing data for resident's permits is managed.

### **Proposals - Guesthouse visitors**

- 2.30. The guesthouses which use the current permit scratchcard scheme were contacted as part of the consultation. The responses were broadly critical of the proposed change.
- 2.31. Following consideration at OSC, the current scratchcard system will remain and proposals to change the guesthouse visitor permit system will be considered by the Cross-Party Working Group, which will also take a broader view at the impact of parking on tourism in general.

### **Proposals - Stratford Park and Ride**

- 2.32. Users of quarterly and annual season tickets at Stratford Park and Ride will be required to use the online digital permitting system, which will allow them to park on site and board the bus into Stratford. Currently this is managed through a paper permit approach.
- 2.33. Daily and monthly ticket purchasers at the Park and Ride users will continue to be able to purchase their tickets from the existing ticket machines.

### **Proposals - Pay and Display Charges**

- 2.34. It is recommended to increase the on-street pay and display charges in line with the proposals contained within the Cabinet report of 11 April 2019.
- 2.35. Our Local Transport Plan (LTP3) indicates that differential pricing should not be used as a competitive tool between towns within Warwickshire and the removal of the price difference for on-street pay and display charging achieves this end (see table below).

Table 4. Proposed changes to pay and display charges

	Existing on-street (Kenilworth only)	Existing on-street (Warwick, Leamington, Rugby and Stratford)	Proposed on- street (all Warwickshire, where charges apply)
30 mins	£0.50	£0.55	£0.60
60 mins	£1.00	£1.10	£1.20
90 mins	-	£1.65	£1.80
120 mins	£2.00	£2.20	£2.40

- 2.36. The small proposed increase to pay and display parking prices will harmonise charges across the county and re-introduce linear charging which will make payment and time-keeping much easier for users.
- 2.37. The proposed prices create a bigger differential between on-street and off-street parking which will help to encourage uptake of parking in district and borough town centre car parks and free up kerbside space. This is in line with our parking policy and LTP3.
- 2.38. The use of pay and display charges for short stay on-street parking in parts of Warwickshire will continue to contribute directly to the delivery of a proportionate enforcement response. This has increased turnover of kerbside space and had a beneficial impact on trade within the town, as shoppers vacate kerbside parking places at regular, frequent intervals throughout the day.
- 2.39. The proposed increase to pay and display charges should be introduced early in the new year 2021, once the changes have been duly published in accordance with Section 46A of the Road Traffic Regulation Act 1984.

### **Proposals - Parking dispensations and bay suspensions**

- 2.40. It was highlighted in the 11 April Cabinet report that parking dispensations would be put on the same statutory footing as the existing bay suspensions.
- 2.41. It was further proposed that the charges for both bay suspensions and dispensations would be harmonised and amended to £15 per day per bay. This is in line with existing charges nationally and those of neighbouring authorities.
- 2.42. The amendment to the charging scheme for dispensations and suspensions is designed to encourage swifter resolution of on-street works by businesses and a prompt return of the affected parking bays to general parking availability.
- 2.43. At the present time the charges have the unintended consequence of encouraging longer periods of parking space occupancy, rather than acting as

an incentive to move on promptly, as should be the case. The changes will promote more efficient working practices and help to free up kerbside space for residents.

- 2.44. It is recommended that these proposals should proceed as per the 11 April Cabinet report, which will entail further statutory consultation with implementation intended for April 2021. The table below is a summary of these proposed changes.

Table 5. Proposed charges for dispensations and bay suspensions

Type	Charge
Dispensation	£15 per day
Bay suspension	£60 application fee plus £15 per parking space per day

### **Proposals – Cross-Party Working Group**

- 2.45. Following discussion at Overview and Scrutiny in January 2020 and with the Portfolio Holder for Transport and Planning, it was agreed that a short duration Cross-Party Working Group, chaired by the Portfolio Holder for Transport & Planning, be established to consider the items indicated in the paragraphs below. Whilst the political balance rules do not formally apply, the aim would be for the Working Group to be politically and geographically representative of the county. The Group would not be intended to operate as a formal committee and the access to information framework will not be applicable. The aim is for the Working Group to carry out its work between early April and early July 2021 and report to the Overview and Scrutiny Committee and then to Cabinet.
- 2.46. The basis for any future permit price rises. These will take into account a permit pricing mechanism which may consider inflationary pressure and the costs of administering a permit scheme.
- 2.47. The environmental aspects of parking management. Included in this element will be the implications of the climate emergency declared by Warwickshire and the districts and boroughs, how parking policy may have a beneficial impact on air quality, the possibility of emissions-based charging and a consideration of any such changes on lower income areas of the county.
- 2.48. The influence of parking management on tourism. Guesthouse visitor parking provision will be considered alongside other aspects such as appropriate signage and the balance between on-street and off-street parking for tourists.
- 2.49. Warwickshire’s vision includes a desire to support a strong and vibrant economy. Accordingly, the Cross-Party Working Group will also consider the potential for business permitting.

- 2.50. Subject to approval of the creation of the Cross-Party Working Group by Cabinet, officers will draw up detailed terms of reference and proposals for membership for approval by the Portfolio Holder, taking into account the recommendations of Corporate Board, Democratic Services and party leaders/spokespersons. If possible, given the county-wide reach of the items for consideration, each of the constituent District and Boroughs should be represented by a County Councillor with a ward within their boundaries.

### **3.0 Financial Implications**

- 3.1 The formal consultation on the move to digital online permitting will take place upon approval of the proposals by Cabinet. Our service provider, NSL, will fund the procurement of the new permitting system, PermitSmarti, as a result of their contractual commitments.
- 3.2 The purchase of a new digital permitting system has been identified as a requirement of the contractual arrangement between NSL and WCC and will incur no additional cost to the Council.
- 3.3 Failure to adopt new digital technology is likely to incur additional financial cost and delay for the council as it would be required to seek, through a competitive tendering process, whether a replacement paper-based permitting system is available.
- 3.4 This is also likely to have impacts on the ability of residents to apply for, renew and pay for permits as the existing paper permit system becomes increasingly obsolete and technically unsupported. The council may be forced to seek temporary replacement processes at additional cost while new systems are sought.
- 3.5 The administrative cost of running a permit scheme is not met by the existing permit pricing arrangements, which has identified an administrative burden of close to £80 per permit.
- 3.6 Previous proposals had identified and consulted upon two permit pricing options, namely a tiered option of £35/£55/£80 for first, second and third permits or a flat rate option of £80 per permit.
- 3.7 The tiered permit option would have resulted in an additional annual income of £178,525, compared to the current permit pricing structure, while the flat rate option would have produced an additional annual income of £713,625.
- 3.8 However, the financial impact of Covid-19 on Warwickshire's communities and economy is recognised. Lockdown resulted in much reduced income for many of Warwickshire's businesses and residents and had significant impact on revenue from pay and display parking for the Council.
- 3.9 In previous years, CPE has generated a surplus of between £1.5m and £2m. WCC experienced an average monthly loss of income of £230,000 over CPE

as a whole during the lockdown period. This impact, together with freezing permit prices, will lead to an estimated reduction in parking income for 2020/21 of £1,436,339.

- 3.10 It is worth emphasising that any income arising from civil parking enforcement may only be spent on the management of CPE itself plus highways improvements, public transport and environmental improvement, all of which directly benefit Warwickshire residents.

## **4.0 Environmental Implications**

- 4.1 Warwickshire CC declared a climate emergency on 25 July 2019. The County's approach is to put environmental issues at the heart of its decision making.
- 4.2 The switch to digital permitting will result in reduced use of paper, as permits and letters will be greatly reduced in number.
- 4.3 The proposed Cross-Party Working Group will consider environmental issues as part of its remit, with a view to encouraging more sustainable forms of transport.

## **5.0 Timescales associated with the decision and next steps**

- 5.1 Subject to Cabinet approval, work to vary the relevant traffic regulation orders will start from October 2020 with a view to implementation of the agreed changes from April 2021.
- 5.2 The variations will formalise the switch to digital permitting and the regulation of suspensions and dispensations.
- 5.3 The proposed increase and harmonisation of pay and display charges across Warwickshire will, subject to Cabinet approval, be implemented following advertisement by Notice on or shortly after 1 January 2021.
- 5.4 It is intended for the short duration Cross-Party Working Group to start work on 5 April and conclude by 5 July, reporting subsequently to Communities Overview and Scrutiny and thereafter to Cabinet.
- 5.5 OSC criticised the absence of regularly published annual parking reports. The missing reports, for the years 2017-18 and 2018-19 are now being prepared and the aim is to publish in October 2020.
- 5.6 A comprehensive appraisal of parking policies will subsequently take place as part of the review of the Local Transport Plan.

## Background papers

1. EqlA – virtual permitting
2. EqlA – parking and permit charges

	<b>Name</b>	<b>Contact Information</b>
Report Author	Jon Rollinson	jonrollinson@warwickshire.gov.uk
Assistant Director	David Ayton-Hill	davidayton-hill@warwickshire.gov.uk
Strategic Director	Mark Ryder	markryder@warwickshire.gov.uk
Portfolio Holder	Cllr Jeff Clarke	jeffclarke@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member(s): None

Other members: Cllrs Golby, Shilton, Fradgley, Holland and Kondakor

## **Appendix A**

### **Section 122 of the Road Traffic Regulation Act 1984**

(1) It shall be the duty of every ... local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway ...

(2) The matters referred to in subsection (1) above as being specified in this subsection are—

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to ... the local authority to be relevant.

### **Guidance for Local Authorities on Enforcing Parking Restrictions Updated 22 June 2020**

#### **2.1 Policy objectives**

Civil parking enforcement should contribute to the authority's transport objectives. A good civil parking enforcement regime is one that uses quality-based standards that the public understands, and which are enforced fairly, accurately and expeditiously.

Enforcement authorities should aim to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls. Civil parking enforcement provides a means by which an authority can effectively deliver wider transport strategies and objectives. Enforcement authorities should not view it in isolation or as a way of raising revenue.

Local authorities should ensure that parking in town centres and other shopping areas is convenient, safe and secure, including appropriate provision for motorcycles

and deliveries. Parking policies, including enforcement, should be proportionate and should not undermine the vitality of town centres.

Enforcement authorities should design their parking policies with particular regard to:

- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty
  - improving road safety
  - improving the local environment
  - improving the quality and accessibility of public transport
  - meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car
- managing and reconciling the competing demands for kerb space