

REPORT TO:	CABINET 25 MARCH 2019
SUBJECT:	Parking Policy 2019-22
LEAD OFFICER:	Shifa Mustafa, Executive Director, Place
CABINET MEMBER:	Councillor Paul Scott Cabinet Member for Environment, Transport & Regeneration (job-share)
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT:	
<p>The Parking Policy (the “policy”) is intended to effectively manage parking provision across the borough in line with the borough’s growth objectives, and to contribute towards achieving the clean and sustainable objectives set out in Our Corporate Plan for Croydon 2018-2022.</p> <p>The policy sets out our aims and objectives and a supporting action plan sets out how these will be achieved.</p> <p>The policy also contributes towards the following aims of the Corporate Plan:</p> <ul style="list-style-type: none"> • An excellent transport network that is safe, reliable and accessible to all • A cleaner and more sustainable environment • Happy, healthy and independent lives 	
FINANCIAL IMPACT:	
<p>The Parking Policy will, together with other policies and plans, help deliver key commitments to our residents.</p> <p>The financial implications of implementing a parking policy as detailed in this report can not be fully developed at this stage due to the draft policy being subject to engagement & the proposals in relation to Emission-Based Parking Charges being subject to consultation and the outcomes unknown.</p> <p>Once the engagement and the consultation outcomes are known, the financial implications will be fully developed.</p> <p>It is anticipated that there will be additional income streams as a result of the draft proposals and the need for investment to ensure the proposals can be fully implemented.</p>	
KEY DECISION REFERENCE NO.:	
<p>NOT a key decision at this stage. Once the consultation has been undertaken in respect of the Emission-Based Parking Charges and engagement has been undertaken in respect of the Parking Policy and Action Plan, any approvals will be key decisions and will be advertised accordingly.</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below:

1 RECOMMENDATIONS

The Cabinet is recommended to:

- 1.1 Note the core principles of a Parking Policy as detailed in this report, and note the draft Parking Policy and the action plan proposals at appendix A for engagement purposes.
- 1.2 Note the proposals in relation to Emission-Based Parking Charges as detailed in section 6 for consultation purposes.
- 1.3 Delegate authority to the Executive Director, Place, in consultation with the acting Cabinet Member for Environment, Transport and Regeneration (Job Share), to:
 - a. To undertake appropriate engagement with relevant stakeholders and members of the public on the draft Parking Policy and action plan as at appendix A;
 - b. Consider the outcome of the engagement; and
 - c. Subject to there being no significant changes, finalise, agree and publish the Parking Policy and action plan. Any proposals requiring significant changes will be brought back to Cabinet for consideration. Note that delegation is already in place for the Executive Director Place to consider and implement Traffic Management Orders subject to specified parameters.
- 1.4 Delegate authority to the Executive Director, Place, in consultation with the acting Cabinet Member for Environment, Transport and Regeneration (Job Share), to:
 - a. To undertake appropriate consultation on the proposals in relation to Emission-Based Parking Charges as detailed in section 6;
 - b. Consider the outcome of the consultation regarding Emission-Based Parking Charges; and
 - c. Subject to there being no significant changes which would necessitate further consultation, finalise, agree and implement the Emission-Based Parking Charges proposals. Note that any proposals requiring significant changes or further consultation will be brought back to Cabinet for consideration.

2 EXECUTIVE SUMMARY

2.1 This report:

- sets out the context of key strategic drivers (local, regional & national) and the need for a Croydon Parking policy that will help address public health priorities, the impact of vehicle emissions and congestion on air quality, the need for a shift to more active and sustainable transport modes, and the growing demand for kerbside space;
- summarises the core principles of the draft Parking Policy and sets out the key work areas we will focus on to take parking forward over the next 3 years;
- sets out the proposal for the introduction of Emission-Based Parking Charges for resident permits.

3 DRAFT PARKING POLICY CORE PRINCIPLES

3.1 Parking affects almost everyone that lives, works or visits Croydon to some extent. Whilst our road networks have grown, so too have the competing demands for this space for use by pedestrians, cyclists, vehicles, parking and public realm. With the pace of growth in homes and developments that Croydon is set to undergo, this Parking Policy, and its emerging action plan, respond to the challenges posed and deliver effective and safe parking infrastructure and management in the borough.

3.2 The policy sets out the aims and objectives over the period 2019 to 2022 for managing on- and off-street parking infrastructure, parking demand management, traffic and parking compliance, school streets safety and related customer services.

3.3 The Policy is formed on six core principles:

3.3.1 Collaborative working

The aim is for Parking management to be a collaborative process distributed across planning, strategic transport, engineering and operational functions, and to embed a coherent approach that aligns and coordinates the individual sub-unit goals to the over-reaching common purpose. This will assure the coherent planning, development and operational management of traffic and parking.

3.3.2 Parking management

The aim is to provide suitable and adequate parking facilities on and off the highway, without detracting from the quality of public realm, and to contribute to securing the expeditious, convenient and safe movement of vehicular and other traffic. This includes contributing to the over-reaching policy aim of reducing car use and increasing walking, cycling and the use of public transport. This will ensure: that parking capacity & provision are balanced & optimized to meet the diverse needs of all road users; that on- and off-street infrastructure enables effective and efficient use of parking provision; a civil enforcement system in compliance with legislative framework and approved code of practice.

3.3.3 Controlled Parking Zones (CPZs)

The aim is to manage parking where demand exceeds supply and/or unsafe conditions exist, through the design of permitted and restricted kerb space that fairly balances parking capacity, parking times and bay types (residential, P&D, business and shared use) in accordance with the locations and appropriate to the needs of local communities and businesses.

3.3.4 School streets

The aim is to contribute to securing a healthy and safe environment near to schools, and to help children and parents use cars less and to walk, cycle and use public transport more.

3.3.5 Parking charges

The aim is to operate the charges defined in local Traffic Management Orders for on- and off-street parking places. In conformance to the Road Traffic Regulations Act 1984, the level of charges will have regard to securing the expeditious, convenient and safe movement of vehicles and other traffic (including pedestrians) having regard to the amenity, the national air quality strategy and any other relevant traffic management matters, and the requirement to self-finance the operational costs of providing and managing parking facilities.

3.3.6 Innovation and technology

The aim is to end the use of closed data systems and instead promote the use of open data platforms and devices, to facilitate a digital Smart City transformation in the way people travel and to support innovation in transport information systems, at a rate dictated by the natural replacement cycle or as reasonable investment costs permit.

This is reflected in Section 6 of the action plan at appendix A, where the objective of embracing new technology will play a crucial role for delivering the proposed actions for Emission-Based Parking Charges (as per Section 5 of the appended action plan), which, we are bringing before this Cabinet for consideration and approval to proceed as set out within recommendation 1.4.

4 PUBLIC HEALTH AND EMISSIONS

- 4.1 Air pollution is an important and increasingly more high profile public health issue, contributing to illness and shortened life expectancy. It disproportionately impacts on the most vulnerable in the population, in particular the sick, young and elderly. Those at higher risk include those with existing respiratory problems and chronic illnesses such as asthma and chronic obstructive pulmonary disease. People who live or work near busy roads are at particularly high risk of exposure to the health harms of air pollution.

4.2 An online public survey of views on the future of transport, for the Draft third Local Implementation Plan (LIP3) in September 2018 found, for example, that 74% of respondents are concerned about air quality in Croydon and 72% agreed that traffic levels should be lowered. Every car journey starts and ends with a parking space and parking management is therefore an important lever in supporting the LIP3 objectives.

Also, an online public survey of views on air quality, for the Air Quality Actions Plan in July 2017 found, for example, that 88% of respondents agreed that the AQAP healthy streets initiatives are important and 84% agreed it is important to improve air quality awareness at schools.

4.3 In Croydon, 19,226 residents registered with a Croydon GP suffer from asthma (2016/17). This is 4.73% of the GP register. Croydon has the 12th highest rate in London. Croydon has high rates of asthma among children and in 2016/17 there were 342 hospital admissions (under 19) per 100,000, which represented the highest rate in London.

4.4 Car occupants are typically exposed to higher levels of air pollution than cyclists or pedestrians. Air pollution is strongly associated with congestion, with pollutant levels generally higher inside vehicles than in ambient air.

4.5 The Public Health Outcomes Framework includes an indicator for air quality which local authorities are expected to show progress on. The indicator for estimated deaths attributable to particulate air pollution shows Croydon is in the worst 25% of local authorities nationally, although performance is better than the London average with the highest levels of air pollution in central London boroughs. The trend over time for this indicator does not consistently show improvement or deterioration.

4.6 The two pollutants which give most cause for concern are the toxic gas nitrogen dioxide (NO₂) and particulate matter (PM) - particles so small they can be ingested deep into the lungs. Particulate matter (PM₁₀ and PM_{2.5}) is a complex mixture of non-gaseous particle of varied physical and chemical composition. Most PM emissions in London are caused by road traffic (as much as 80% in central London) with exhaust emission being one of the main sources.¹

4.7 Across London, road transport and heating systems are the main sources of nitrogen dioxide (NO₂). 90% of road transport NO₂ emissions in central London now come from diesel vehicles. At high concentrations NO₂ causes inflammation of the airways and long term exposure can affect lung function and respiratory symptoms, including exacerbating asthma.

4.8 A quarter of the total health costs of outdoor air pollution is estimated to be a result of emissions from cars and vans, corresponding to more than 10,000 premature deaths in the UK each year.²

4.9 It has been estimated that 205 deaths a year in Croydon are attributable to air pollution.³

¹ [Greater London Authority. Air quality in Croydon a guide for public health professionals. London: September 2013](#)

² Health costs of air pollution from cars and vans, Brand & Hunt (2018)

³ Greater London Authority. Air quality in Croydon a guide for public health professionals. London: September 2013

5 NATIONAL, REGIONAL AND LOCAL DRIVERS

5.1 National Drivers

There are many strategies that have been introduced to improve air pollution and reduce emissions over recent years and months:

- The Industrial Strategy is based around Five Foundations of Productivity and Four Grand Challenges that invite innovation. One of the foundations is a major upgrade to the UK's infrastructure including a supporting support for electric vehicles through investment in the charging infrastructure. And amongst the Grand Challenges are: the Future of Mobility - in the way people, goods and services move, including innovation in electric and autonomous vehicles which could dramatically reduce carbon emissions and congestion through their use; and Clean Growth – maximising growth by development & use of low carbon technologies, by which reductions in emissions will be achieved.
- the national *Road to Zero Strategy* aims for 50-70% new car sales to be Ultra Low Emission Vehicles (ULEVs) by 2030 and to enable the rollout of supporting Electric Vehicle (EV) infrastructure & reduce emissions already on the roads.
- The Clean Air Strategy 2019, which aims to clean up the UK's air and reduce the damaging impact air pollution has on public health, including the harmful emissions from vehicles amongst other sources.

5.2 Regional Drivers

As one of 33 London boroughs, Croydon has an obligation to align & work with a number of regional London strategies, policies and plans, such as:

- The Mayor's Transport Strategy 2018, which applies a Healthy Streets Approach to transport that prioritises public health and amongst many objectives aims to reduce car dependency.
- The Mayor's new London Plan (draft), which is the statutory Spatial Development Strategy for Greater London. This includes policies to improve air quality within Sustainable Infrastructure & help ensure appropriate infrastructure is in place to meet needs such as increasing electric vehicles.

5.3 Local Drivers

5.3.1 Our Corporate Plan for Croydon 2018-2022 sets out a number of priorities that are aimed at improving the environment we live in, and aim to make it more sustainable, to encourage and support health live. The key priorities linked to this Parking Policy include:

- An excellent transport network that is safe, reliable and accessible to all – by recognising the important link between transport and a sustainable environment and working collaboratively and undertaking informed decisions that are innovative based on the needs of a neighbourhood, for example, to encourage fewer short car journeys and reduce traffic congestion.
- A cleaner and more sustainable environment – by addressing air quality with the work we do, such as introducing pedestrian zones around schools to help improve air quality and reduce congestion.

- Happy, healthy and independent lives – by preventing issues from becoming a problem and having an environment that encourages and supports healthy living.

5.3.2 There are many facets to improving the environment and it is recognised that genuine collaborative working across all our service areas will be necessary to secure positive outcomes. A variety of local policies, plans and pilots are already underway from different Council services perspectives that also work towards these and other outcomes such as:

- Air Quality Action Plan 2017-2022 – which is a five year plan to improve air quality within Croydon. It's key priorities are:
 - Controlling pollution from new developments,
 - Tackling emissions from servicing and freight vehicles – which also includes tackling our own fleet by working towards having 75% of the council fleet/hired fleet to be ultra low emission capable vehicles by 2025, and
 - Reducing exposure to air pollution & raising awareness for those you live and work in Croydon.
- Draft third Local Implementation Plan (LIP3) – which is under development and consultation to deliver outcomes against the three themes of the Mayor's Transport Strategy 2018, which are: Healthy streets and healthy people; A good public transport experience; New homes and jobs. Amongst the proposed objectives some will indirectly support the lowering of emissions such as:
 - by reducing traffic volumes,
 - supporting the shift to zero emission vehicles,
 - introducing new green infrastructure, specifically the *Electric Mobility* project will support the Council's ambition to install 400 electric vehicle charging points by 2022 & enable a shift to zero tailpipe emission vehicles, and
 - supporting the expansion of Car Clubs in the borough including electric vehicle charging provision and the introduction of flexible Car Clubs in the north of the borough.

5.3.3 Sustainable Croydon

A sustainable place is a key priority for Croydon. We are supporting significant growth in coming years which must provide benefit to our residents and existing businesses. Enabling this growth in a sustainable, healthy way will be crucial. A sustainable Croydon summit will take place in June, with the outcomes informing wider strategy development for the Council.

5.3.4 The Role a Parking Policy can play in tackling Air Quality in Croydon

In the context of the above, it is clear that the introduction of a Parking Policy for Croydon can play an important role in helping to achieve Croydon's Corporate outcomes by enabling a collaborative approach to managing parking provision across Croydon. As the borough grows in population and density the policy aims to improve the environment by delivering actions that will encourage and enable a lesser reliance on cars, a change to lower emitting vehicles and better management of the demand on the kerbside and that will secure a healthy and safe environment near to schools.

Parking management is a significant lever in influencing car ownership and use. It therefore has a role to play in addressing the borough's air quality and public health challenges. Many elements of car ownership and use costs are already being used to influence behaviours, including road tax, diesel fuel duty and differential congestion charges, but these are national or regional schemes.

There are currently insufficient borough level measures and tools in place to address specific areas of localised matters in air quality, to support active travel, to reduce external traffic and to accommodate planned and future Growth Zone and suburban intensification.

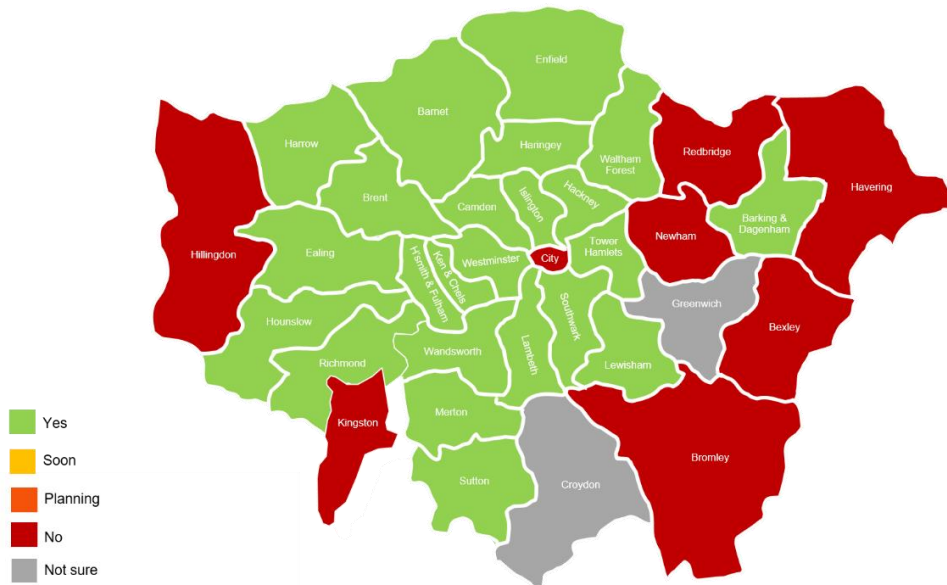
6 PROPOSAL FOR EMISSION-BASED PARKING CHARGES

6.1 In accordance with the core principles set out above, the council proposes to consult on the introduction of Emission-Based Parking Charges that are intended to encourage motorists to consider more active and sustainable forms of transport, or to switch to zero or low emission vehicles instead. Such behaviour change would reduce the overall demand pressure as well as help to drive improvements in our public health and air quality objectives.

6.2 **Emission-Based Parking Charges for residents parking permits:**

6.2.1 The map below clearly shows that the majority of London Councils are already applying emissions based parking charges in some form, with some having introduced these almost a decade ago. It is recommended that Croydon consult upon the introduction of emission-based charging for residents parking permits.

London: Emission based parking surcharge



Source: London Councils (2017/18)

6.2.2 The borough's current standard charge for a first resident permit per household is £80. A £46 surcharge (£126 total) is applied to a second permit and a £225 surcharge (total £305) to a third permit. In July 2018, the Traffic Management Advisory Committee recommended to the acting Cabinet Member for Environment, Transport and Regeneration (job share) the proposal to remove the option of a 3rd residents' permit at a household except in cases of permit renewals. Subsequently the third permit was discontinued in July 2018 and is now only available for renewal permit applications for the existing 34 third permits that remain in circulation.

6.2.3 Instead of a single rate which takes no account of the nature or type of vehicle that is attached to the permit, it is proposed to introduce a series of bandings with the price linked to the vehicle's emissions. Residents driving zero and low emission cars will experience a significant reduction in the parking permit charge.

6.2.4 Prices for resident permits have remained unchanged since 2013 and represent 4.9% of total parking income. Had the £80 permit fee increased in line with inflation it would now cost £91.30 (per the ONS retail price index).

Table 1 – Proposed Emission-Based Parking Charges structure for parking permits.

Vehicle registration from March 2001	CO ₂ emission (g/km)	Proposed new charge
Band 1	< 1	£6.50
Band 2	1 – 75	£65
Band 3	76 – 165	£104
Band 4	166 – 225	£146
Band 5	> 225	£300
Before March 2001	n/a	£300

- 6.2.5 It is proposed that second and third permits will also be based on the above emissions bandings plus surcharges. It is proposed to increase the surcharge for the second permit issued to a household from £46 to £50 in line with inflation. The second permit represents 21% of all permits issued. It is proposed to reduce the surcharge on the third permit to £150, while it is being naturally phased out.
- 6.2.6 The rationale for the differential charges is to incentivise car owners in the decision they take about their next car. There is a trade-off between moderating the complexity from too many changing bands and the sufficiency in bands to offer realistic step changes that car owners can make. Too few bands could also be perceived as unfair by owners of cars near the boundary of a more significant step in the band charges. A significant number of London boroughs have now introduced emission-based permit charges, and there is a broad level of support for the principle of “polluter pays”. There is little consistency in the bandings, ranging from 3 to 13 bands plus various surcharge mechanisms. However, the largest number of boroughs have settled for 5 bands, which is what is proposed in this report. The discount offered, relative to the highest charge band 5, must be sufficient to create a real incentive for a car owner to switch to a lower emission car – i.e. if the charging differential is too low then it would not, in itself, encourage a switch to a lower emission car.
- 6.2.7 The proposed resident permit charges compare to emission-based schemes already implemented in neighbouring boroughs.

Table 2 – Benchmarking against neighbouring permit schemes.

Vehicle registration from March 2001	Proposed new charge	Sutton	Merton	Lambeth
Band 1	£6.50	£40	£65	£35.84
Band 2	£65	£40	£90	£35.84
Band 3	£104	£55	£90	£160.76
Band 4	£146	£80	£90	£188.41
Band 5	£300	£110	£90	£306.17
Before March 2001	£300	£150	£90	£160-£306*

* L.B.Lambeth has 3 charge bands for pre-2001 vehicles, based on engine size.

NB: L.B.Merton have introduced a £25 permit discount on zero emission vehicles and a diesel levy phased-in over 3 years: £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20, applied in addition to the £90 permit charge..

NB: L.B.Bromley do not operate emission-based charging. It operates a 2-tier location based differential of £40 and £80 for resident permits.

- 6.2.8 The purpose of seeking to introduce Emission-Based Parking charges to resident permits is aimed at incentivising the use of more environmentally friendly vehicles, as well as covering costs of administration, not simply to generate income. The proposed new charges will potentially increase parking revenue by £124k p/a, representing 0.64% of overall annual parking income budget. Under Section 122 of the Road Traffic Regulations Act 1984 the Council has the authority to set charges at a level that achieves the traffic management objectives, including the National Air Quality strategy prepared under Section 80 of the Environment Act 1995 – i.e. to realistically influence a reduction in vehicle emissions. Introducing emission-based charges solely to

raise income would be inconsistent with the 1984 Act, and is not the purpose of the proposed measures.

6.3 Emission-Based Parking Charges for business and visitor parking permits:

It is recommended that Croydon consult upon the introduction of Emission-Based Parking Charges for business and visitor parking permits.

Presently, 285 business permits are in circulation, within designated Inner and Outer Croydon zones. In the Inner zone, businesses are limited to maximum 2 permits. The permit charge is £382 p.a. and a 50% discount is currently in place for alternative fuel vehicles (electric and hybrids). Businesses in the Outer zones are limited to maximum 4 permits, where the first and second permits are £382, but the third and fourth are £560 and £910 respectively. The 50% alternative fuel discount is not currently available in the Outer zones. The proposed supporting action plan to this policy recommends the investigation of an alternative emission-based charging approach for business permits.

Presently, 1540 visitors' permits are issued per annum. Visitor permits currently operate whereby a residents either pre-purchases day permits or registers with a mobile app, to enable the resident paying for a visitor's parking time. The current system does not lend itself to introducing an emission-based charging structure. The proposed supporting action plan to this Policy recommends the investigation of an alternative emission-based charging approach for visitor permits. This requires the enabling technology becoming available, as per section 6.6 below.

6.4 Emission-Based Parking Charges for Pay and Display parking spaces:

It is recommended that Croydon consult upon the introduction of Emission-Based Parking Charges for Pay and Display parking spaces.

Whereas residents permit charges influences car ownership choices, the charges at destination pay and display places will further influence car use – for example, whether the multi-car family choose to make a trip using the smaller or the bigger family car. It is also an influencer on the emission-levels from commuter vehicles travelling into Croydon from outside the borough.

The proposed supporting action plan to this policy recommends the phasing-in of technology for eventually enabling Emission-Based Parking Charges in on- and off-street pay and display places. Presently, only City of London have managed to implement such a scheme within London and this has involved removing the vast majority of pay and display machines, in favour of drivers paying by an emission enabled mobile app instead. Such an abrupt switch is presently considered inappropriate in Croydon, while mobile payments represents just 32% of parking payments. It is preferable to encourage a further uptake in mobile app payments and to mirror this with the gradual phase-out of a portion of pay machines, before an emission-based scheme can be introduced in pay and display places.

Current parking charges vary widely between the many on- and off-street parking places in Croydon. The average on-street parking payment is £1.90. In

the present phase of the policy development, it is proposed to consult on the principles of significantly reducing (-90%, to £0.19 average) parking charges for zero emission vehicles and moderately increasing (+30%, to £2.47 average) charges for high emission vehicles. As a moderate increase, +30% is recommended, subject to consultation, as a reasonable balance between creating a sufficient incentive whilst not penalising unprepared occasional visitors to borough. The charge for parking a mid-range emission vehicle will remain unchanged (provided the driver registers for payment by a mobile app). There is little space on signs and machines for communicating the new charging structure to drivers in the street. To necessarily reduce complexity, without over-simplifying and losing the incentive, it is proposed to establish just 3 charging bands. Various types of vehicles will fall into one of the 3 bands.

Table 3 – Proposed Emission-Based Parking Charges structure on-/off-street parking.

Vehicle registration from March 2001	CO ₂ emission (g/km)	Proposed Change	Average Charge
Band 1	< 1	-90%	£0.19
Band 2	1 – 185	0%	£1.90
Band 3	> 185	+30%	£2.47
Pre-September 2015 diesel	n/a		
Pre-March 2001 petrol			
Payment at machine			

There are currently 574 off-street season tickets in circulation. It is proposed to align the season ticket charges to Table 3.

6.5 Diesel surcharge:

It is recommended that Croydon consult upon the introduction of diesel surcharging.

The health hazards from nitrogen oxide (NOx) and particulate matter (PM) emissions from private diesel cars and small vans relate primarily to vehicles registered before September 2015. Diesel vehicles conforming to the Euro6 and later standards in fact now emit less CO₂ than the average petrol engine and emit equivalent NOx and PM. The diesel ‘problem’ is to an extent resolving itself. The differential in fuel tax has made diesel fuel relatively more expensive at the pump; the VED (Road Tax) now higher for pre-September 2015 diesels; and the diesel supplement on company car benefits tax are increasing by 25% (from 3% to 4% of vehicle value) in April 2019. The sale of new diesel cars reportedly fell by 30% in 2018. This has, however, created an aftermarket of low cost pre-2015 diesel cars, which is not being fully addressed at a local level.

As an example, Westminster Council has implemented an on-street parking zone with a 50% diesel surcharge. Due to the necessity of identifying and classifying the vehicle at the time of purchasing parking time, the surcharge requires that all drivers pre-register and pay for parking via a mobile app. Pay and display machines have been phased out in the diesel surcharge zone.

It is proposed, as a first stage, subject to consultation, to introduce a 30% surcharge on pre-September 2015 diesel vehicles, in the resident parking permit charges from 2020.

It is further proposed, as a second stage, subject consultation, to introduce the 30% surcharge on pre-September 2015 diesel vehicles, in the pay and display parking places from 2021. This requires the enabling technology becoming available as per section 6.6 below.

- 6.6 As enabling technologies emerge in the marketplace, this will enable a phased implementation of Emission-Based Parking Charges across all types of parking provision across Croydon (i.e. permits and on-/off-street):

October 2019

- Emission-Based Parking Charges for Residents permits – see above section 6.2, to be phased in over a 12-month period on the existing permits renewal basis, subject to consultation.

April 2020

- Emission-based Parking Charges for all other permit types (business & visitor) – to be developed.
- Diesel surcharging for permits – to be developed.

April 2021

- Emission-based Parking Charges for on- and off-street parking – to be developed.
- Diesel surcharging for on- and off-street parking – to be developed.

Future reviews will be conducted at appropriate intervals following each phase of implementation to assess the effects and also consider any future measures to further drive improvements in our public health and air quality objectives.

7 CONSULTATION

- 7.1 It is recommended to undertake appropriate consultation in relation to Emissions-Based Parking Charges as detailed in section 6, and to undertake appropriate engagement in relation to the draft Parking Policy and action plan as appended.

- 7.2 We will follow any statutory prescribed guidance on consultation that this policy may be subject to. This may include timescales for consultation, and possible statutory consultees. We are currently in discussion with our legal services to determine how we will proceed with the statutory nature of this consultation. At Croydon, we adhere to the Gunning Principles, confirmed by the Court of Appeal in 2001 (Coughlan case) and are now applicable to all public consultations that take place in the UK. These are that:

- We must consult when proposals are still at a formative stage;
- We must give sufficient reasons for proposals to permit 'intelligent consideration'- that is, people involved in the consultation need to have enough information to make an intelligent choice and input in the process;

- We must allow for adequate time for consideration and response; and
- We (decision-makers) conscientiously take findings taken into account.

8 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

8.1 Revenue and Capital consequences of report recommendations

8.1.1 The financial implications of this policy are currently not fully developed and are pending the outcome of the engagement and consultation.

A full financial model will be developed following the engagement and consultation and reported as part of the findings report.

It is anticipated that there will be an additional income stream for the Council as a result of the proposed policy.

There will also be the need to invest in additional signs and equipment to ensure the policy can be implemented, following the completion of the consultation.

8.2 The effect of the decision

As detailed above it is likely that there will be an additional income stream along with the need to undertake additional investment. In order to secure such investment, business cases will be prepared as necessary for the appropriate funding regime.

8.3 Risks

- Legally challenged on the proposed charges and levels of income not being commensurate with traffic management objectives.
- Legally challenged on insufficiency in measures resulting in air pollution (public health) and traffic management duties not being met.
- Car ownership and car use behaviour changes having an excessively adverse economic impact on residents, enterprises and businesses.
- Car ownership and car use behaviour changes beyond the model assumptions, resulting in income projections and the duty to self-finance parking schemes not being met.
- Concerns that the proposed charges will disadvantage those who rely on the motor vehicle.
- Penalising residents in areas where CPZs are more extensive.
- There are technical challenges in systems software and devices for implementing Emission-Based Parking Charges, virtual loading bay and open data systems. Such challenges have been resolved in other towns, but at cost implications that cannot yet be fully ascertained until consultation has confirmed the preferred methods and levels.

8.4 Future savings/efficiencies

Following the engagement and consultation periods the financial implications of implementing the proposed parking policy will be fully developed and reported as part of the engagement and consultation findings.

The main aim of the policy is to improve parking and its environmental impacts within the borough. These will be linked to Corporate Priorities e.g. Low Emissions, AQ & PH etc.

If the implementation of any proposed policy will result in a reduced income for the Council this will need to be carefully considered as this will impact the Council's budget.

Approved by: Lisa Taylor, Director of Finance, Investment and Risk - S151 Officer.

9. LEGAL CONSIDERATIONS

9.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that there are a variety of statutory functions engaged by the proposed parking policy and action plan. These include the following:

Sections 6, 45, 46, 47, 49, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (RTRA) provides the Council with the power to implement the changes proposed in this report. This legislation gives a local authority the power to make Traffic Management Orders (TMO) to control parking by designating on-street parking places, charging for their use and imposing waiting and loading restrictions on vehicles of all or certain classes at all times or otherwise.

9.2 In making such Orders, the Council must follow the procedures set out at Schedule 9, Part III of the Road Traffic Regulation Act 1984 and detailed in the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 (the 1996 Regulations). The said Regulations, prescribe inter alia, specific publication, consultation and notification requirements that must be strictly observed. It is incumbent on the Council to take account of any representations made during the consultation stage and any material objections received to the making of the Order, must be reported back to the decision maker before the Order is made.

9.3 By virtue of section 122 of the RTRA, the Council must exercise its powers under that Act so as 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. These powers must be exercised so far as practicable having regard to the following matters:-

- the desirability of securing and maintaining reasonable access to premises.
- the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
- the national air quality strategy.
- 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.
 - any other matters appearing to the Council to be relevant.
- 9.4 The High Court has confirmed that the Council must have proper regard to the matters set out at s 122(1) and (2) and specifically document its analysis of all relevant section 122 considerations when reaching any decision.
- 9.5 Finally it should be noted that the Courts have been clear that the Road Traffic Regulation Act 1984 is not a fiscal measure and does not authorise a local authority to use its powers to charge local residents for parking in order to raise surplus revenue for other transport purposes.
- 9.6 When designating and charging for parking places the authority should be governed solely by the section 122 purpose. There is in section 45 no statutory purpose specifically identified for charging. Charging may be justified provided it is aimed at the fulfilment of the statutory purposes which are identified in section 122 (broadly referred to as “traffic management purposes”). Such purposes may include but are not limited to, the cost of provision of on-street and off-street parking, the cost of enforcement, the need to “restrain” competition for on-street parking, encouraging vehicles off-street, securing an appropriate balance between different classes of vehicles and users, and selecting charges which reflect periods of high demand. What the authority may not do is introduce charging and charging levels for the purpose, primary or secondary, of raising section 55(4) revenue.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer

10. HUMAN RESOURCES IMPACT

- 10.1 There are no immediate HR issues and if any arise these will be managed under the Council’s policies and procedures.

Approved by: Jennifer Sankar, Head of HR, Place on behalf of Sue Moorman, Director of Human Resources.

11. EQUALITIES IMPACT

- 11.1 An Equity Analysis (EA) has been undertaken, to ascertain if the impact will be positive or negative for groups that share a protected characteristic. We will revisit EA at next stage. Engagement and consultation will ensure any equality and inclusion issues are incorporated and mitigating actions put in place.

Approved by: Yvonne Okiyo, Equalities Officer

12. ENVIRONMENTAL IMPACT

- 12.1 The environmental impacts associated with this policy will be positive by improving air quality, reducing congestion and improvements to the public realm.

13. CRIME AND DISORDER REDUCTION IMPACT

- 13.1 Gradually phasing out cash payments at pay and display machines will reduce the frequency of thefts, damage and vandalism.

14. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 14.1 A Parking Policy for Croydon can and must play an important role in helping to achieve Croydon's Corporate outcomes by enabling a collaborative approach to managing parking provision across Croydon. As the borough grows in population and density the policy aims to improve the environment by delivering actions that will encourage and enable a lesser reliance on cars, a change to lower emitting vehicles and better management of the demand on the kerbside and that will secure a healthy and safe environment near to schools.
- 14.2 There are currently insufficient borough level measures and tools in place to address specific areas of localised matters in air quality, to support active travel, to reduce external traffic and to accommodate planned and future Growth Zone and suburban intensification.

15. OPTIONS CONSIDERED AND REJECTED

- 15.1 Without this policy, the Council would be making decisions about Parking arrangements in the absence of any cohesive framework which is aligned to our corporate priorities. The making of any changes to parking arrangements in the absence of such a framework would be exposed to the risk of challenges.

Also, without this policy the Council would not be doing everything possible in its power to address the priorities within our Corporate Plan as detailed in section 4.3.1.

- 15.2 An option could be to wait and see what new technologies and technical solutions emerges as de facto standard from the marketplace or from work delivered in other boroughs, before committing to setting the policy objectives. However, this would introduce a lag in addressing our air pollution and public health priorities whilst parking pressures increase across the borough.

CONTACT OFFICER: Steve Iles, Director of Public Realm
Anupa Patel, Head of Strategic Projects

APPENDICES TO THIS REPORT: Appendix A – draft Parking Policy and action plan

BACKGROUND PAPERS: None