

ASSEMBLY

10 OCTOBER 2012

Title: Response to Petition - Controlled Parking Zone Charges Sutton Road	
Report of: Divisional Director of Environmental Services	
Open	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Sharon Harrington Parking Manager	Contact Details: Tel: 020 8227 2952 E-mail: Sharon.harrington@lbbd.gov.uk
Accountable Divisional Director:	Robin Payne Divisional Director of Environmental Services
Accountable Director:	Darren Henaghan Corporate Director of Housing and Environment
Summary: The Council has received a petition containing over 100 signatures from separate addresses in the borough, requesting that the Council stop proposals to implement controlled parking zones within Sutton Road. The petition includes some issues about the implementation of the Controlled Parking Zone (CPZ) which are being dealt with under the corporate complaints procedure and will not form part of this report. The report deals with the issue regarding the charges applied to resident and visitor permits and the decision to implement a scheme in Sutton Road. The petition states: “Say no to high price parking and visitor permits – Sutton Road” In accordance with the Council’s procedures for petitions the lead petitioner, Mrs L Bowden, has been invited to the meeting of the Assembly to present the petition.	
Recommendation(s) The Assembly is recommended to agree, for the reasons set out in this report, that it is unable to support the petition.	
Reason(s) Under the Council’s Petition Scheme as set out on the Council’s website, petitioners are entitled to a debate at full Assembly if the petition has the support of 100 or more signatures from separate addresses in the borough. As this petition exceeds that threshold it has triggered the requirement for a debate at Assembly.	

1. Introduction and Background

- 1.1. In February 2012 a report from the Cabinet Member for Finance and Education was submitted recommending that the setting of Controlled Parking Permit Charges for the financial year of 2012/13 be based on a carbon emissions fee structure which classifies vehicles according to their vehicle tax bands and therefore their predicted carbon dioxide emissions per kilometre.
- 1.2. The introduction of Carbon-Metered parking means that motorists parking within Barking and Dagenham are now offered variable parking tariffs, based on their vehicle's CO₂ emissions.
- 1.3. The principle behind this structure is that:
- Charges should encourage ownership of vehicles that are more carbon efficient. This will support the Council's commitment to tackling climate change.
 - Charges should discourage cars that are not carbon efficient and which pollute more. This will reduce levels of harmful pollution caused by cars and support our Air Quality Strategy.
 - Charges should discourage multiple car ownership. Our roads have limited parking spaces and discouraging car ownership will help regulate car ownership and support greener travel options.
- 1.4. The Council consulted residents of Sutton Road, Tom Mann Close, Sutton Green, Felton Green, Sutton Gardens and Movers Lane in December 2011 regarding the implementation of a CPZ. This was as a result of representation made by residents concerned by displaced parking from an adjacent CPZ area.
- 1.5. On completion of the consultation the results were taken to a members' meeting on 4 May 2012 where all results were considered using mapped information that showed the density of received responses and preferences given.
- 1.6. Below is a table of the consultation figures for Sutton and surrounding roads.

Roads Consulted	Total number of Properties Consulted	Total number of Responses Received	Response Percentage %	Do you want permit parking to be introduced into your road? Monday to Saturday, 8:30am to 9:00pm			
				Yes		No	
				No.	%	No.	%
Alfreds Gdns	61	27	44.3%	7	25.93	20	74.07
Felton Gdns	9	5	55.6%	1	20.00	4	80.00
Felton Road	71	29	40.8%	7	24.14	22	75.86
Movers Lane	38	14	36.8%	9	64.29	5	35.71
Saxham Road	9	3	33.3%	1	33.33	2	66.67
St Johns Road	57	37	64.9%	31	83.78	6	16.22
Sutton Gdns	16	5	31.3%	1	20.00	4	80.00
Sutton Green	9	4	44.4%	2	50.00	2	50.00
Sutton Road	98	44	44.9%	19	43.18	25	56.82
Tom Mann Close	18	8	44.4%	7	87.50	1	12.50
GRAND TOTAL	386	176	45.6%	85	48.30%	91	51.70%

- 1.7. The survey undertaken in Sutton Road was of numbers 1 to 127 and of the 98 properties consulted on this road 44 responded. This reflects a 49.9% response, which is very high for such surveys and gives significant confidence to the results.
- 1.8. The results of this survey were that in Sutton Road 19 residents supported a CPZ and 25 were against a CPZ. Between numbers 99 and 127 all responses were against a CPZ. It was therefore agreed with ward councillors that the CPZ would not extend beyond the junction with Felton Road. This means that of the properties affected, there were 49% in favour and 51% against.
- 1.9. At the time of the consultation a first car permit was £25.30, whereas now most residents will pay £40 for a first car. Evidence shows that since the new structure was implemented the average cost for a permit is £50.47.

2. Financial Implications

Implications completed by: Jahangir Mannan Group Accountant
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- 2.1 There is currently an income budget of £6.074m within parking services to be recovered from issuing of enforcement notices, car park charges and the issue of permits. The actual income from permits in 2011/12 amounted to £397,033, and the estimated income for 2012/13 is £587,803. Approximately 57% of this (£346k) relates to residential permits, 22% relating to visitor's permits, with the remainder a mixture of business and other permits
- 2.2 The above budget includes a savings target of £70k for 2012/13 to be generated through the implementation of the new emission based charges. In 2011/12 a savings target of £1.040m was approved for additional parking income with approximately £686k attributable to CPZs of which £486k was not achieved.
- 2.3 The new permit charging regime and corresponding fees for 2012/13 were approved by Cabinet in February 2012 as part of the Fees & Charges report.
- 2.4 Benchmarking has taken place against similar neighbouring authorities, LBBDD charges are fourth in a sample of eight boroughs.
- 2.5 The average cost of issuing a permit is £9.67, although the cost of Residential Permits is higher at £14.33 due to the greater printing cost involved with the paper quality. The annual cost currently amounts to £201,121 for all permits, which includes £97,439 for residential permits only.
- 2.6 However, there are significant costs associated with implementing a CPZ (e.g. resident consultation, signs and white lines) which are not included in the costs above. It is estimated that the cost of implementation for Sutton Road is approximately £10k.
- 2.7 The exact take up of residential permits within a CPZ area is difficult to forecast, however, based on some recent samples, an indicative estimate of 40% is assumed. At this level of take up, and also assuming the profile of car emissions is consistent with the whole borough (i.e. average charge of £50.47), an annual net income of

£1,547 may be achieved from this area. This gives a payback period of 6.5 years to recover the capital implementation costs.

3. Legal Implications

Implications completed by: Paul Feild Senior Lawyer
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- 3.1 Controlled Parking Zones are operated under powers given in the Road Traffic Regulation Act 1984 (the Act). There are minimum requirements for consultation and publication before making an order which is set out in the Act and in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 3.2 The making of charges for the zones is regulated by the Act so as to ensure the operational cost of the scheme is self-financing and where there is a deficit to the general fund as a result of operation the income should be so applied to prescribed expenditure such as parking provision, public passenger services, road improvement and maintenance, London transport strategy and environmental improvements
- 3.3 The use of a carbon output calculator is in keeping with the general thrust of the Governmental policy to seek to charge a greater fee for a greater environmental impact - the "polluter pays" principle.
- 3.4 The CPZ process is managed under delegated authority by Corporate Director for Housing and Environment with a full consultation and implementation regime in accordance with the statutory procedure. Following responses the representations are weighed up to examine whether the CPZ shall be introduced or not. Those persons who make representations are replied to.
- 3.5 The Court of Appeal (in a case involving Westminster Council's decision to bring in charges for motorcycle parking) recently gave guidance on the weight to be placed on representations in that a Local Authority was not to carry out a head-count in terms of those in favour or against a measure. It is perfectly legal for an apparent majority of those who respond to consultation, for example by a petition, to be against a measure and for the Council to introduce a new parking regime as long as there is a reasonable basis for doing so in accordance with S.122 of the Act (that is to have regard to S.122 (2) (a) access for the residents (b) the affect the measure would have on local amenities (c) the ease of passage of public service vehicles including health & safety issues and (d) any other matters that appear to be relevant).

4. Other Implications

- **Risk Management:** The risk to Parking service is that the current projected pressures will be increased if the parking permit prices are decreased.
- **Contractual Issues:** The fees & charges policy will be reviewed on an annual basis and agreed at Cabinet for implementation on the 1 April each year.
- **Customer Impact:** When implementing a CPZ we have to be mindful of the impact on surrounding roads and make a decision based on this as to whether to extend to roads that may have been against it.

5. Background Papers Used in the Preparation of the Report:

- Consultation responses