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Scrutiny & Overview Committee

Meeting held on Thursday, 7 January 2021 at 5.00 pm. This meeting will be held remotely and can viewed on the Council website.

MINUTES

Present: Councillors Sean Fitzsimons (Chair), Robert Ward (Vice-Chair), Leila Ben-Hassel (Deputy-Chair). Jerry Fitzpatrick, Oni Oviri and Joy Prince.
Also Present: Councillor Muhammad Ali and Gareth Streeter

PART A

1/21 **Disclosure of Interests**

There were no disclosures of interest made at the meeting.

2/21 **Urgent Business (if any)**

There were no items of urgent business.

3/21 **CALL-IN: Emission-Based Parking Charges**

The Chair of the Scrutiny & Overview Committee, Councillor Sean Fitzsimons introduced the Call-In item, outlining the reason why the 'Emission-based Parking Charges' key decisions had been called in. It was confirmed that there were a number of reasons why the call-in had been made which included seeking reassurance that the new charges were not being introduced as a fiscal measure, to clarify the environmental benefits of the new charges, to seek reassurance that there would not be an undue impact on the local economy and to confirm that the decision had been taken in line with the decision-making processes set out in the Council's Constitution. In response to these concerns a report setting out additional information was provided for the consideration of the Committee.

The Chair explained the process for considering a call-in, confirming that the Committee needed to agree whether to review the decision and if it was decided to proceed, to confirm how much time it wished to allocate for the discussion of the item. The Committee agreed that it would review the decision and allocated one hour and thirty minutes for consideration of the item.

The Chair went on to explain that there were three outcomes that the Committee could reach as a result of the review. These were:-

1. That no further action was necessary and the decision could be implemented as originally intended.

2. To refer the decision back to the Cabinet for reconsideration, outlining the nature of the Committee's concerns
1. To refer the decision to Council, if the Committee considered that the decision taken was outside of the Budget and Policy Framework.

At the outset of the item the Chair gave Councillor Gareth Streeter, as the Shadow Cabinet Member for Transport, Environment & Regeneration the opportunity to outline his concerns about the report. Councillor Streeter advised that he held a concern that the decision had not been made in line with the Council's Constitution as the Cabinet delegation had not referenced the removal of free parking bays. As such there had not been an opportunity for the proposal to receive Member scrutiny. It was also highlighted that the timing of the decision gave rise to the concern that the new charges had been introduced as a fiscal measure. Finally, there was also concern that there was a lack of evidence to determine what the impact would be on local economy from the removal of free bays. Given the unprecedented challenges facing the economy from covid, it was felt the Council should be doing all it could to support local businesses.

The Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali along with council officers were in attendance at the meeting to address the call-in and answer any questions arising.

Prior to answering questions from the Committee, Councillor Ali was provided with the opportunity to respond to the call-in. It was outlined that the Emission-Based Parking Charge Policy had been created in response to national, regional and local policy drivers aimed at lowering car usage including the Mayor of London's Low Emissions Strategy and the Council's Local Plan. Furthermore, the policy was part of a range of measures that had been developed in response to the Council's declaration of a climate emergency in 2019. Replacing free parking bays with emission-based pay and display parking charges would help to encourage low-emission vehicles.

The consultation on the proposals had indicated that there was a level of support amongst the business community for the new charging policy. Evidence also indicated that reducing car usage would free up extra income that could be spent within the local economy.

Following the response by the Cabinet Member, the Committee was given the opportunity to ask questions about the Emission-Based Parking Charges. The first question asked whether parking charges would be lifted now the country had entered into a second national lockdown. In response it was advised that there had been a decision across London to relax parking enforcement during the first lockdown in 2020. At this stage there had not been a similar agreement for the second lockdown and as such normal levels of enforcement would continue.

Further information was requested on the flexibility of the pay and display machines used by the Council. It was confirmed that payment could be made at the machine using either cash or a contactless payment method. Furthermore, a contract had just been let to enable payment for parking

through a phone app. The phone app was fairly straightforward to update when parking charges changed, but the process for reprogramming the pay and display machines was more complex and normally took about a month to completely update.

As a follow question, it was asked whether the pay and display machines could be individually programmed to allow for different charging schedules across the borough. It was confirmed that this was possible, however it was highlighted that parking charges had been reviewed in 2016, with a fair parking policy adopted. Prior to this review there had been approximately 100 different charging tariffs in operation across the borough.

It was confirmed that at present car park user would need to register online to qualify for the emission-based parking charges and would need to make payment through the phone app. Concern was raised by the Committee that this may penalise those who did not have access to a smart phone and as a result unable to use the app to make payment. It was confirm that at present there was a 50% split between cash and mobile app payments. However, the longer term trend was towards cashless payments as these were more economic, than having cash payment machines which were often targeted for theft.

In response to a question about the evidence used to develop the policy, it was advised that there was an evidence base which suggested that emission-based parking was one of the key drivers in improving air quality. Analysis of parking bay usage in the borough had also indicated that paid bays tended to have a higher level of 'churn' during the day in comparison to free bays. It was also highlighted that at present it was often the case that people circulated while waiting for a free space to become available. With the removal of the free bays, it should help to encourage the churn and improve the availability of spaces.

Further questioning on the evidence used to develop the emission-based parking charges followed, with it questioned whether there was evidence that linked the introduction of emission-based parking with improved air quality. In response it was highlighted that the introduction of the ultra-low emissions zone in London had improved air quality through reducing the number of car journeys each day. Although not directly comparable to a London-wide scheme, the emission-based parking charges should also encourage lower car usage, which if successful would achieve similar results. Research had found that Croydon had the biggest opportunity to reduce car usage of all London boroughs and it was important to get the right balance in the pricing level to encourage people to choose alternatives to car travel.

The Chair read out a statement that had been submitted for the consideration of the Committee by the East Coulsdon Residents Association, who wanted to make a formal objection to the new parking charges. The grounds for this objection included the need to support local district centres competing with neighbouring boroughs and larger retail providers such as supermarkets. It was also felt to be unfair to have the same scheme for both the district centres and the high streets in the borough when the local economy for each was very

different. The requirement to use a smart phone to qualify for the emission-based parking discount also penalised those without access to any such devices. In conclusion it was the view of the residents association that the retention of small number of free bays would help to encourage the economy in local district centres.

In response to concerns about the number of people 'meter feeding' throughout the day to remain in free bays, it was acknowledged that the new charges would remove this as to do so would mean paying for tickets. As such this should help to stimulate the churn of people parking. It was also acknowledged that machines requiring a registration number to be input could be procured to reduce meter feeding, but it was important to balance the cost of new technology against the problem it was looking to resolve. Meter feeding was not as significant an issue to justify the cost of procuring new pay and display machines.

It was highlighted that other authorities had actually replaced some of their parking bays with biodiverse solutions to offset against the pollution from cars. It was questioned whether consideration had been given to introducing similar schemes in Croydon. It was confirmed that the Council had secured funding for the creation of a business low emission neighbourhood on London Road, with initiatives such as urban greening under consideration.

As the delegation for the decision had not mentioned the removal of free parking bays, confirmation was requested that the decision had been taken in line with the policy framework. It was highlighted that the decision taken had been based on two separate delegations, one in March 2020 for the introduction of emission-based parking charges following a consultation and a second delegation on reviewing parking charges. The introduction of emission-based parking bays, automatically removed the existing free bays.

As a follow-up, it was questioned whether, as it was unlawful to increase parking charges as a fiscal measure, legal advice had been sought to confirm that the new charges were lawful. In response it was highlighted that legal sign-off would automatically be sought as part of the process for the decision. Whenever parking charges were increased concern was raised that it was being introduced as a means to raise revenue, but any surplus raised could only be allocated for transport related items. In Croydon any surplus raised through parking charges was allocated to the concessionary fares scheme. Other local authorities had received legal challenges over the introduction of emission-based charging, but legal advice had confirmed that the scheme in Croydon met the requirements of the law.

It was confirmed that data on parking usage was already gathered and had been used to inform the emission-based parking charges. The data had not indicated there would be an undue impact upon local businesses from the introduction of the new scheme. Parking charges would always be an emotive subject for the local business community, but it was important to realise that parking was only one of a range of factors that impacted upon the local economy. The Council had been working with Save the High Streets to understand the issues facing the local economy and had identified that other

factors such as making access easier and improving the customer experience were important. The lack of available parking was often as much of a problem as the need for free parking and the new emission-based scheme would help to address this.

Although the Committee accepted in principle the introduction of emission-based parking charges, there was a concern that the one size fits all approach for the whole borough did not account for the differences in local district centres, particularly those areas in the borough that relied on passing trade. As such it was agreed that the decision would be referred to the Cabinet for further consideration on this basis.

Conclusions

Following its deliberation on this item, the Scrutiny & Overview Committee reached the following conclusions:

1. In principle the Committee supported the introduction of an emission-based parking charges policy.
2. There remained concern amongst some members of the Committee about the existence of evidence to demonstrate that the introduction of the new charges would have a demonstrable effect on air quality in the borough.
3. The Committee remained unconvinced that there was sufficient mitigation to make it clear that there would not be an undue impact on the economy in local district centres and felt that a more variable scheme would help to address these concerns.
4. The Committee accepted the advice from officers that the scheme was not being introduced as a fiscal measures.
5. The Committee welcomed confirmation that data was gathered on car parking usage and felt that data should be used to shape future parking charges.
6. The Committee supported the exploration of biodiverse schemes to offset against pollution from vehicle usage.

Councillor Ward indicated that he would be making a submission on the case for retaining the free parking bays in Selsdon High Street.

Recommendations

At the conclusion of the item the Scrutiny & Overview Committee agreed to make the following recommendations to the Cabinet Member for Sustainable Croydon:-

1. That the decision to remove all free parking bay be referred to Cabinet for further consideration to explore the opportunity for a more tailored approach which allowed for the retention of free parking in district centres where evidence indicated it would be beneficial to the local economy.
2. That a data led review be conducted of the impact from the new emission-based parking charges be undertaken after an appropriate

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timeframe, with the outcome reported back to the members of the
Scrutiny & Overview Committee.

4/21 **Exclusion of the Press and Public**

This motion was not required.

The meeting ended at 7.25 pm

Signed:

Date: