

Report title:

Kirklees Council Car Parking Charges / Tariff Uplift for On-Street Parking Bays and Off-Street Parking across Kirklees.

Meeting	Cabinet Committee Local Issues
Date	22 March 2024
Cabinet Member (if applicable)	Cllr Aafaq Noor Butt
Key Decision Eligible for Call In	Yes Yes
Purpose of Report <ul style="list-style-type: none"> • To consider responses received in response to the non-statutory engagement and consultation undertaken regarding uplifting car parking tariffs / charges. • To seek a decision regarding implementation of revised tariffs / charges. 	
Recommendations <p>Note and consider the responses and objections arising out of the statutory consultation for the introduction of new charges and non-statutory consultation in relation to increasing existing charges.</p> <p>Note and consider the findings of the Integrated Impact Assessment at https://www.kirklees.gov.uk/beta/delivering-services/integrated-impact-assessments/home/details/IIA-546833559/</p> <p>That the proposed revised and uplifted parking charges / tariffs set out at Appendix 1 to this report are implemented from 1 April 2024.</p> <p>That future annual revisions of car parking charges / tariffs are delegated to the relevant Service Director responsible for the Parking Service, in line with Financial Procedure Rules.</p>	
Reasons for Recommendations <ul style="list-style-type: none"> • Car parking charges / tariffs have remained unchanged in Kirklees since 2009. • Benchmarking of parking charges across the region indicates that parking charges / tariffs in Kirklees are significantly lower than those in other Yorkshire districts. • Kirklees Council has the authority to impose charges for parking in Council - operated car parks, as well as designating parking places on the highway and charging for the use of them. • The retrospective increase in parking charges is by the rate of inflation retrospectively back to the previous change in 2009. • Under the Council's Financial Procedure Rules, fees and charges must be reviewed at least once per annum, therefore parking charges / tariffs will be reviewed annually in future, under delegation authority to the relevant Service Director. • To provide short and long stay parking spaces to meet the needs of shoppers, commuters and visitors. 	
Resource Implication: <p>The proposed revised parking charges / tariffs seek to introduce a comparable rate for parking charges / tariffs across the district, reducing the gap between charges in Kirklees and the rest of the region.</p>	

A retrospective increase by inflation is a fair and balanced way of realigning the parking charges / tariffs in Kirklees with other regional authorities.

Further reports will be considered to consider introduction of charges in car parks that are currently free of charge and changes to permit parking charges.

Date signed off by <u>Strategic Director</u> & name	David Shepherd – 14 March 2024
Is it also signed off by the Service Director for Finance?	Isabel Brittain – 14 March 2024 (Phil Deighton)
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft (Legal) – 14 March 2024 Cabinet - 14 November 2023 Environment and Climate Change Scrutiny Panel - 6 December 2023

Electoral wards affected: All

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered? Yes. This report contains no information that falls within the scope of General Data Protection Regulations.

1. Executive Summary

- 1.1 This report is presented on completion of a non-statutory engagement and consultation process in relation to increasing existing car parking charges/ tariffs in Kirklees parking spaces.
- 1.2 Cabinet Committee Local Issues (CCLI) are asked to make a decision on the proposal to increase car parking charges, following completion of the non-statutory engagement and consultation undertaken in Kirklees.
- 1.3 Kirklees Council operates both off-street car parks and on-street parking bays across the district. Parking charges / tariffs vary across the district, with some car parks being free of any charges currently.
- 1.4 Parking charges / tariffs have remained unchanged since 2009. It is proposed to increase existing tariffs by inflation, retrospectively back to 2009.

2. Information required to take a decision

- 2.1 The uplifted charges will apply to all Council – managed car parking spaces in Kirklees – both on-street and off-street, in car parks. Charges will continue to apply for 7 days a week Monday to Sunday inclusive.
- 2.2 The full list of current and proposed tariffs is shown in **Appendix 1**.
- 2.3 In summary, parking charges will be uplifted in Huddersfield, Dewsbury and Holmfirth. Dewsbury and Holmfirth charges will align,

2.4 Examples of tariff changes are:

Where charge / tariff currently is:	Proposed charge / tariff to be:
5p	40p
20p	30p
40p	70p
50p	80p
60p	£1.60
70p	£1.10
80p	£1.30
90p	£1.50
£1.00	£1.60
£1.50	£2.40
£2.00	£3.30
£2.50	£4.10
£3.00	£4.90
£4.00	£6.50

2.5 The proposed uplift to charges was considered by Cabinet (14 November 2023) and Environment and Climate Change Scrutiny Panel (6 December 2023). The outcome of those discussions was:

- 2.5.1 That approval be given to introduce new parking charges and that a statutory consultation process in relation to new charges will be undertaken in order to do this.
 - 2.5.2 That approval also be given to increase existing parking charges by inflation, retrospectively and that in addition a non-statutory engagement and consultation process in relation to increased charges will be undertaken.
 - 2.5.3 Note that in accordance with usual procedures, on completion of the consultations, a report will be submitted to Cabinet Committee Local Issues (CCLI) for consideration in relation to the Traffic Regulation Order.
 - 2.5.4 That authority be delegated to CCLI for the decision prior to implementation of revised charges.
 - 2.5.5 That it be noted that any future annual revisions of car parking tariffs / charges may be delegated to the relevant Service Director responsible for the Parking Service, in accordance with the Financial Procedure Rules.
- 2.6 With respect to 2.5.1, a statutory consultation process in relation to new charges (specifically charges in car parking spaces that are currently free of charge) will commence in early March 2024.
- 2.7 With respect to 2.5.2, a non-statutory engagement and consultation process commenced on 16 January 2024 for 21 days. All local elected councillors were notified, written proposals were displayed in every pay and display off-street car park in Kirklees, and legal notices were placed in relevant local newspapers.
- 2.8 **Appendix 1** shows the Notice of Variation of Charges for off-street parking places in Huddersfield, Dewsbury and Holmfirth and on-street parking places in Huddersfield and Dewsbury. These notices provide the current and proposed charges and form the basis of the recent non-statutory consultation process.

3. Implications for the Council

3.1 Working with People

The proposed changes to parking charges / tariffs will require key services to work closely together proactively. Car parking continues to be discounted to holder of the Kirklees Priority

Passport (1 hour extra free). Disabled parking provision remains across Kirklees. The Green parking permit for electric or hybrid vehicles offers people an alternative choice.

3.2 **Working with Partners**

As part of the process for introducing the revised parking charges / tariffs, key partners will be notified to help identify potential opportunities to collaborate.

3.3 **Place Based Working**

The proposed changes are intended to provide a comparable rate for parking charging / tariffs across the district.

3.4 **Climate Change and Air Quality**

The proposals may encourage more sustainable travel and is not expected to have a detrimental effect on Air Quality or Climate Change. The Green parking permit is available to fully-electric, low CO2 emission and (approved) alternative fuel vehicles.

3.5 **Improving outcomes for children**

The proposals seek to manage the Council's car parking options supporting active travel for all users, including children.

3.6 **Financial Implications**

3.6.1 The proposals seek to introduce a comparable rate for parking charges / tariffs across the district, reducing the gap between charges in Kirklees and the rest of the region. Long and short stay parking spaces will be available throughout the district to meet the needs of commuters, the retail sector, tourism and residents.

3.6.2 The estimated additional income from the uplift in tariffs / charges is £1,570k. Based on current car parking provision and usage, this comprises £1,238k (Huddersfield parking), £279k (Dewsbury parking) and £53k (Holmfirth parking).

3.6.3 As per 3.7.5 below, the Council must spend surpluses on the provision of specific services and improvements locally.

3.7 **Legal Implications**

3.7.1 The Notice of Variation of Charges has been publicised in line with Section 35 of the Road Traffic Regulation Act 1984.

3.7.2 The Council is empowered to make car parking charges (and review such charges) for on-street and off-street parking to discharge its traffic management functions .

3.7.3 Sections 45 and 46 of the 1984 Act provide a power to designate on-street parking places and charging for their use .

3.7.4 The setting of charges must follow procedures laid down in section 122 of the 1984 Act which imposes a general duty, amongst other considerations, when setting charges to secure expeditious, convenient and safe movement of vehicular traffic and other traffic such as pedestrians, and the provision of suitable and adequate on-street and off-street parking facilities .

3.7.5 The 1984 Act is not a tax raising measure and the Council cannot intentionally set charges to raise revenue and thereby create intentional surpluses. Any surpluses must relate to purposes set out in section 55 of the 1984 Act . This sets out how surpluses must be spent . this includes expenditure for the provision of public transport services; highway maintenance and improvements and environmental improvements .

3.7.6 Under section 46A of the 1984 Act there is no statutory duty to vary existing charges . The Council must publish a notice of variation in at least one local newspaper at least 21 days before the changes come into force.

3.7.7 Statutory consultation must be carried out in relation to proposed new charges in accordance with section 46 of the 1984 Act and the Local authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

- 3.7.8 The Council's consultation must comply with the Gunning principles and be fair, at a formative stage and the findings conscientiously considered before any final decision is made.
- 3.7.9 The Council must comply with its Public Sector Equality duty under section 149 of the Equality Act 2010.
- 3.8 Other (e.g. Risk, Integrated Impact Assessment or Human Resources) Integrated Impact Assessment (IIA)**
- 3.8.1 A Stage 1 IIA was completed in September 2023 in relation to the review of parking tariffs / charges in existing parking spaces and the introduction of charges in car parks that are currently free of charge. [Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/integrated-impact-assessments)
- 3.8.2 At that stage, no groups were consulted. It was considered there was neutral impact on protected characteristics groups. The impact on the environment was assessed to be positive, with changes to charges encouraging more sustainable transport choices.
- 3.8.3 As a result of feedback received during the governance process since November 2023, a further IIA has been completed, specific to the uplift of parking charges / tariffs. [Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/integrated-impact-assessments)
- 3.8.4 Impact on those in poverty or low income is mitigated by the provision of additional free car parking in certain Huddersfield and Dewsbury off-street car parks, for Kirklees Priority Passport holders. Free on-street parking remains in all areas of Kirklees.
- 3.8.5 Further IIA's will be completed regarding other proposed changes to parking charges / tariffs and provision.

4. Consultation

- 4.1 Environment and Climate Change Scrutiny Panel – 6 December 2023.
<https://democracy.kirklees.gov.uk/documents/g7442/Printed%20minutes%2006th-Dec-2023%2010.00%20Environment%20and%20Climate%20Change%20Scrutiny%20Panel.pdf?T=1>
Resolved: The decision taken in relation to car parking charges be freed for implementation.
- 4.2 All 69 ward Councillors informed at start of consultation process.
- 4.3 Parish and town Councils were informed at the start of the consultation process.
- 4.4 Notices placed in local press (January 2024) – see **Appendix 2**.
- 4.5 Notices erected in car parks and on-street (January 2024) – see **Appendix 1**.
- 4.6 Concerns were raised prior to the consultation process starting in January 2024, from residents, local business and elected councillors. These concerns included petitions, received in Council meetings. Some concerns were raised during the consultation period in January and February 2024.
- 4.7 See **Appendix 3** for summary of responses received before and during the 21-day consultation period.

5. Engagement

See above points – Consultation.

6 Options

6.1 Options Considered

1. Implementation of proposed tariff increases in car parking spaces across Kirklees (recommended option).
2. Retain existing tariffs in car parking spaces across Kirklees.

6.2 Reasons for recommended Option

1. Recommendation 1: Implement uplifted tariffs / charges as set out in Appendix 1 with effect from 1 April 2024.
2. Recommendation 2: CCLI to receive a review report, following 12 months of revised charges in operation.

7 Next steps and timelines

- CCLI to consider the objections as detailed above, along with other related information provided.
- If the decision is made to uplift charges / tariffs, amendments will be made to signage, parking machine hardware and software, app-payment system and web-based information.

8 Contact officer

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9 Background Papers and History of Decisions

[Agenda for Cabinet on Tuesday 14th November 2023, 3.00 pm | Kirklees Council](https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=7415&Ver=4)
<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=7415&Ver=4>

<https://democracy.kirklees.gov.uk/mgCommitteeDetails.aspx?ID=139>

<https://democracy.kirklees.gov.uk/mgCommitteeDetails.aspx?ID=797>

10 Appendices

Appendix 1 - Notice of Variation of Charges

Appendix 2 - Press notices

Appendix 3 - Consultation report summary

11 Service Director responsible

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