

Sustainable Development Select Committee			
Report Title	Parking – Annual Report for 2015/16		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Customer Services Head of Public Services		
Class	Part 1	Date:	29 th November 2016

1. Summary

- 1.1. The report describes the rationale for managing parking demand across the borough. In some areas demand exceeds available kerbside parking space. To address this controlled zones have been implemented to offer residents some protection from intrusive parking, to ensure safe and sustainable access, balance the needs of all road users and to meet environmental policy objectives. Parking charges are set at an appropriate level to achieve this aim.
- 1.2. The Council's overall parking policy was reviewed and implemented in 2014. The parking policy document is available on the Lewisham website and is due for review in 2017.
- 1.3. The CPZ programme enters year 3 and this report provides a programme update.
- 1.4. The parking contract with NSL is performing well and the annual performance update is set out in this report.
- 1.5. The Council has made a commitment to provide transparency in relation to the financial position of the Council's parking account. This report sets out the parking income received and how this has been spent.

2. Purpose

- 2.1. To provide an update on the CPZ programme, to give an overview of the parking contract performance and to provide details of the overall parking income and expenditure.

3. Recommendations

The Committee is recommended to:

- 3.1. Note progress of this year's CPZ programme

- 3.2. Note the annual financial performance as set out in paragraph 15.
- 3.3. Note the parking contractor's performance set out in paragraph 16

4. Policy Context

- 4.1. Parking regulation is governed by the Road Traffic Regulation Act 1984. The Council's local transport and parking policy objectives comply with this legislation and are set out in the Local Implementation Plan (LIP). The goals, objectives, and outcomes for the LIP have been developed within the framework provided by the Mayor of London's Transport Strategy, but they also reflect local policies and priorities and as such are aligned with the Council's Corporate Priorities and the Sustainable Community Strategy.
- 4.2. The parking policy is placed within this broader policy framework. Parking has a borough-wide impact, and has particular relevance to the many economic, environmental and social objectives of a modern transport system. To varying degrees, parking impacts on all 8 of the objectives in the Council's LIP:
 - Reduce the number of road traffic collisions and improve safety and security on the public transport network;
 - Enhance Lewisham's natural environment and open spaces;
 - Create a low emissions transport system and a resilient transport network;
 - Support and promote healthier and more physically active lifestyles;
 - Improve the quality and connectivity in and around town centres;
 - Reduce congestion and maximise efficiency of the transport network;
 - Improve access to jobs, training and services, regardless of social background and physical and mental health;
 - Improve the urban environment, including the design and condition of highways and footways.

5. Background

- 5.1. The Council, like most local authorities in London, levies a charge for a permit to park in areas of the borough that have been designated Controlled Parking Zones (CPZs). These CPZs are a function of transport policy and are used to:
 - Ensure safe and sustainable access
 - Achieve effective parking management
 - Balance the needs of all road users
 - Meet environmental objectives
 - Focus on customer needs
- 5.2. The Council's parking policy has to balance the needs of those living, working, visiting and trading in the borough as well as ensuring that the cost of parking controls is met. Complicating matters further is the increase in car ownership and the insatiable demand for parking spaces along with the need to reduce the harmful effects of car use on the environment. The Council's parking charges reflect the need to not only cover the costs of delivering parking controls but also managing these issues.

- 5.3. The parking charges are fixed in accordance with the requirements of the Road Traffic Regulation Act 1984. Section 122 of the Act imposes a duty on the Council to use them 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'*.
- 5.4. This year all parking charges have remained at their current levels. Setting appropriate charges ensures that the borough does not become a 'car park' for those travelling into London from the south east. It also ensures the Council continues to meet the objectives set out above and comply with the requirements of Section 122 Road Traffic Regulations Act 1984.
- 5.5. The Council's fear of becoming a 'car park' for commuters is very real. The introduction of the congestion charge in 2003 saw the number of commuters driving into central London reduce but the risk was and remains that they park in car parks in the surrounding areas. The Borough has multiple transport links into central London which makes it a very real risk. This is especially the case as Lewisham is just inside zone 2 with cheaper fares and at the end of the Docklands Light Railway. Added to this is the fact that access to Lewisham and its car parks is relatively easy for commuters driving into London but becomes more difficult the further into London they travel as travel times increase.
- 5.6. Using the power awarded to the Council under Section 122 of the Road Traffic Regulation Act 1984 we have implemented a range of CPZ's where parking pressures were evident and where a clear majority from stakeholders were in favour of parking controls.
- 5.7. In line with the policy review recommendations the Council has refreshed all parking policies and collated them into an integrated and accessible parking policy document which is now available on the Lewisham website.
- 5.8. Savings identified for 2015/16 (£50k) were achieved by rationalising the parking client team responsible for managing and monitoring the parking contract. The Contract efficiency savings of £250k remain unachieved. This saving was identified from the borough wide removal of the pay & display equipment. The cost savings were associated with the machine cash collection and machine maintenance. The saving was proposed by moving to a totally cashless option for short-term parking payments.
- 5.9. Before moving to a totally cashless option the Council ran a pilot that offered a cashless only option in Holbeach car park. The pilot ran for 6 months and the Council realised that there were some customers that were unable to access the cashless system. The results of which identified a need to keep pay & display machines across the borough alongside the cashless option at least in the short term.
- 5.10. A pay & display machine decommissioning programme has now begun see Section 13 below.

- 5.11. This channel shift to on-line services highlighted the need to consider those residents that had no, or limited access to the on-line services. The Council reviewed this position and introduced an option to purchase permits over the telephone or by post and extended the sale of visitor permits to the Lewisham central library. The service is currently monitoring the number of sale transactions not using the on-line services. The number of transactions continue to decline but slowly.

6. The Borough

- 6.1. The borough is made up of 412.8 miles of road of which 23 miles are red routes controlled by Transport for London and 389.8 miles are local roads maintained by the Council.
- 6.2. At the last Census in 2011 there are 116,100 households within the borough. This represents an 8% increase (from 2001 census) with a total population of 275,900 living within those households.
- 6.3. In 2011, 51.5% of households (60,158) had access to 1 or more vehicles. This represents a decrease from 2001 where 57.2% of households (61,471) had access to 1 or more vehicles. The total vehicle ownership across the borough has fallen from 79,270 in 2001 to 76,507 in 2011 representing a 3.5% decrease.
- 6.4. The Council has introduced a number of policies over recent years in support of a reduction in car ownership and the use of sustainable modes of transport including the use of car clubs that provide a good substitute for car ownership and assists in managing kerbside parking spaces.
- 6.5. As a Council we have upgraded and expanded our Electric Vehicle Charging Points (EVCP) across the borough. The expansion is in collaboration with Source London who provided the funding.
- 6.6. The expansion across the borough provides some dedicated EVCPs and includes flexible bays that currently can be utilised by other road users. Should demand increase these bays can be changed to dedicated EVCP bays at low cost.
- 6.7. This EVCP expansion programme is one of the measures identified as part of the Council's Air Quality Action Plan for 2016-2022.

7. Parking in the borough

- 7.1. There are a variety of parking places across the borough, including 1,441 parking spaces in the Council's off street public car parks and 21,500 on street parking bays designated for specific purposes, such as disabled parking, loading, short-term use. There are a number of 'free' time limited parking bays and streets without any parking controls.
- 7.2. There are various parking restrictions, including yellow lines, restricted parking zones and controlled parking zones which rely on a permit system.

7.3. Currently there are 21 CPZ's located within the borough which are designed to protect residents and businesses from commuter parking. The number of CPZs will increase to 23 as part of the CPZ implementation programme. One existing zone has been extended and 3 zones now operate with shorter hours. The CPZs are mainly located at major destinations such as town centres, railway stations and Lewisham hospital.

8. Review of 2015/16

- 8.1. The parking contract with provided by NSL Ltd and is halfway through the initial 6 year term. A detailed contract performance is set out in Paragraph 16 below.
- 8.2. During the year a total of 9,428 resident and business parking permits were issued, an increase of 4.5% on last year. Permits issued to lower emission vehicles and sold at a concessionary rate, represent 1.5% of the total which is a slight increase of 0.8% from that of last year. Resident and Carer permits issued free represent 4.8% of the total, which is a similar level from that of last year (4.7%). This suggests that despite being issued free of charge there is no suggestion of abuse. Visitor permits sales reached 81,000 and of those 86% were purchased on line.
- 8.3. Physical paper permits for resident and business permits are no longer issued. These are all now 'virtual' permits. Existing customers now recognise the concept of virtual permits and complaints have reduced significantly. Other boroughs are now considering the provision of permits issued via a virtual permit system.
- 8.4. Paper permits are still issued for carer permits. This type of permit tends not to be vehicle specific which allows utilisation by a number of carers. This provides greater flexibility for those residents who rely on support from a number of carers using different vehicles. As this type of permit is not vehicle specific it cannot be included on the virtual permit system.
- 8.5. Parking restrictions across the borough are enforced to help maintain a safe and effective road network. In 2015/16 the borough issued 57,064 Penalty Charge Notices (PCNs). This represents a 4% drop from the PCNs issued last year. London Councils have reported that over 33,000 fewer PCNs were issued by London boroughs and Transport for London (TfL) last year.

9 CPZ Programme Prioritisation

- 9.1 In order to assess the many requests for CPZs across the borough, a methodology has been developed to appraise and select schemes for consultation. As set out in the Council's Parking Policy, the CPZ Programme has been scored and prioritised on the basis of selected criteria to ensure that the most urgent problems are addressed first. Each criterion is then weighted to reflect the local demand and technical need for a CPZ. The selected criterion is set out below:

- Evidenced from borough-wide surveys
- Evidenced from previous CPZ consultation identifying demand close to the 50% threshold
- Requests, complaints, representation or petitions from stakeholders relating to parking pressure
- Evidence of overspill from existing CPZs
- Parking studies undertaken by the Council or Developers
- Evidence of existing road safety issues
- Evidence to support strategic infrastructure, town centres or car free developments
- Introduction or changes to transport hubs.

10 CPZ Programme – Tranche 1

10.1 During 2014/15, the Council carried out consultations on the first tranche of the CPZ Programme, to determine the need for four new parking zones and to review three existing parking zones:

- Review of existing CPZs in Old Road and Bankwell (F) Hither Green East (P) Lee (L), including options to reduce operational hours
- Proposed new CPZ Lee Green West
- Proposed CPZ extension in Ladywell
- Proposed new CPZ in Perry Vale East
- Proposed new CPZ in Mountsfield Park

10.2 All 2014/15 consultations were completed and results publicised. With the exception of Perry Vale East (Catford Stations), all consultations resulted in support to implement proposals across a significant proportion of the study area.

10.3 During 2015/16, these zones were progressed through detailed design and statutory consultation, with implementation and live operations programmed in 2016/17.

10.4 There has been programme delays due to the complexities of splitting one zone into 3 separate zone and resource issues that have now been addressed.

11 CPZ Programme – Tranche 2

11.1 In 2015/16, following a review of the prioritised programme, the Council also commenced the second tranche of the CPZ Programme, which comprised 3 consultations on potential new zones in Deptford South, Forest Hill, and Brockley.

11.2 Preparation work for the proposed zones included parking occupancy and duration surveys which were commissioned to establish a more detailed understanding of the parking demand in each of the proposed zones. Site inventory surveys were also carried out to pick up existing street features in the proposed CPZ areas, which enabled the preparation of initial design drawings.

11.3 The consultations took place in Autumn 2015 and concluded in April 2016. The consultations revealed a lack of public support for CPZs in Brockley and Forest Hill, but the consultation in Deptford South resulted in support to implement controls across the study area, and is proposed for implementation by March 2017.

12 CPZ Programme – Tranche 3

12.1 The next phase of the CPZ prioritisation programme is now under review. Applying the policy criteria, CPZ projects in Tranche 3 will be identified and programmed for delivery in 2017/18.

12.2 In addition to this prioritisation, the programme for Tranche 3 will include a review of the Grove Park CPZ. This follows a commitment in the 2014 Policy Review to offer more options for CPZ operational hours.

12.3 The programme review will also include a consideration of CPZs which are required to manage the impacts of any new developments. This will enable us to reduce the impact of parking pressure any new development may have on the existing locality. Funding should also be sourced via Section 106 of the planning regulations.

13. Pay & Display & Cashless

13.1 The Council has considered the options available for the provision of short term parking. Historically, this has been provided solely by pay & display machines. The pay & display infrastructure is ageing, maintenance costs increasing and a replacement programme would be costly for the Council approx (£1.2m). The planned introduction of the new £1 coin in 2017 be agreed will require and upgrade of existing machines to accept the new coinage.

13.2 In Aug 2015 the cashless parking provision was rolled out across the borough. The cashless parking option is now available in all of our paid for parking places. The number of parking cashless transactions reached a total of 203,000. This represents an increase of 36%. Now 40% of all short term parking income is paid for via the cashless parking option.

13.3 With this in mind, a decommissioning programme of the ageing infrastructure has begun. The decommissioning programme has removed 17% of our machines so far. This has been organised in a planned way where alternative machines exist or where the use of the cashless option is high. No complaints have yet been received in relation to the machine decommissioning programme.

13.4 The recently reviewed CPZs will have a mix of 'free' time limited parking bays and cashless parking alongside existing pay & display machines. No new machines will be introduced.

14. On-line Services

- 14.1 All resident and business parking permits are now managed via the virtual permitting system.
- 14.2 The newly branded London Tribunal Service now provides the adjudication service for Environment and Traffic Appeals (ETA) on line. Lewisham has provided this on line service since January 2016 and in doing so has reduced Appeal expenditure costs by £4.00 for each Appeal.

15 Financial Performance

- 15.1 This section of the report sets out information relating to parking finances.
- 15.2 The parking charges are fixed in accordance with the requirements of the Road Traffic Regulation Act 1984. Charges have been set at a level which is in line with the median level in London. Setting charges at this level ensures that the borough does not become a 'car park' for those travelling into London from the south east. It also ensures the Council continues to meet the objectives set out above and comply with the requirements of Section 122 Road Traffic Regulations Act 1984.
- 15.3 Section 15.5 shows the final outturn for the year 2014/15 and summarises the performance against budget on 2015/16 relating to the direct management of both off-street and on street parking services.
- 15.4 Section 15.6 also sets out the Council's Parking Control Account for 2014/15. This account is a statutory requirement and sets out the financial position in relation to on-street parking only. The account not only includes the proportion of direct management costs and income relating to on-street parking already included in the tables shown in 10.3 and 10.6 but also a proportion of costs in respect of, for example, management and other support service overheads, an assessment of policy and planning costs, and capital charges.

15.5 Direct Parking Management

- 15.5.1 In 2015/16, the Council collected £8.77m income in respect of parking services, compared to a budget of £7.37m. The income received can be broken down as follows:

Parking services income collected in 2015/6		
	£000s	%
Parking Fines	4,302	49
Pay & display Income	2,199	25
Permit Income	2,111	24
Advertising & Other income	156	2
Total Income 2015/6	8,768	100

Direct parking management expenditure	
	£000s
Enforcement contract costs	1,887
Management and admin costs	398
Car park utilities, rates, repairs and maintenance	151
Legal fees	95
Provision for bad debts	1,311
Total expenditure 2015/16	3,842

15.6 Parking Control Account 2015/16

15.6.1 Under the Road Traffic Regulation Act, 1984 the Council is required to maintain a separate account of its on-street parking business activities and to report the outcome and the use made of any surplus generated annually to the Mayor of London. The account must contain all expenditure and income in relation to the provision, management and enforcement of on-street parking in the Borough.

15.6.2 The use of any surplus is governed by Section 55 of the Act which specifies that the surplus may be used for:-

- making good to the General Fund for any deficits incurred in the On-Street Parking Account during the previous four years; or
- meeting the cost of the provision and maintenance of off-street car parking in the Borough, or in another Local Authority.

15.6.3 If, however, it is considered unnecessary or undesirable to provide further off-street parking in this area, the surplus may then be used to fund any of the following:-

- public passenger transport services;
- highway improvement works;
- highway maintenance; or
- the costs of anything that has the approval of the Mayor of London and which facilitates the implementation of the Mayor's transport strategy.

15.6.4 The Council's Parking Control Account for 2015/16 is summarised below:

Borough Parking Control Account 2015/16		
	£000s	%
On-street Parking income		
Pay and Display	1,023	18
Permits	944	16
Fines	3,872	66
Total Income	5,839	100
On-Street Parking expenditure		

Enforcement contract costs	1,699	38
Management, admin and overheads	816	19
Running costs	302	7
Capital investment	416	9
Increase in Bad Debt Provision	1,180	27
Total Expenditure	4,413	100
Funds available for supporting highways and transportation	1,426	

16 Managing the parking contract

16.1 The parking contract covers a number of services split into 4 broad categories:

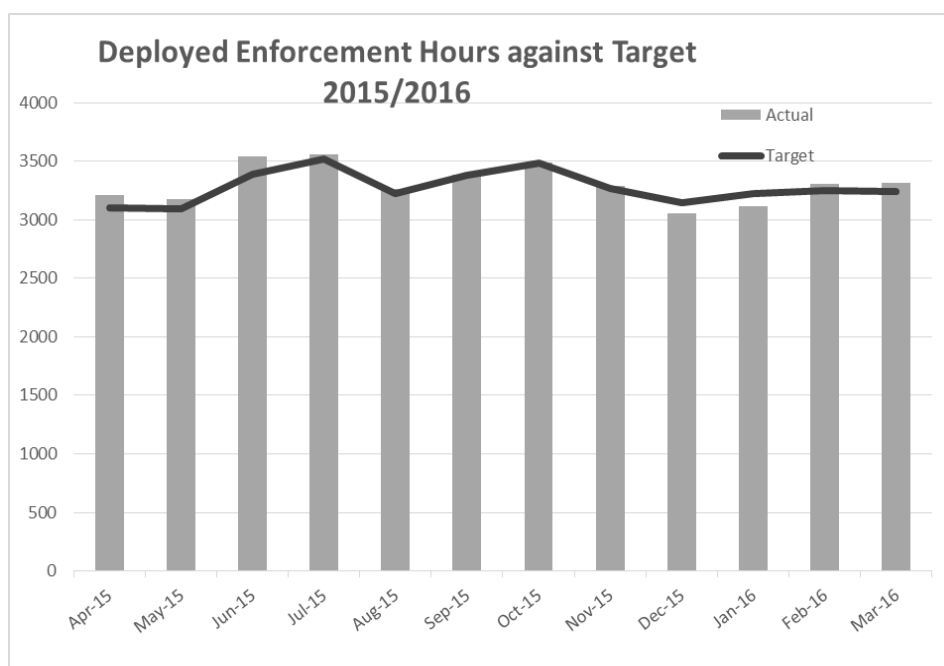
- Parking Enforcement
- Pay & Display Maintenance & Cash Collection
- Penalty Charge Notice Processing
- Permits & Suspensions

16.2. Responses to formal representations and Appeals are authorised by Council staff and the contract is managed using a number of Key Performance Indicators: In the main these are:

- Effective Parking Enforcement
- Quality Trained Staff (Staff Retention)
- Other Services (Statutory functions, IT & complaint handling)

16.3 Effective Parking Enforcement

16.3.1 Deployment levels remain consistent throughout the year. Late December and early January fell slightly short of the target levels. Late December and January are normally quiet periods in the parking industry and the preferred period for enforcement staff to take leave.



16.3.2 Over 33,000 fewer penalty charge notices (PCNs) for parking and traffic contraventions were issued by London boroughs and Transport for London (TfL) last year. Parking PCNs have fallen to their lowest level for 20 years. The number of appeals lodged with the independent appeals body London Tribunals fell as a percentage of PCNs issued to its lowest level yet. London Councils' Transport and Environment Committee, said: ***"The statistics released today continues the overall downward trend in the number of PCNs issued, which is great news for motorists and enforcement authorities alike."***

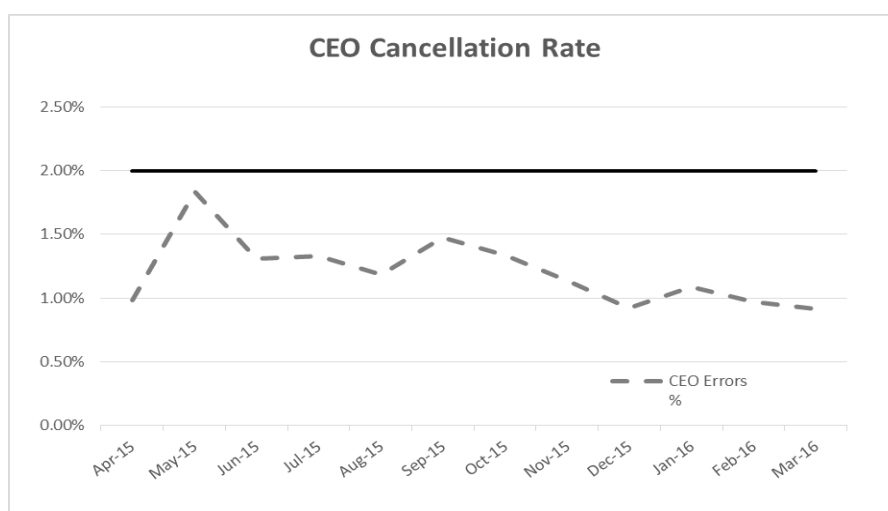
16.3.3 ***Decreases such as this help demonstrate that, not only are motorists developing a clearer understanding of responsible driving and parking in the capital, but that boroughs and TfL are enforcing the law appropriately. Traffic and parking controls play an essential role in helping London's councils and TfL manage the capital's road networks. People often forget that without controls our roads would be far less safe and far more congested. It is sadly true that, without rigorous enforcement, far more people would ignore the rules. As London's population grows, it is vital that all road users understand the rules and obey signs, so we can reduce congestion and make our roads safer for everyone."***

16.3.4 In Lewisham there was a decrease of 4% in the overall PCN issue from that of last year. This reflects the trend across all London Boroughs and the fair policy the Council operates towards parking enforcement. The downturn also reflects the statutory changes to parking contravention observation times. Observation times were extended for less serious parking contraventions and compliments the ethos of fairer parking enforcement. Issue levels for moving traffic contraventions remain constant.

Lewisham PCNs	2012-13	2013/14	2014/15	2015/16
Parking Contraventions	54,839	47,607	42,724	36,919
Moving Traffic Contraventions	7,797	15,857	17,382	20,869
Total	62,636	63,464	59,482	57,064

16.4 Quality Trained Staff & Staff retention

16.4.1 Adequately trained staff are vital in the provision of a good service. All enforcement staff are provided with intensive training for what can be a very difficult job. To ensure quality is maintained throughout contract delivery, the performance target is to maintain the Civil Enforcements Officer's (CEOs) error rate below 2%. Performance against this KPI remains excellent. See graph below. The slight increase in May reflects the recruitment of new staff that inevitably increases the error rate whilst still in training but performance still remained above target.



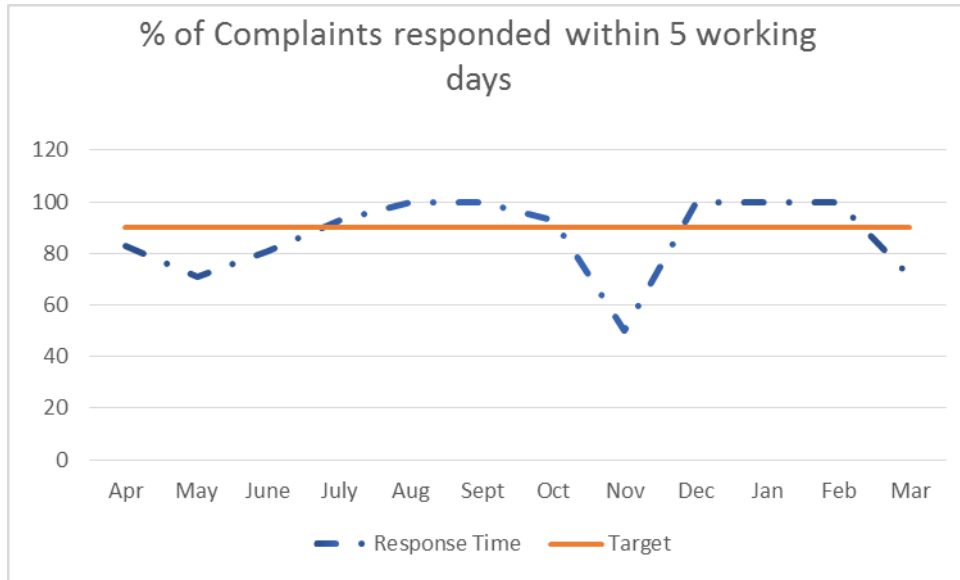
16.4.2 Staff retention is key to a stable service especially if valuable investment has been made in the training of staff. Staff turnover in the parking industry can be high due to the very nature of the work involved. The Council has ensured that the service provider has implemented strategies and processes to assist in staff retention and to ensure staff turnover remains below the industry 'norm'. The service provider is measured against an annual turnover of 20%. This is measured against leavers with a +5% tolerance level. Currently the service provider is showing an annual staff turnover of 16.74%. This level is 9% below the industry norm of 26.1%.

16.5 Notice Processing

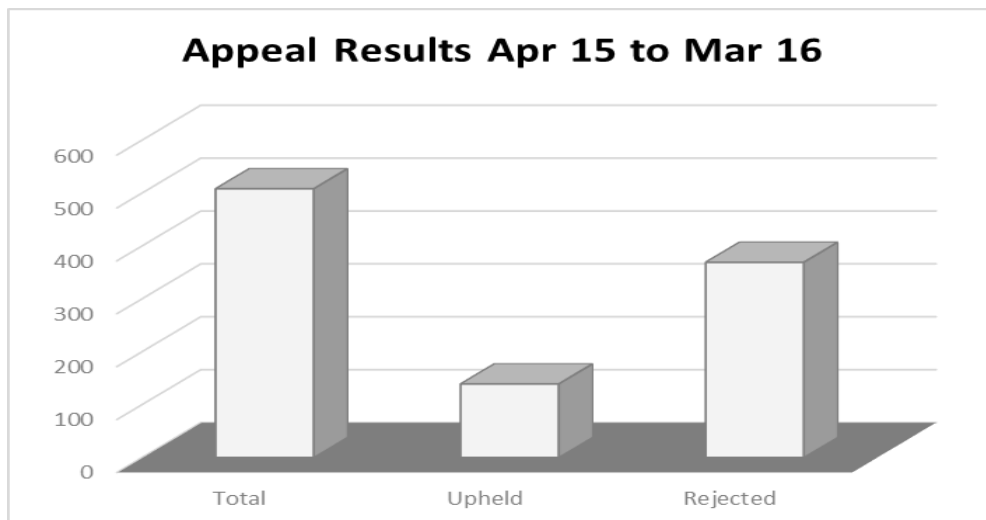
16.5.1 Formal challenges against the issue of a PCN follows a Statutory process that allows the right of Appeal to the independent London Tribunal Service

16.5.2 Service complaints are considered as part of the Councils corporate complaints procedure. NSL respond to 1st stage complaints and provide background information for a council response should a complaint escalate to stage 2.

16.5.3 Complaint performance remains fairly constant with 2 periods of the year falling below target. It should be noted that in these two periods the level of complaints were low with only one complaint from each period missing the 5 day deadline. The total number of complaints for the year was 109 and the percentage justified (service failure) was 4.6%.



16.5.4 The table below shows the annual appeal results heard at the Parking & Traffic Appeals Service (PATAS). The total number of Appeals (508) with a success rate for the Council of 73% an improvement of 6% on that of last year. It is worth noting that the percentage of PCNs taken forward to PATAS against the total of PCNs issued is 0.9%



16.5.5 Parking appeals are now handled in Lewisham using the London Tribunals on-line services. This allows the secure transfer of electronic evidence to the Tribunal reducing the need to print, scan and post Appeal packs. The process is more sustainable and allows the council to take advantage of reduced costs applied by London Councils for each Appeal lodged.

16.6 Permits

- 16.6.1 The virtual permit system is now used throughout all our controlled parking zones for vehicle specific permit types. Adaptation using customer feedback is on-going to ensure we improve the on-line service provision for our customers. The latest adaptation was the introduction of the 'shopping trolley' function. This allows a number of different permit types to be purchased in one payment transaction.
- 16.6.2 Email reminders are now supported by text prompts to customers using mobile and landline phones. Email reminders are sent 14 days before permit expiry. If permit has not been renewed a text prompt will be send 3 days before expiry.

17 **Matters Arising**

- 17.1 The small number of isolated complaints received from residents in relation to coach parking in residential streets has significantly reduced.
- 17.2 In relation to the coaches parking overnight, a coach & lorry ban (exceeding the 5t weight limit) is in place across the whole of the borough and operates between the hours of 6:30pm and 8.00am. Enforcement action is taken by the issue of a Penalty Charge Notice (PCN). The recovery of a PCN, if not paid upon receipt, relies on the identification of the registered keeper. Many of these vehicles are registered outside the UK and the issue of a PCN has proved in some cases ineffective. The council has no jurisdiction outside of the UK to access registered keeper information.
- 17.3 The service is currently in negotiation with an enforcement agency that has access to vehicle keeper information outside of the UK. This agency will then be able to supply vehicle keeper information to assist in the recovery of PCN income issued to vehicles registered outside the UK.
- 17.4 The CPZ implementation programme has been hindered by the withdrawal of the resource shared with Southwark to concentrate on their own traffic and parking schemes. Recruitment has now secured a dedicated resource for Lewisham that will identify, manage and implement the CPZ programme.
- 17.5 The annual parking contract review identified a need for NSL to consider options for the provision of the back office notice processing functions. The Council needs to ensure that the service is managed providing the most efficient and cost effective service. We have asked the contractor to consider a number of options that will include a shared back office function with other authorities.

18 **Financial implications**

- 18.1 The purpose of this report is to provide an update on the parking policy and CPZ programme and to give an overview of the parking contract performance. As such there are no financial implications to members agreeing the recommendations set out in section 3.

18.2 Details of the Council's financial performance in terms of the parking service are set out in section 10 and comply with both the Road Traffic Regulation Act, 1984 and the Department for Communities and Local Government Transparency Code 2014.

19 Legal Implications

19.1 Section 45(1) Road Traffic Regulation Act 1984 (RTRA) allows Councils to designate parking places on the highway and to charge for the use of them. Section 45(2) provides for the issuing of permits for which an authority may charge. The procedure requires consultation and a designation order.

19.2 Section 122 RTRA imposes a general duty on authorities to exercise functions under the Act (so far as practicable having regard to the matters set out at para 13.3 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.

19.3 In fulfilling the general duty imposed by Section 122 RTRA, the matters referred to above are as follows:-

- (a) The desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality and 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 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 Council to be relevant.

19.4 Section 55 RTRA provides for the establishment of a separate account into which monies raised through the operation of on street parking must be paid. The Act requires an enforcement authority, (of which Lewisham is one), to keep an account of:-

- their income and expenditure in respect of designated parking places;
- their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 2 of Schedule 7 to the 2004 Act (parking places); and
- their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 3 of that Schedule (other parking matters).

19.5 It also deals with shortfalls and surpluses. Shortfalls must be made good from the General Fund, and subject to carry forward provisions, any surplus must be applied for the following purposes:-

- (a) the making good of shortfalls in the last 4 years
- (b) the provision and maintenance of off street parking by the council or others
- (c) if further off street parking appears unnecessary or undesirable then
 - i) meeting the cost of provision, operation or facilities for public transport services; and
 - (ii) highway or road improvement projects in the area.

19.6 There are also provisions for carry forward. Every London Borough also has to report to the Mayor for London at the end of every financial year on any action taken in relation to any deficit or surplus on their account. It is clear from this report that surpluses made on this special account in 2013/14 have been applied for permitted purposes.

19.7 The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations require traffic regulation orders to include an exemption from waiting prohibitions in certain circumstances, and from charges and time-limits at places where vehicles may park or wait, in respect of vehicles displaying a disabled person's badge.

19.8 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new Public Sector Equality Duty (the duty), replacing the separate duties relating to race, disability and gender equality.

19.9 The duty consists of the 'general equality duty' which is the overarching requirement or substance of the duty, and the 'specific duties' which are intended to help performance of the general equality duty.

19.10 The duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

19.11 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

These are often referred to as the three aims of the general equality duty.

19.12 The duty is a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

19.13 The Equality and Human Rights Commission (EHRC) have issued technical guidance for public authorities in England on the Public Sector Equality Duty. The guidance can be found at <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>. This Guidance provides practical approaches to complying with the Public Sector Equality Duty. The EHRC technical guidance is not a statutory Code, but may be used as evidence in legal proceedings to demonstrate compliance with the Public Sector Equality Duty.

20. Crime and Disorder Implications

20.1 There are no direct crime and disorder implications arising from this report.

21 Equalities Implications

21.1 Compliance with the Equality Duty, as described in the 'Legal Implications' of this report has been incorporated within a more detailed Equalities Analysis Assessment which formed part of the Review of Parking Policy report agreed by Mayor and Cabinet on 10 April 2013.

21.2 Key positive equalities impacts on Age, Disability, Pregnancy and Maternity Include:

- continued provision of resident parking permits free of charge to Blue Badge holders;
- quicker resolution of parking issues, that prevent people with mobility issues or young families, parking close to their homes, and create neighbourhood tensions;
- transparent criteria and application process for new disabled parking bays, and a programme of review to manage and fund these requests.

21.3 Moving forward, the Council will also need to give greater consideration to the accessibility of its engagement processes with local areas on proposed new parking restrictions. These need to allow sufficient time for full participation by all members of the community and aim to increase voter turnout through the provision of information in alternative formats as necessary.

21.4 The Council will also need to ensure that any move away from the use of Pay and Display machines is accompanied by an appropriate communications campaign. This should clearly set out the alternative payment methods available, and reassure residents or visitors that do not have access to the Internet, a mobile phone or credit/debit card, that they still have legitimate payment options, that allow them to park safely and conveniently in Lewisham. Consideration should also be given to those who might be vulnerable from a personal safety perspective, particularly in parking locations that are poorly lit or isolated – i.e. if they are required to use their mobile phone or credit/debit

cards in public view. The provision of additional payment options as technology evolves must also be considered in terms of accessibility for the user, to prevent indirect discrimination from occurring. For example, alternatives such as top-up cards, should consider the proximity and hours of operation of the nearest PayPoint location in relation to the on-street parking bays. This may be very significant for service users with mobility issues.

- 21.5 The Council also needs to ensure that any web-centric parking policies make alternative provision for those without access to the Internet, to ensure equitable provision of the service.

22 Environmental Implications

- 22.1 There are no direct implications arising from this report, but the policy review took into account the Council's broader ambitions for environmental sustainability. For instance, its Local Implementation Plan (LIP) aims to reduce growth in road traffic through the discouragement of car usage and the promotion of facilities for cyclists and pedestrians and alternative sustainable methods of transport. The limitation of on-street parking through CPZs, especially around shopping centres and transport hubs along with appropriate charging is considered to be a deterrent to car usage.

23 Conclusion

- 23.1 This report provides transparency for parking finances in accordance with legislation and provides the details of the current CPZ programme. As with all things there are often additional factors such as major regeneration that might influence the timing and priority of any list published now.

24 Background Documents

Document	Link
Mayoral response to the comments of the Lee Green Assembly:	Mayor and Cabinet 30 May 2012.
Parking Policy Review:	Mayor and Cabinet 10 April 2013
Parking Contract Award:	Mayor and Cabinet 1 May 2013
Parking Policy: Monitoring and Update:	Sustainable Development Select Committee 22 Oct 2015
Annual Parking Report – 2012 /13	Mayor and Cabinet 11th Nov 2015

Document	Link
Parking Policy Document Oct 2014	http://www.lewisham.gov.uk/myservices/parking/Documents/ParkingPolicyOctober2014.pdf

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