



Executive
16 September 2013

**Report from the Strategic Director of
Environment and Neighbourhoods**

Wards Affected:
ALL

Statutory consultation on proposed changes to business permits

1.0 SUMMARY

- 1.1 Proposed changes to business permits were agreed by the Executive on 19th September 2012 in the report entitled "Parking Service Simplification and Pricing".
- 1.2 This report summarises the representations received from the subsequent statutory consultation process in relation to the proposed changes to business permits and makes recommendations in relation to the issues raised from these.

2.0 RECOMMENDATIONS

- 2.1 Members are asked to:
- 2.1.1 To consider the representations received in relation to the notices of proposals dated 9th May 2013 and 6th June 2013 and summarised in section 5.0 of this report.
- 2.1.2 To approve the proposals previously agreed by the Executive on 19th September 2012 in the report entitled "Parking Service Simplification and Pricing" and further summarised in section 4.2 of this report without change.
- 2.1.3 To authorise officers to proceed with the implementation of the proposals set out in Section 4.2 of this report as previously agreed by the Executive on 19th September 2012.

3.0 BACKGROUND DETAILS

- 3.1 On 19th September 2012, the Executive agreed proposed changes to business permits as set out in Section 4.2 of this report.
- 3.2 This report incorporates details of the representations received in relation to the above matters and any comments and associated recommendations concerning these.
- 3.3 The statutory consultation process undertaken for the agreed changes referred to in Section 3.2 above comprised the publication of notices in the press (i.e. Wembley Observer, Brent and Kilburn Times and the London Gazette) and consultation with statutory consultees (principally the emergency services) in accordance with the requirements associated with the Road Traffic Regulation Act 1984, as amended, and the Road Traffic Act 1991.
- 3.4 Two separate notices were issued in relation to business permits on 9th May and 6th June respectively. The first notice incorporated a range of proposed changes to parking permits and parking tariffs and included business permits. The second notice related to the pricing mechanism for business permits only as this detail was omitted from the first notice.
- 3.5 Arrangements were made so that representations to the proposals could be made by post and e-mail. The statutory consultation period for the first notice commenced on 9th May 2013 and closed on 30th May 2013. The statutory consultation period for the second notice commenced on 6th June 2013 and closed on 27th June 2013. The summary results of the consultation are set out in Section 4 of this report.

4.0 PROPOSALS SUBJECT TO CONSULTATION

- 4.1 Below is a summary of proposals that were previously agreed by the Executive on 19th September 2012 in relation to business permits and formed the basis of the consultation:
- *A new single business permit be created.*
 - *Existing liveried and non-liveried business permits be withdrawn.*
 - *The range of permit durations be extended to include 1 and 24 month permits.*
 - *The number of business permits allowable remains at three per CPZ, but in the case of businesses with bases in more than one CPZ, this will be extended to give larger businesses greater scope to grow by allowing up to three permits per CPZ in which the business has a base.*
 - *A new business-friendly option of a non-vehicle-specific business permit subject to a 50% supplement on the per vehicle charge.*
 - *The price of business permits be increased to match levels of comparable neighbouring boroughs and the increase to be phased-in in three gradual*

increases on April 2013, April 2014 & April 2015. Appendix 1 shows comparative rates in neighbouring boroughs.

- *Flat-rate charges to remain (no emission-based charges).*
- *Differential permit pricing be introduced to incentivise businesses to apply, and pay for, permits using the method that incurs least cost to the Council, i.e. internet application and payment by debit card.*
- *Business permits to be subject to automatic RPI price increases.*
- *Permits remain specific to location of the business.*

5.0 CONSULTATION RESPONSES RECEIVED

- 5.1 There were three representations / comments received of which one was from a statutory consultee (i.e. the Fire Service) indicating that they had no comment to make.
- 5.2 The other two representations received incorporated a number of distinct and separate points. These were received by email and are outlined below together with proposed Officer responses:

Consultation comment 1

Can you please ensure that the advert specifies the extra charges for paying by credit card, etc.

Officer response

The Council advertised in its notice of proposal dated 9th May 2013 its intention to increase the base price of permits and discounts that may be obtained for different payment methods and types of payment. It did not therefore need to further re-advertise these in its notice of 6th June 2013.

Consultation comment 2

It is not acceptable to simply cross refer to an advert issued on 9th May 2013 - how can you expect business people to have read it or checked it if it only related to non business issues.

Officer response

The advertisement dated 9th May 2013 incorporated changes to both business and non-business related matters. The advert of the 6th June 2013 related exclusively to the levels of charges proposed for business permits. The cross reference to the earlier advert was to ensure that readers were aware of the previous notice and the fact that it also contained proposals that were relevant to business permits.

Consultation comment 3

Can you provide details of any increases in the charges listed as compared to the last set of charges.

Officer response

The proposed levels of charges for the new unified business permits (excluding the proposed increase in base rate and cumulative discounts) are as set out in the table below.

For a specific vehicle		For non-specific vehicles	
1 month	£85.60	1 month	£128.40
3 months	£171.20	3 months	£256.80
6 months	£256.80	6 months	£385.20
12 months	£428.00	12 months	£642.00
24 months	£834.60	24 months	£1251.90

These compare to the charges in respect of 2013/14 for liveried and non-liveried business permits which are currently as follows:

Permit Type	3 Months	6 Months	12 months
Liveried	£100	£150	£250
Non Liveried	£140	£210	£350

Consultation comment 4

Does an inflation escalator apply to these charges too and should the advert make this clear too?

Officer response

There is no statutory requirement to include a reference to the inflation escalator in the advert and any changes to the future pricing of business permits will be effected by a notice of variation as provided by statute.

Consultation comment 5

Please advise what the equivalent charges were prior to May 2010?

Officer response

Liveried business permits were priced as follows:

Three month permit - £60

Six month permit - £100

Annual permit - £180

Non-liveried permits were priced as follows:

Three month permit - £90

Six month permit - £160

Annual permit - £300

Consultation comment 6

Could I have a copy of the order of 9th May 2013.

Officer response

There was not an order made on the 9th May. A notice of proposal was however advertised on 9th May in two local papers and the London Gazette, as indicated in Section 3.3 of this report.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There are no new financial implications arising from this report as these were already considered in section 7.0 of the Executive report dated 19th September 2012.

7.0 LEGAL IMPLICATIONS

- 7.1 The Council is empowered by the Road Traffic Regulation Act 1984 (as amended) and the Road Traffic Act 1991 to provide parking places on and off the highway and to charge for their use, which includes business permits. The proposed changes will be introduced by the passing of a Traffic Regulation Order by the Council under the Road Traffic Regulation Act 1984. The consultation with statutory consultees and the publication process which the Council has carried out in relation to the proposed changes regarding business permits were pursuant to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

8.0 DIVERSITY IMPLICATIONS

- 8.1 There are no new diversity implications arising from this report as these were already considered in section 8.0 of the Executive report dated 19th September 2012.

9.0 STAFFING / ACCOMMODATION IMPLICATIONS

- 9.1 There are no new staffing or accommodation implications arising from this report as these were already considered in section 9.0 of the Executive report dated 19th September 2012.

BACKGROUND PAPERS

- Executive Report entitled "Parking Service Simplification and Pricing" dated 19th September 2012

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Appendix 1

Comparative rates for business permits in neighbouring boroughs

Borough	Annual permit (specific vehicle) £'s	Annual permit (non- specific vehicle) £'s	Notes
Harrow	-	-	No business permit option
Barnet	525	840	
Westminster	2,400 - 9,600	-	* Business permits only sold daily. Annual figure calculated by assuming 300 days per year
Hammersmith & Fulham	791 - 1,310	-	791 for 1st vehicle. £1,310 for second vehicle
Kensington & Chelsea	-	-	No business permit option
Ealing	600	-	
Camden	300		75% discount for electric or bio-fuel vehicles
Brent 2013-14	428	642	
Brent 2014-15	482	723	Based on 2013/14 base price
Brent 2015-16	535	803	Based on 2013/14 base price