

Meeting:	Executive Member for Economy and Transport Decision Session
Meeting date:	12 December 2023
Report of:	James Gilchrist - Director of Environment, Transport and Planning
Portfolio of:	Councillor Kilbane, Executive Member Economy and Transport

Decision Report: Review and decision on the parking permit emission level, daily property permit and city parking waiver policies

Subject of Report

1. In February 2023 the approved Council budget committed to review the eligibility criteria that the low emission discount applies to (i.e., the emission level below which discounts will apply) for both season tickets and residents parking schemes.
2. The discount is typically around 50%. The report recognised that it would lead to fewer vehicle owners being eligible for the discounted rate. See link below to the budget savings annex from February which detailed that regardless of the review a saving would be made:
<https://democracy.york.gov.uk/documents/s165376/Annex%202020Savings%202023-24.pdf>
3. This report concludes that review and seeks a decision on what the emission rate will be where a discount is applied. Should the Executive Member agree to a change in eligibility criteria this would lead to a statutory consultation to amend the current Traffic Regulation Order to propose a change in the emission bands that the Council should use, this needs to be a specific option and the statutory consultation cannot be a consultation with options.
4. In addition, there are two further minor changes to specific parking permits proposed, impacting on the “daily property permit”

(formerly known as the “daily builders permit”) and the “annual parking waiver”.

5. It is proposed that the daily property permit will now be available for residents not just trades to purchase and that the eligibility criteria broadened from unoccupied to also include occupied properties. It is proposed the number of permits will also be increased from 1 to 3.
6. The annual parking waiver is issued to 39 business that require their vehicle with them to undertake works, eg. window cleaners and security alarm companies. It is proposed that their use is limited to two hours for each parking event.

Benefits and Challenges

7. The proposal to change the low emission eligibility criteria within the report will ensure that the saving identified in the budget will be delivered. Other options are available to the Executive Member.
8. Making the low emission discount available to less people will mean more people paying more.
9. The changes proposed to the annual parking permit and limiting this to two hours will ensure that the permit is used as intended.
10. The change to the daily property permits broadening their use will meet the needs of residents.

Policy Basis for Decision

11. Changes to when the low emission permit level discount will apply may help drive the climate and environmental ambitions set out in the Council Plan 2023-2027 and consideration has been given to this. Transport makes up just under 28% of CO2 emissions for the city and the emerging Local Transport Plan will need to address the reduction required.
12. But how much the discount off an annual residents parking permit of circa £100 influences resident’s vehicle choice is debateable but may be part of individual decision making when replacing their vehicle.

13. Equally it is a political choice whether parking charges designed to manage parking pressure and ensure turnover should include a discount for low emission vehicles.
14. The proposal for a two hour limit, where currently there isn't any time limit, for the annual parking waiver should not impact on the vast majority of the 39 current users. However, this will have beneficial impact on parking capacity and reduce the number of vehicles parked on the road for long periods of time freeing up the space for those who need it most. As such it supports the equalities objectives of the Council Plan.

Financial Strategy Implications

15. These 3 items have a positive impact on revenue generation with little to no financial impact other than the standard Traffic Regulation Order charge of approximately £3,000 (that the Council will need to fund) and requests for increase numbers of paper daily property permits, which can be subsumed within the current resourcing we have. This may need to be reviewed if the increase grows to such an extent beyond existing resource capacity, but this will be kept under review.
16. The permit emission discount is part of an agreed budget decision process, but this report provides options to extend this further and help reduce the complexity of the York permit scheme by having a uniformed discount level for all parking permits that has a discount element to it.
17. The expansion of the use and those who can purchase these will support calls for these daily property permits to be available for residents to use and allow an additional 2 vehicles to use these per property per day. This will see an increase in revenue from the sale of these permits.
18. There are no negative financial implications for these recommendations including the reduction in the time a vehicle can park for with an annual parking waiver however there will be a cost for the advertisement of the amendment in the Traffic Regulation Order of approximately £3000.

Recommendation and Reasons

19. The Executive Member is asked to:

- i. Approve that the vehicle emission discount level will only be available to Ultra Low Emission vehicles (those with an emission level of 0 to 75g/km). The Executive Member may wish to choose option A or B as outlined in paragraph 34 to further reduce the number of vehicles eligible for a discount;

Reason: It will deliver the required savings as identified in the budget.

- ii. Approve that all “annual parking waivers” used by businesses e.g., window cleaners to be time limited to 2 hours only per parking event, currently there is no time limit;

Reason: To free up the road space for those that need it most, 2 hours should be sufficient for these business types.

- iii. Approve that residents as well as trades people will be able to purchase the daily property parking permits;
- iv. Approve that daily property parking permits can be used in occupied properties, they are currently only available in unoccupied properties;
- v. Approve that the maximum number of daily property permits issued per day be increased from 1 to 3;

Reasons: To respond to requests we have had from customers and where officers feel there is room for flexibility. Gives residents flexibility when tradesman don't buy their own permit and reduce the impact on residents having to use their visitor vouchers. To recognise the need to have more than one trades vehicle per day per property where trades jobs may well require more than one vehicle. However, to protect the parking capacity it is deemed to extend this only to 3 trades vehicles per property per day from the current 1 trades vehicle per day.

- vi. To note that following the decisions that were required the changes will be advertised as an amendment to the Traffic Regulation Order through the statutory consultation process;

Reason: to start the legal process of giving effect to the decisions made by the Executive Member.

Background

20. This report is in response to the 2023/24 budget decision to review when the discount for low emission vehicles will apply.
21. At the moment the low emission discount in York is available for vehicles when:
 - You have a light passenger vehicle that has a low CO2 emission figure that qualifies the vehicle for a reduced rate of vehicle tax;
 - The vehicle is in vehicle tax bands A to C (CO2 emission level of vehicles in Bands A to C is up to 120g/km);
 - The vehicle is electric or liquid propane gas (LPG) powered.
22. There is also a premium permit for the most polluting vehicles which pay more than the standard rate.
23. In addition, officers have received comments from the public on two specific parking permits. The annual waiver and the daily property permit, so changes are considered in this report.

Consultation Analysis

24. Any decision to change the low emission discount eligibility will need to be formerly consulted upon through a statutory consultation on the traffic regulation order. This requires a firm proposed change to the traffic regulation order. The public will be able to note, support or object to that proposal. This report seeks to define that proposal.
25. Changes to the daily property permits have been requested by many members of the public (residents and trade). However, it will need to be formerly consulted upon through a statutory consultation on the traffic regulation order. This requires a firm proposed change to the traffic regulation order. The public will be

able to note, support or object to that proposal. This report seeks to define that proposal.

26. While there are only currently 39 of these annual parking waivers issued, currently these allow users to park for as long as they want, such permits are useful e.g for window cleaners and security alarm companies. However, Civil Enforcement Officers have observed abuse of this where the vehicle is parked but no work is taking place. This is not subject to a statutory consultation, but permit holders will be notified about this change, they will have the opportunity to write in.

Options Analysis and Evidential Basis

Low Emission Discount for some Parking Permits

27. At the moment the low emission discount in York is available for vehicles when:
- You have a light passenger vehicle that has a low CO2 emission figure that qualifies the vehicle for a reduced rate of vehicle tax;
 - The vehicle is in vehicle tax bands A to C (CO2 emission level of vehicles in Bands A to C is up to 120g/km);
 - The vehicle is electric or liquid propane gas (LPG) powered.
28. The correlation to vehicle excise duty is confusing as this has changed since the Council policy was developed.
29. For vehicles registered since 2017 the discount for emissions on vehicle excise duty only applies to the first year. For future years there is a standard rate regardless of emissions unless its emissions are 0g/km. There are also 13 bands. This link sets out the background
<https://www.gov.uk/government/publications/vehicle-excise-duty/vehicle-excise-duty>
30. In addition the government announced in the Autumn Statement 2022 that Zero emission cars first registered on or after 1 April 2017 will be liable from 2025 to pay the lowest first year rate of Vehicle Excise Duty which currently applies to vehicles with CO2 emissions 1 to 50g/km. They will no longer be free and from the second year of registration onwards, zero emission cars will move to the standard annual rate. See link below
<https://www.gov.uk/government/publications/introduction-of->

vehicle-excise-duty-for-zero-emission-cars-vans-and-motorcycles-from-2025

31. Officers therefore consider it is too confusing to link a York Low Emission Discount to Vehicle Excise Duty.
32. The UK Vehicle Certification Agency currently defines a low emission vehicle as one that produces less than 100g of CO₂ per KM. It defines ultra low emission vehicles as those that produce less than 75g of CO₂ per km. Zero emission vehicles generate no tail-pipe emissions of CO₂.
33. The current discount is offered to vehicles which are not even considered low emission vehicles.
34. Therefore the options for review of when a low emission discount should apply are as follows:
 - i. The option is to remove any discount for low emission vehicles on the basis that parking permits are to control parking pressure and not the emissions they produce;
 - ii. Discount only on zero emission vehicles which generate no tail pipe emission of CO₂;
 - iii. Discount on zero emission vehicles which generate no tail pipe emission of CO₂ and ultra low emission vehicles that produce less than 75g of CO₂ per km;
 - iv. Discount on all low emission vehicles that produce less than 100g of CO₂ per KM.
35. Option A is to not offer a discount for any low emission vehicles. The rationale for this is that the government discount will only apply for the first year on vehicle excise duty and the parking permits are to manage parking pressure. How much a discount of circa £50 has on peoples car choice is hard to define. However, it will be an influencing factor on people buying cars that produce less emissions. It is a political choice whether parking charges designed to manage parking pressure and ensure turnover should include a discount for lower emission vehicles.
36. Option B would offer the discount to the fewest number of vehicles which are the cleanest vehicles and would deliver the revenues identified in the budget.

37. Option C would offer the discount to ultra low emission vehicles as well as zero emission vehicles. It would deliver the revenues identified in the budget.
38. Option D would not deliver the revenues identified in the budget report and therefore officers cannot support this.
39. Officers therefore recommend option C as it deliver the revenues identified in the budget and is likely to impact on fewer people.
40. The following table provides a summary of the current number of permits. The second column details the number of permits which pay more as the vehicle is a high polluting vehicle. The third column details the number of standard permits. The fourth column details the number of people who currently receive a discount but would not under option C and would in future pay the standard rate. The final column details the number that would receive the discount under option C.

Permit type	Premium charge - Emissions +180g/CO2 per km	Standard charge - Emissions 120 to 179 g/CO2 per km	Currently receive a discounted rate which would no longer apply 75 to 119 g/CO2 per km	Recommended option B discounted rate - 0 to 74 g/CO2 per km
Household Parking Permit	316	1955	1454	87
Additional Household Parking Permit 1	60	295	234	34
Additional Household Parking Permit 2	2	18	29	0
Business Permit	7	22	15	4

Commercial Permit ALL ZONES	4	13	9	0
Commercial Permit ONE ZONE	15	34	15	7
Community Permit	17	191	207	4
Resident Contract (Car Parks)	1	11	17	0
Resident Contract Foss Bank	2	6	6	0
Resident Special Control Permit	5	30	22	2
Season Ticket	19	78	142	1
Landlord permit	0	5	7	0
House of Multiple Occupancy permit	0	12	24	0
Commercial Permit - R60 school only	0	12	6	0

Annual Parking Waiver

41. Based on observations from Civil Enforcement Officers, it is deemed the lack of any time restriction is having an impact of available parking capacity in and around the city centre. This impacts on blue badge and loading/unloading parking capacity.
42. In light of most of these businesses apply for these waivers being window cleaners, it is deemed 2 hours should be sufficient and helps to balance the available parking capacity.

43. Adding a time limit allows officers to move a vehicle on after this period of time to free up capacity. It is however a choice and the Executive Member could choose not to add a time limit.
44. The change proposed would not require a statutory consultation therefore it is proposed that any decision to amend the terms and conditions of the waiver will be communicated to the current holders and any existing waivers will continue to be valid until their expiry.

Daily Property Permit

45. There have been many calls by both residents and trades people to allow for residents to buy these and to be allowed for these to be used in occupied properties and increase the number of permits used per property per day.
46. Currently these permits can only be used in unoccupied properties and one vehicle per property per day. Officers propose this could be extended to occupied properties and up to 3 permits per property per day. However, it should be noted that the issuing of this or any parking permits does not guarantee a parking space but only the eligibility to park in the location the permit covers.
47. With every street in York varying in parking capacity this general increase from 1 to 3 permits used per day per property may see an increase in vehicles parking that will impact on the available capacity. However, as trades parking and works are done mainly during the daytime and resident parking tends to be higher in the evening, it is deemed this impact should be minimal and strikes the right balance based on enforcement officers' observations.

Organisational Impact and Implications

48. The following implications related to this report and below under the relevant sub-headings.
 - **Financial:** - In the 2023/24 budget decision, Members agreed to a saving of £50k which would be realised by rationalising the number of vehicles that were available for low emission discounts. Whilst this saving will not be delivered in year it is important to implement in order for the budget to be in balance over future years. There will be a reduction in the number of owners who are eligible for a

discount and it is anticipated that there will be a reduction in demand for a number of the permits (notable season tickets).

- **Human Resources (HR)**, for the daily property permits, as this decision will see an increase in availability and use of these permits, there will likely be a HR implication on staff in Customer Services and Business Support who take the calls, payments and issuing of these permits. It is deemed that this is manageable within current resources but we cannot foresee what if any the increase in these permits being bought and issued are. Given this is a revenue generating item, if the administration of these increases beyond current capacity, then a review will be undertaken to seek an increase in staffing capacity.
- **Legal.** The proposals require amendments to the York Parking, Stopping and Waiting Order 2014: Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

The statutory consultation process for Traffic Regulation Orders requires public advertisement through the placing of public notices within the local press and on-street. It is a requirement for the Council to consider any formal objections received within the statutory advertisement period of 21 days. Formal notification of the public advertisement is given to key stakeholders including local Ward Members, Town and Parish Councils, Police, and other affected parties.

The Council, as Highway Authority, is required to consider any objections received after formal statutory consultation, and a subsequent report will include any such objections or comments, for consideration.

The Council has discretion to amend its original proposals if considered desirable, whether or not, in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted.

- **Procurement**, we are not aware of any contracting or procurement issue that this will impact upon. Therefore this report does not appear to be any impact on procurement.
- **Health and Wellbeing**, Public Health supports the implementation of policy changes which have a positive impact on health. Low emissions reduce air pollution which has a negative impact on health. Both long and short term exposure to air pollution can lead to a wide range of conditions including stroke, some cancers, asthma and other respiratory tract infections.

However, the impact on the increase cost of parking or up grading a current car to a low emissions model for those who have low incomes should not be underestimated and Public Health agree that wider consultations with York Older People's Assembly, York access and those who currently have access to discount is required to fully understand the impact and avoid exacerbating any health inequalities.

- **Environment and Climate action**, Tightening the criteria for a discount of lower emission vehicles may help to encourage greater uptake of lower emission vehicles. The reduction in the time a vehicle can park for with the annual parking waiver will see vehicles parking across the city being reduced that will reduce the environmental impact when other vehicles are trying to find a space. This will help to make more parking capacity available.
- **Affordability**, with the lowering of the emission level for permits that have a discount element, this will mean some of those who currently are entitled to the discount will fall outside of this new level and pay a higher rate for their permit.
- **Equalities and Human Rights**, the Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

An Equalities Impact Assessment has been carried out and is annexed to this report in Annex A.

The moving of the vehicle emission threshold will mean some of those who currently fall within the low emission discount will no longer benefit from the discount and may feel these permits are unaffordable and to buy/lease a lower emission vehicle may not be possible for them.

- **Data Protection and Privacy**, as there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions - reference AD-01831.
- **Communications**, if agreed a communication exercise will need to be taken forward to make all permit holders aware of these changes.
- **Economy**: The emissions proposals in this report would affect up to 138 commercial and business permit holders and are thus considered to have minimal overall economic impact. The proposal to increase the availability of daily permits is stated to have widespread support from tradespeople and is thus seen as a positive economic impact. The proposal to introduce a 2 hour limit for commercial permit holders would have minimal economic impact on approximately 40 permit holders.

Risks and Mitigations

49. The following risks have been identified:
- i. Reputational impacts seeing the council increase parking income. This report will state this risk and the decision to accept these options will ensure there is due consideration in place and reasoning for this decision;
 - ii. Permits to become less affordable or not affordable for some. This is a factor that little can be done about other than presenting the list of options to the Executive Member but in the knowledge that the emission-based permits have been agreed but where this report provides options to consider increasing this new emission level to all permits;
 - iii. Ensuring everyone is aware of these changes. Officers will work with the council's communications team to make sure the decisions of this report are communicated as effectively as possible, including writing out to all permit holders about these changes.

Wards Impacted

50. All

Contact details

For further information please contact the authors of this Decision Report.

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Background papers

- Background paper: Reference PLA02 in the attached annex to the budget decision report. 'Annex 2 Savings 2023-24' - <https://democracy.york.gov.uk/documents/s165376/Annex%20%20Savings%202023-24.pdf>

Annexes

All annexes to the Decision Report must be listed.

- Annex A: Equalities Impact Assessment (EIA)