

## Report to the Cabinet

Meeting to be held on Thursday, 5 September 2019

### Report of the Head of Service - Highways

#### Part I

Electoral Division affected:  
(All Divisions);

### Lancashire County Council (Various Roads, The Whole of Lancashire) (Permit Parking Order Amendment No 1) Order 201\*

(Appendices 'A' to 'G' refer)

Contact for further information:

Peter Bell, Tel: (01772) 536818, Regulation & Enforcement Manager – Highways and Transport,  
peter.bell@lancashire.gov.uk

#### Executive Summary

Further to the centralisation of the Residential Permit Scheme administration into the highways service, it is proposed to standardise the prices of permits across the county. Currently 11 of the 12 Lancashire districts have permit schemes within them with Preston and Lancaster also having 'pay & display' in the city centres.

The proposals contained within this report seek to move permits to a single price point and standardise the permit types available across the county to provide a fair and equitable service.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

#### Recommendation

Cabinet is asked to approve the proposals as detailed within this report and as set out in the draft order attached at Appendix 'A'

#### Background and Advice

Within Lancashire there are currently around 90 permit parking schemes in operation across 11 of the 12 districts. These schemes effect around 9000 properties. Furthermore there are on average over 3000 permits in circulation at any one time which are currently spread across 14 different price points for residents permits (£3 - £75) and where available business permits.

The purpose of this order is to standardise the price of permits across the county to a single price point of £25 per permit and ensure that all permit parking schemes are fair and equitable with regard to the purchase of permits. To support the wider drive

to encourage the use of Electric vehicles the council, for the first time, proposes to allow fully electric vehicles to be eligible for a parking permit free of charge.

The changes that will be made by this proposed order to permit parking throughout the county are as follows:

- All on street parking permits available from Lancashire County Council will be priced at £25. The cost of a permit is set to cover the cost of issuing and managing the permit scheme. Any surplus income from permit income contributes to the ongoing maintenance of the schemes themselves. This will include ensuring the signs and lines are kept to a standard that allows effective enforcement to be undertaken. This fee will be payable at the time of original issue and at any time that it is necessary to issue a replacement permit including when a resident changes their vehicle. All permits will be valid for a period of 12 months from the time of issue.
- The standardisation of the permit price will result in a price change for schemes in 5 of the 11 districts. Of the current annual permits for residents issued the largest increase in price will be £10.00 per permit with the largest price reduction being £50 (Visitor permits in Preston) A breakdown of all the changes are provide in Appendix B.
- The order does not alter the number of permits that any residents are entitled to request. However in Zones 'A' & 'B' in Lancaster the mix of permits is proposed to change. After informal consultation by the district and county councillors, the permitted allocation of up to three permits per eligible address has changed from one resident's (vehicle specific) and two visitor (non-vehicle specific) permits to two residents and one visitor permit. The number of permits that residents are able to request is set for each individual scheme and is dependent on the number of spaces are available within the scheme (Appendix C Proposed Changes to Permit Allocations).
- In Lancaster and South Ribble visitor permits are in the form of visitor cards that allow the resident to record a visitor's vehicle registration mark. In the case of Lancaster, two cards could be purchased at any one time with a system of "return and replace" for full cards running throughout the year at £3 for 30 visits. In South Ribble the cards permitted the visitor to park for up to 4 hours within the schemes. The proposed order will replace the visitor's cards with annual visitor's permits that will be similar in format to the residents permit (Appendices D, E, F, and G).
- The proposed order will remove the option to purchase either landlord or carers permits. Traders will have the option of being able to pay a fee of £5 per day for a dispensation to allow parking in any residents parking bay. This is to allow work to be completed on a property where the resident has insufficient visitor permits to allow the necessary associated parking.
- Furthermore as the issuing of a business permit does not require any significant extra administration these, where available, will also be standardised to £25 per permit. However, only businesses whose address is listed in the Order and only when the vehicle is integral to the running of the business and recorded as part of the business will be eligible for permits.
- The proposed Order will help promote the ownership of battery vehicles that are solely powered by electricity (BEV) by exempting these from paying the £25.00 residents permit administration fee. This exemption will not be extended to visitors with similar vehicles and will not include hybrid or plug in hybrid vehicles.

The changes in the proposed order will not affect all permit parking schemes as some have been under the county councils administration or have used systems based on the county councils systems previously. This includes those permit parking schemes in the districts of Fylde, Ribble Valley, West Lancashire, Burnley and Hyndburn.

The Order also proposes to increase the pay and display prices in Lancaster and Preston by 10p across all tariffs.

### **Bench Mark Comparison**

The proposed cost of £25 per permit has been set to reflect the administration costs of running the schemes in accordance with the relevant legislation. Looking at the proposed charges they compare favourably with the charges that other similar neighbouring authorities have set to issue similar permits as set out below:

LOCAL AUTHORITY	COST OF RESIDENT PERMIT	COST OF VISITOR PERMIT	COMMENTS
Lancashire County Council's proposal	£25.00	£25.00	
Blackburn with Darwin BC	£30.00	£30.00	
Blackpool Council	£12.50	£12.50	
Cheshire East Council	£60.00 / £75.00	50p - £1.00 per visit	
North Yorkshire Council	£30.00	20p per visit / £30 per year	
Rochdale MBC	£25.00	£25.00	1 <sup>st</sup> Permit Free
Sefton MBC	£30.00	£30.00	
Stockport MBC	£31.00	£32.37	

As the price of a permit is intended to cover the costs of administering the schemes, the charges will be kept in review and adjusted if necessary.

### **Consultations**

Following a period of informal consultation, undertaken by Lancaster City Councillors a change in the allocation of permits has been proposed for the 2 Lancaster city centre zones A and B from the current 1 Resident permit and 2 visitor cards to 2 Resident permits and 1 annual Visitor permits.

Formal consultation on the proposals was carried out between 14<sup>th</sup> May 2019 and the 14<sup>th</sup> June 2019 and advertised in the local press. Notices were displayed on site for all the pay and display areas and letters were sent to all eligible properties within the current Resident Permit Zones that are affected by this proposal. Divisional county councillors were consulted along with the council's usual consultees and the consultation documents posted on the council's website.

Notices were not placed at the locations of the existing Resident Permit Zones as no material change to the restrictions as currently indicated on site are proposed.

During the consultation period 147 objections along with 39 queries, comments and messages of support were received in response to this proposals. With the high

number of communications these have been summarised by district so that they can be better assessed.

## **Objections by District**

### **Burnley Objections**

Two town councils within the Burnley District made objections to the proposal on the grounds that they believed that residents would be required to pay for permits when parking is currently free.

### **Response**

Neither of the areas identified have residents parking schemes in place, it is therefore a misunderstanding of the consultation as the residents of these areas will not be affected by this order.

### **Chorley**

Thirteen objections were received from the Chorley area, some of the communications covered more than one point and these can be grouped into four basic concerns.

1. The reduction of the price of business permit from £220.00pa to £25.00pa and that by making such a significant price cut the number of applications by businesses will increase significantly placing pressure on residents parking areas that are already heavily subscribed.
2. The changes will cause an increase in the cost of a permit when there is already a problem in finding a parking place. This problem is compounded with the lack of enforcement of the schemes.
3. In Chorley there is no option to purchase a visitor permit. This is especially difficult for residents who do not have a car. The objectors request that provision is provided for visitors to properties within the residents only parking zones.
4. With the pressure on some of the Chorley parking schemes residents say that they have been forced to use pay and display car parks when they have paid for a residents parking permit and have requested that individuals in this situation should be allowed to park in these areas free of charge.

### **Response**

As previously noted the cost of a permit is intended to cover the administrative cost of issuing and managing the permit scheme. The issuing of a business permit does not require any significant extra administration therefore a separate price point is not required. Only businesses that are eligible for permits, by having their address listed in the Order will be eligible for permits. Checks will be undertaken to ensure that the vehicle is being used in conjunction with the business prior to a permit being issued. The council will ensure that residents' schemes are not compromised through the issuing of business permits which will remain limited to 2 per business address as before.

The standardisation of permit costs will see an increase of £10 for the first permit but also a decrease of £10 for the second permit, so whilst single permit purchasers will

see an increase in cost, the price of two permits will remain at a total of £50. Regular enforcement of schemes is undertaken but the council will note the comments and act upon them accordingly.

The proposed order is not looking to change the allocation of permits that are permitted in any given zone. Every scheme has been carefully considered, including the location of bays, times of operation, permits available, at the time of introduction. Each scheme therefore results in different allocation levels.

Residents parking schemes seek to remove the external influence of other cars in an area, for example town centre workers, football fans or hospital staff/visitors. They do not guarantee a parking space for a permit holder. There is a finite amount of kerbside space that is often exceeded by the number of vehicles owned by residents in an area. By removing the external influences from the area it increases the likelihood of permit holders being able to park, in the same way that they would if there wasn't a nearby town centre or other parking generator.

Permits issued in respect of 'Resident Parking Schemes' are for use on the public highway in corresponding dedicated 'Permit Holder' parking bays. As with most town centres, the off-street car parks are either owned and managed by the district council or private contractors. As such the county council do not have the authority to authorise that these permits to be honoured in the car parks.

### **Lancaster Objections**

The Lancaster city council area, which includes Lancaster and Morecambe received over 120 objections and comments, many covering more than one point. The main points can be summarised as follows.

1. Objection to the loss of the card based visitor pass being replaced by a visitor permit in the same format as a residents permit. The objections stated that the new permits would be more expensive for residents that only had very few visitors every year, that it was more difficult to police against misuse including using visitor permits as residents permits or residents selling visitor permits on to commuters who would use the passes for cheap daytime parking and the fact that the houses will be limited to the allotted number of visitor passes as indicated in the proposed order.
2. That the order indicated that houses had the opportunity to purchase large numbers of residents permits. These vary from complaints that some houses can have two residents' permits where only one permit would be more suitable on to objections that some zones have the opportunity to buy unlimited numbers of resident's permits. There were claims that where unlimited numbers were allowed this has to be viewed against an increase of houses of multiple occupation developed to house students and that this is encouraging students to bring their vehicles to Lancaster. The unlimited passes are putting increased pressure on the limited available space within the residents parking zones.
3. Many objected to the fact that the order will remove the carers' permits indicating that these were necessary to ensure that these teams could spend their limited time providing the help to their clients rather than time sorting out the parking along with collecting and returning visitor permits.
4. There were objections that a resident's pass was for a specific vehicle and should a car be changed then the resident would be charged for a new permit

rather than just getting a free issue of a permit with the new registration number.

5. Some of the objections were that owners of electrical vehicles would get their permit without having to pay the administration fee claiming that they would not be able to charge their vehicles in the residents only bays and that they are still taking up parking spaces. This should be set against one comment that actually supported this exemption.
6. Objection that traders would be able to use residents only bays. These included those that would park with a visitors permit or those that chose to pay the £5 per day fee. In contrast there were comments supporting the possibility to buy permission to park whilst working on properties.

In addition to the grouped objections there were comments that the operation was a fund raising scheme by the county council, and that it was wrong that Lancashire County Council had taken over the scheme when it was working well under Lancaster City Council. There were complaints about the lack of evening enforcement and suggestions that there should be a public meeting. Some of the comments wanted a definition of permit misuse and others suggested different schemes for managing visitor permits.

## **Response**

The biggest number of objections were against the loss of the visitor card. The card provided the facility for a vehicle to park for up to a day for 10p. When the card had been used 10 (subsequently 30) times the resident was required to visit the city council to hand in the full card and purchase a new one. In the majority of zones residents were limited to 2 cards at any one time. The county council, as part of the centralisation of the permit administration has been able to exploit the efficiencies of scale when setting the permit price to £25. For example, this has resulted in a reduction of £15 for resident's permits in 6 zones in the Lancaster Area. Currently if a resident has more than 250 visitors in the year they will pay more than the proposed £25 annual visitor permit. The council do recognise that there will be residents who only have limited visitors in a year, however elsewhere in the county other districts have only had access to annual permits for several years. The council will not place an expiry date on the existing incomplete cards in circulation meaning that residents with a small turnover of visitors may not need to consider purchasing an annual visitors permit for several years.

Any permit that is issued in a residents parking area can be subject to attempted abuse, all permits are traceable back to the applicant and the council take abuse of the scheme very seriously, this can include the cancelling of a permit if required.

The objections to the number of permits that any household can purchase is outside the scope of this proposal. In Lancaster Zones 'A' & 'B', as noted previously the split of permits is proposed without changing the number of permits available. The level of available permits is set when a scheme is set up this should remain the same until there is significant changes. If there is a problem in an area due to an increase of the number of houses of multiple occupation then the order may be reviewed. Any proposals resulting from this review would require formal public consultation.

The residents only parking scheme requires that cars qualifying for a residents permit need to be registered to a qualifying address within the scheme. This will assist in preventing overloading of any scheme.

The proposal to remove carer's permits is part of the decision to ensure that all the schemes throughout the county are managed in the same way. Residents that have carers visiting them will need to ensure that they make their visitors permit available for them, as is the case in the rest of the county. It must also be noted that there are normally alternative areas for visitors to a zone to park, in central locations on or off street pay and display is available. In the outlying areas there is often more availability of unrestricted parking.

The cost of a permit is intended to cover the administrative cost of issuing and managing the permit scheme. A resident that changes a vehicle, therefore requiring a new permit is creating an administrative action for the council, which requires its cost to be covered. As the new permit has been paid for the new permit will be valid for a full 12 months.

Objections to owners of battery powered vehicles being exempt are again looking at the residents parking permit fee as a fee for parking. As this is an administration fee the county councils is using this as an incentive to encourage the take up of electric vehicles. The exemption is limited to vehicles that are solely powered by electricity and does not extend to hybrid or plugin hybrid vehicles. Furthermore the permit numbers remain unaffected as this permit is only a permit at no cost, not an extra permit for the respective household.

There is a need to permit traders to have access to residents' only parking bays to allow residents to have work completed on their homes. The proposed order will allow this to be completed in one of two ways, either by using a visitors permit or to purchase permission to park on a daily basis at a cost of £5.00 per day. It would be unreasonable to prevent such parking. The dispensation would need to be applied for online and the council will require evidence that it was necessary before granting permission. Similarly prolonged applications would be scrutinised such that it would not be available as contract parking provision.

Other points that were raised included objections to the administration of the scheme being moved to the county council. The management of the separate schemes has been brought in house to ensure that they are managed both fairly and equitably. The proposed order is not a fiscal measure and its intention is not to raise extra revenue but to promote consistency. This includes the management of visitor's permits.

## **Pendle Objections**

A total of five objections were received from the residents of Pendle with the main objection being that the price of a permit rising from £17.00 to £25.00 at a time when parking was difficult due to poor enforcement of the schemes. One objector complained that they were only able to purchase one visitor permit and that this was not sufficient when the resident had carers calling.

## **Response**

The cost of a permit is intended to cover the administrative cost of issuing and managing the permit scheme across the County. With any standardisation in price there will be schemes that see increases, whilst others will see a reduction. The schemes in Pendle have historically not covered the costs of administration with the

permit income and if the schemes are felt to be ineffective it is possible to request their removal.

Enforcement is only as good as the intelligence that the service have on where problems are, it is not possible to deploy officers to all places at all times, if customers contact the service with enforcement issues then the council will respond to these areas of issue.

### **Preston Objections**

Two objections were received from the Preston area, one was concerned that the proposed order did not allow for Landlords permits as these were necessary to allow the maintenance of rented accommodation. The second objection was concerned that the present limit of two permits for each residence is not sufficient, especially when many of the properties were large and have now become subdivided.

### **Response**

Landlords, when attending one of their properties, are no different to visitors to any other residence. If the property is vacant and work is being undertaken on the property the option to apply for a dispensation is available (£5 per day). As existing solutions to these two options are available for landlords the need for a specific permit is no longer necessary. The permit is also not currently available in any other district and as part of the standardisation of the permit scheme Preston is being brought into line with the rest of the county.

The proposed order is not looking to change the number of permits that any given property can apply for. This number has had to be set on a scheme by scheme basis dependant on the number of properties in the scheme and the available parking that has been reserved for residents parking.

### **Ribble Valley Objections**

There was only one objection received from Ribble Valley, this was from a resident that objected to the scheme changing.

### **Response**

The proposed order does not contain any elements that will change either the extent or the management of Residents Only Parking with in the Ribble Valley District as the cost of permits are presently set at £25.

### **South Ribble Objections**

There was one objection from a resident against the proposed replacement of the £5 visitor permit book (providing 20 x 4 hour visits) with an annual permit costing £25.00 for a full year. There has been an interim measure implemented whilst the county has been taking over this service where residents could purchase an annual visitor pass for just £5.00. The objector is not averse to paying £25 for the resident permit but feels that it is unfair that they are limited to one permit when areas of Morecambe have no restriction in the number of resident's permits that they can purchase.

Comments were also received from residents that don't object to the increase, however like other residents in the street, they struggle to park and would like the council to look into making Meadow Street Resident Permit Holders Only like other street in Leyland instead of the current mixed Permit Holders and Limited Waiting Bays. They suggest that this would not have an impact on shoppers parking in Leyland as there are 3 large car parks (King Street, Leyland Market and Churchill Way) very close to Meadow Street that are hardly ever quarter full and it is only pence to park on them.

## **Response**

The cost of a permit is intended to cover the administrative cost of issuing and managing the permit scheme across the County. During the period between the county bringing the administration in house and the conclusion of this review the county issued annual visitor permits for £5. This was to allow residents access to visitor permits during the transition as the county council do not have a counter service to support the replacement of the visitor permit books.

With regard to the number of permits available for any given property, this is set based on the number of properties within any scheme and the length of bays available to that scheme. This proposal has not looked to change the number of permits available in any given scheme.

The request to alter the type of restriction in Meadow Street is outside the scope of this proposal. Consideration of both residents and businesses is taken at the time of implementing the restrictions.

## **West Lancashire Objections**

One objector indicates that they object to paying for permits, considering that permits should be free and the cost of the scheme met by the funds raised from the penalty notices issued. The objector is also concerned that there are a number of elderly residents on the road who, due to their medical needs, require more than one visitor at a time.

## **Response**

The fee of £25 is intended to cover the administration costs involved in administering the scheme.

The proposed order does not look to change the number of permits that are issued in any zone. The number of permits and the type of permits that are allowed is set when a zone is first introduced and is dependent on the spaces available compared with the number of properties included in the scheme.

## **General Objections**

Two general objections were received with regard to the proposed order. It was not possible to allocate these to any particular district as insufficient information was included with regard to an address. The objections covered the increase in charges and that they considered the proposals to be unfair.

## **Response**

The aim of the proposed order is to make the approach to Residents Parking permits uniform across all districts in that all permits will be charged at the same price set at a level intended to cover the necessary administration. The order proposes to ensure that a fair, consistent and efficient approach is taken towards issuing visitor permits to enable the schemes to operate correctly.

The changes are necessary as the management of all residents parking schemes is now being undertaken by the county council rather than some being completed by the districts. It is important that as the county council is covering all of this work it is charged consistently.

## **Fylde, Hyndburn or Rossendale Districts Objections**

No Objections were received from the Fylde, Hyndburn or Rossendale Districts.

## **Implications:**

This item has the following implications, as indicated:

### **Financial**

It is expected that standardising the price of the residents parking permits will have a cost neutral impact on the budget and will create a consistent and fair approach across the county. It will also help to keep the administration costs associated with the management of the scheme to a minimum which in turn will mean that parking permit fees will remain as low as possible.

### **Risk management**

The proposed order allows for all areas to be managed equally across the county. Failure to accept the proposed order would leave the council open to challenge in that the cost to individuals would depend on the location of the scheme. In addition to this the present system of issuing visitor permits via a card has been found to be open to abuse causing problems in certain areas.

### **Legal**

If approved, this proposal will provide consistency in the pricing of on street parking permits throughout Lancashire. A decision to retain the current pricing structure may leave the council at risk of legal action because the administrative processes are now the same from district to district and as such, the cost of permits should be as consistent. The powers of local authorities to make charges for parking cannot be used simply to generate a surplus. It is considered that £25 per permit is a suitable charge.

Income and expenditure related to designated parking places is governed by the provisions of section 55 of the Road Traffic Regulation Act 1984, with which this proposal would comply.

## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A