

TITLE	Briefing Paper - Introduction of Evening, Sunday and Shute End Charges
FOR CONSIDERATION BY	Overview and Scrutiny Management Committee, 17 th May 2016
WARD	None specific
DIRECTOR	Heather Thwaites, Director of Environment
LEAD MEMBER	John Kaiser, Executive Member for Planning and Highways

REASON FOR BRIEFING PAPER

Members are asked to consider the following as a response to the points raised in the Call In of the Executive decision to introduce charges in Council owned car parks for parking evenings, Sundays and at Shute End.

SUMMARY OF REPORT

The Executive decision to approve car park charges for evening and Sunday users fulfils the requirements of the Council's Constitution and is a sound decision.

Background

1. The Executive received a paper at its meeting in March 2016 to approve the making of a traffic regulation order that would allow charges to be levied on users of car parks on Sundays and evenings as well as at Shute End car park. In addition the Executive was asked to approve the necessary changes to signs and machines to facilitate the implementation of the order and responses to consultation respondents.
2. The decision has been called in to the Overview and Scrutiny Management Committee on the basis that it contravenes a number of sections of the Council's Constitution.

Response to the Call In

3. Officers do not believe that the decision contravenes section 1.4.2a of the Council's constitution. ("proportionality (i.e. the action must be proportionate to the desired outcome)").
4. The Council has a duty to maximise the income from its assets and attempts to do this in as fair a way as possible. The desired outcome of introducing the new charges is to ensure that all of the users of the Council's assets (in this case car parks) pay a proportionate amount towards the income generated from car parks that is then used to fund transport improvements and maintenance across the Borough.
5. The proposal is that users will pay £1 to park for any length of time between 6pm and 8am and £1 to park for any length of time on a Sunday. At present only weekday and Saturday users pay for use of the car parks.
6. Officers do not believe that the decision contravenes section 1.4.2b of the Council's constitution ("due consultation and the taking of professional advice from Officers").
7. A comprehensive consultation was undertaken on the proposals. It was clear from the consultation that the matter being consulted on was the introduction of a charge and the level of that charge. It was clear from the responses received that this is how the consultation was interpreted as many respondents commented on the principle of the charge itself and not the quantum of the charge.
8. Professional advice with regards to the proposal was taken from officers in the highways and transport team, the legal services team and the regeneration team. The matter was discussed at the Council's corporate leadership team where all departments of the Council are represented.
9. Officers do not believe that the decision contravenes section 1.4.2d of the Council's constitution ("a presumption in favour of openness").
10. The call in paper seems to suggest that in order to demonstrate openness consultations should be advertised prior to publication. This is not common practice and is not a part of the consultation guidance used to determine how

and when a consultation is carried out. The consultation was made widely available as evidenced by the number of responses.

11. Officers do not believe that the decision contravenes section 1.4.2e of the Council's constitution ("clarity of aims and desired outcomes").
12. The aims of the proposal are clearly stated in the Executive paper. The Outcome set out at the beginning of the paper states... "These proposed charges will ensure that the Council's off street car parks provide a best value return on the asset".
13. Officers do not believe that the decision contravenes section 1.4.2f of the Council's constitution ("when decisions are taken by the Executive, details of the options which were taken into account and the reasons for the decision will be recorded.").
14. This section of the constitution does not demand that options are assessed but merely that where options have been assessed that they are detailed. The reasons for the decision are set out in the minutes of the executive meeting.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

It should be noted that the introduction of these charges is expected to raise £150,000 in revenue for the Council. This money will be used to provide improvements to the road network and fund maintenance of the road network across the Borough. Without this revenue the services provided within the team would have to be reduced.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	(£150,000)	N/A	N/A
Next Financial Year (Year 2)	(£150,000)	N/A	N/A
Following Financial Year (Year 3)	(£150,000)	N/A	N/A

Other financial information relevant to the Recommendation/Decision

The costs associated with introducing the charges and enforcing the charges have been taken into account when providing this estimate of income.

Cross-Council Implications

List of Background Papers

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