

# Cabinet Member Report

<b>Meeting or Decision Maker:</b>	Cabinet Member for City Management and Air Quality
<b>Date:</b>	26 June 2023
<b>Classification:</b>	General Release
<b>Title:</b>	Parking Fee Structure Review
<b>Wards Affected:</b>	All
<b>Policy Context:</b>	<p>This proposal aligns with the Fairer Economy and the Fairer Environment elements of the Fairer Westminster strategy. It will also aid traffic flow and congestion and thus positively affect air quality.</p>
<b>Key Decision:</b>	Non-Key.
<b>Financial Summary:</b>	<p>The financial impact of adopting this policy will depend upon its detail which will be confirmed at a later date. This report seeks only to obtain an agreement in principle to develop an emissions-based charging regime for the Council's pay-to-park and resident permit schemes. Converting the respective charging regimes to be based on vehicle emissions will bear significant set-up and mobilisation costs but these would be offset by potential revenue.</p>
<b>Report of:</b>	Mehmet Mazhar, Director of City Highways

## **1. Executive Summary**

1.1 In line with the Council's Fairer Westminster strategy and other environmental commitments, this report seeks approval in principle for the development of emissions-based charging schemes for both pay-to-park casual kerbside parking and for resident parking permits.

1.2 The detail and actual charging rates for each scheme will be worked up upon approval in due course, but it is proposed that both schemes would operate on a similar basis, with the application of banded charges based upon vehicles' individual tailpipe emission levels of Carbon Dioxide (CO<sub>2</sub>). It is also proposed that an additional diesel surcharge apply respectively for pre-2015 diesel vehicles to address the issue of the emission of Nitrogen Oxides (NO<sub>x</sub>).

1.3 Upon agreement of the principle, the details of both schemes will be worked up by Parking Services and presented to the Cabinet Member for a further decision at a later date under separate cover. It is anticipated that implementation for either scheme will not occur during the financial year 2023/24 and that the pay-to-park scheme will be introduced prior to the scheme for resident permits.

1.4 The reason for the delayed lead-in time for resident permits is to help enable and better inform residents who may be looking to change their vehicle in the interim or who is considering giving up private vehicle ownership altogether in favour of more sustainable modes of transport, such as car club/car sharing schemes.

1.5 It is anticipated that wherever possible the proposed tiered charging regime will act as an incentive for motorists, especially those residing in Westminster, to make the best possible choice where vehicle ownership and usage is concerned.

## **2. Recommendations**

2.1 That the Cabinet Member for City Management and Air Quality approves the following:

- An agreement in principle for Parking Services to develop new charging schemes for its pay-to-park and resident parking schemes.
- That the detail for the respective schemes be presented to the Cabinet Member in due course for approval prior to mobilisation and implementation in the current financial year.

## **3. Reasons for Decision**

3.1 The proposals for both the resident permit and pay-to-park schemes align with the Fairer Westminster strategy and complements a number of corporate environmental policies, strategies and commitments as outlined in section 4.2 below. the improvement of air quality is an important priority for the Council and these policies support this aspiration.

3.2 The rationale for the proposal is outlined in detail in sections 4.3 and 4.4 below, but can be summarised as follows:

### 3.2.1 Resident permits

- To introduce a fairer and more proportionate charging structure, based on vehicles' tailpipe emissions levels
- To bring the current charging structure up-to-date as it is simply no longer fit for purpose:
  - Classification by engine size pre-dates modern engine technology, meaning there are currently large disparities within each band.
  - The current permit scheme is unable to accommodate the growth of electric vehicles (EV) and the diverse range of different 'hybrid' types.
  - Its 'eco' classification is too wide and should no longer provide annual permits free of charge.
- To encourage residents, who are able or willing, to make the best choice in terms of vehicle ownership, vehicle use and modes of transport.
- Emission-based charging for resident parking schemes has become more commonplace and continuing to base charging on vehicle type and engine capacity would see the Council lagging behind its neighbours and fellow London boroughs.

### 3.2.2 Pay-to-Park

- To discourage the use in Westminster of higher polluting private vehicles and thus positively affect the borough's air quality. This is the next logical step from our successful and innovative diesel surcharge scheme.
- To innovate and lead: whilst emissions-based charging schemes are now relatively common-place for resident permit schemes, this is not the case for pay-to-park casual parking.
- Our pay-to-park charging structure does not fully reflect the Council's Fairer Environment aspirations and the charging structure is unsustainable with the rapid growth of EV. An emissions-based charging scheme will help future-proof the service against this as banded charges can be periodically amended as appropriate.

## 4. Background, including Policy Context

### 4.1 Air Quality and Climate Change

4.1.1 Road transport is the second biggest single source of pollutants within Westminster. The geographically-specific nature of road-related air pollution means that transport emissions heavily contribute to air pollution hotspots across the city. Exposure to high localised spikes in pollution levels, which can have serious short-term adverse health impacts, are predominantly caused by road transport emissions.

4.1.2 Road transport represents 20% of Westminster's CO<sub>2</sub> emissions, a larger percentage than from domestic heat and power, and only less than commercial buildings in a list of largest sources of emissions. Carbon emissions from road transport is modelled to reduce in line with NO<sub>x</sub> emissions (see 4.1.4 below), however

road transport will remain a key source of carbon emissions across the city. Total CO<sub>2</sub> emissions in Westminster from diesel vehicles are lower than those from petrol vehicles, however the air quality impacts from diesel vehicles are much higher than from petrol vehicles.

4.1.3 Around 40% of Westminster's NO<sub>2</sub> emissions come from road transport; diesel cars emit over five times as much NO<sub>2</sub> emissions in Westminster as petrol cars.. Road Transport also contributes around 20% of Westminster's particulate matter emissions: again, the largest polluters being diesel vehicles. Older diesel vehicles, particularly those from pre-2015, are much more heavily polluting than newer equivalents.

4.1.4 NO<sub>x</sub> levels are predicted to continue to decrease significantly due to technological advances in combustion engines for road transport vehicles, alongside an uptake of zero-emission vehicles and major policy interventions, such as the Mayor of London's ULEZ. However, the decrease in road transport particulate matter emissions is predicted to be much smaller than for NO<sub>x</sub> emissions. This is mainly because while a shift to zero emissions and EVs will result in significant reductions in NO<sub>x</sub> emissions due to there being less tailpipe emissions, particulate emissions will not decrease to the same extent as tyre wear and brake wear are strong components of road transport particulate matter. Unlike greenhouse gases, the risk from Nitrogen Dioxide (NO<sub>2</sub>) is highly localised: it is the build-up of pollution in a particular area that increases the concentration in the air and the associated risks. So intervention needs to be targeted to problem areas with high levels of pollution and to the sources that contribute to the problem. Road vehicles contribute about 80% of NO<sub>2</sub> pollution at the roadside; the growth in the number of diesel cars has exacerbated this problem.

4.1.5 The public health impacts of air pollution are well recognised. For example: Asthma attacks are exacerbated by high pollution, especially in the young who breathe faster and whose lungs are still developing; Air pollution exacerbating asthma attacks has been directly linked to almost 10% of the hospital admissions for asthma in London's children. Exposure to consistently high levels of pollution by pregnant women has been linked to brain development and cognitive issues for children later in life; and for slightly older children, pollution has been found to increase and exacerbate the health impacts of social stress in teenagers, and as such pollution is related to the mental health and wellbeing of young people.

## 4.2 Policy Context

4.2.1 A focus on air quality aligns fully with the Council's Fairer Westminster priorities, in particular the Fairer Environment objectives. It aligns with the Council's Climate Emergency Declaration and also features strongly in a range of other current and future council policies and strategies such as: The Greener City Action Plan 2015-2025; Air Quality Manifesto 2018; Walking Strategy 2017-2027; City Plan 2019-2040; EV Charging Infrastructure Strategy 2019-2025; and Air Quality Action Plan 2019-2024.

4.2.2 The proposals for emissions-based charging constitute part of Parking Services' ongoing Parking Policy Review, the over-riding objective of which is to encourage modal shift away from private vehicle use and/or to discourage the use of older, more polluting vehicles. This can be achieved either through new charging

regimes, the (re-)allocation of space, amendment to controls and/or the provision of new facilities, all of which have been or are being actively considered. This differs from what has generally been the traditional primary policy consideration of occupancy levels and demand restraint. Also, where motorists or residents are able to make a choice, the schemes should actively encourage the choice of cleaner vehicles and more sustainable modes of transport.

### 4.3 Current Resident Permit Scheme

4.3.1 Since April 2000 the Council has operated a differential pricing system for resident permits based on vehicle engine size, as detailed by DVLA vehicle records. The threshold was introduced to encourage residents to purchase/own/use smaller engine-sized and less polluting vehicles. The threshold was originally 1100cc but was amended to 1200cc in April 2001 in response to the DVLA introducing what were then 12 new road fund licence rates related to vehicle emissions for new cars. At the time it was considered too confusing and impractical for the Council to mirror this with 12 different permit prices, so the two-tier price system continued with an amended threshold to reflect the DVLA's changes. This basic charging system has remained in operation for Westminster resident permits since.

4.3.2 The current differentiation for the scheme is that a resident with a vehicle with an engine size of up to and including 1200cc (cubic centimetres) can currently obtain a resident permit at a significantly discounted rate in comparison to a vehicle with a larger engine. Alongside this, motorcycles are charged a further set reduced fee and 'eco' vehicles, classed as being electric, gas, hybrid or fuel-cell, are afforded permits free of charge. Charges are consistent across all parking zones.

4.3.3 Resident permit charges are as detailed below, having most recently been increased in February 2023.. The vast majority of permits on issue are for vehicles with an engine capacity of more than 1200cc -

Permit Classification	Current Annual Charge	Annual charge from 27 Feb 2023	% of resident permits on issue (Month 2023)
Engine size ≤1200cc	£112.00	£117.50	6.4%
Engine size >1200cc	£158.00	£166.00	82.5%
Motorcycles	£57.00		1.5%
'Eco' vehicles	£nil		9.6%

4.3.4 Any individual resident is limited to one resident permit, upon which they can currently have a maximum of two vehicles, charged at the higher rate of the two. Permits are not limited by household or address. Approx. 6.7% of permits currently on issue contain two vehicle registration marks.

4.3.5 Resident permits are currently issued in physical form as a paper permit for display in the vehicle's windscreen, and permit holders are encouraged to do this at all times when using the permit. However, permit details are also available to the Marshals via their handheld devices, meaning that where it may be difficult or impractical for a permit holder to display their physical permit (for example, on a

motorcycle), a Marshal is able to identify a permit-holding vehicle and give it the relevant parking concessions accordingly. Parking Services plan to move to a process of ‘virtual’ (electronic) permits in the near future.

4.3.6 Many London boroughs now operate an emissions-based charging structure for their resident permit schemes, to the extent that the concept has become fully established. Each borough’s scheme is slightly different, with some being more complex and intricate than others, but many involve incremental permit charges dependent upon emission levels.

#### 4.4 Current Pay-to-Park Casual Parking Scheme

4.4.1 There are approx. 9,800 pay-to-park spaces throughout Westminster, which are controlled 08.30-18.30 on weekdays and up to 18.30 on Saturdays in some areas. Approx 6m pay-to-park transactions were made in 2022/23.

4.4.2 Our pay-to-park charging regime has traditionally been based on demand and occupancy levels, although air quality is becoming an increasingly important consideration, and is set to replace the traditional occupancy/demand/kerbside stress consideration as the primary basis for future parking policy.

4.4.3 Casual visitor parking in Westminster is defined zonally: with the City split into seven parking zones A-G, each with differing hourly kerbside parking charges. Additionally, since August 2019 (and since April 2017 in F zone), we have operated a diesel surcharge scheme which adds a 50% surcharge on pre-2015 diesel vehicles paying to park. A DVLA look-up process upon payment of establishes a vehicle’s fuel-type and year of manufacture, and the vehicle is charged accordingly.

4.4.5 Our current pay-to-park charges are as detailed below. They last increased in February (zones E-G) and March (zones A-D) 2023 –

Parking Zone	Current Pay-to-park charges (p/hr)
‘A’ zone	£4.22
‘A’ zone (pre-2015 diesel vehicles - diesel surcharge)	£6.33
‘B’ zone	£3.42
‘B’ zone (pre-2015 diesel vehicles - diesel surcharge)	£5.13
‘C’ zone	£1.94
‘C’ zone (pre-2015 diesel vehicles - diesel surcharge)	£2.91
‘D’ zone	£2.83
‘D’ zone (pre-2015 diesel vehicles - diesel surcharge)	£4.24
‘E’ zone	£5.69
‘E’ zone (pre-2015 diesel vehicles - diesel surcharge)	£8.53
‘F’ zone	£5.80
‘F’ zone (pre-2015 diesel vehicles - diesel surcharge)	£8.70
‘G’ zone	£5.80
‘G’ zone (pre-2015 diesel vehicles - diesel surcharge)	£8.70

4.4.6 While Westminster was the first borough to introduce a diesel surcharge in 2017, a number of other boroughs now operate borough-wide diesel surcharge schemes. However, as yet no borough operates a pay-to-park charging system based purely on emissions.

4.4.7 We currently operate a concession for EVs/plug-in hybrid electric vehicles (PHEVs) whereby drivers need only pay the minimum charge (10 mins) to obtain the maximum stay for the bay (commonly 4 hours). However, due to DVLA look-up data limitations, all hybrid vehicles receive this concession as the data doesn't differentiate PHEV from other hybrid types.

4.4.8 Concessions are also afforded to disabled badge holders. Holders of a white disabled badge (Westminster residents and those working, studying or receiving life-saving medical treatment in Westminster) can park in pay-to-park bays free of charge. Disabled blue badge holders are afforded one extra hour's parking after the expiry of a paid-for parking session.

4.4.9 Data shows that resident permit holders account for <5% of total city-wide pay-to-park transactions in Westminster. Permit holders are of course required to pay to park when parking outside of their own zone of residence.

## **5. Proposal for the Emissions-Based Charging Schemes**

5.1 The aim of an emissions-based charging schemes is to encourage the use of low-polluting vehicles and, by the same token, to discourage the use of those which are more polluting. The scheme would aim to 'nudge' those who park regularly in Westminster when making choices about vehicle use and ownership, in terms of the type of vehicles they own, or whether they actually need to use those vehicles in Westminster at all, or could alternatively rely on public transport and/or the Council's car club schemes.

5.2 In developing kerbside policies, the Council is mindful of proportionality in terms of the impact that any proposed policy may have on all road and kerbside users.

5.3 Under the emissions-based charging schemes, permit and pay-to-park charges would be tiered based on emissions. As much as is practicable, both schemes should match in terms of the number of tiers and their emission level thresholds. The general premise would be for the cheapest tiers to apply to the least polluting vehicles and the more expensive to the more polluting. The thresholds set would attempt to place the majority of vehicles within the middle bandings.

5.4 Vehicle details would be obtained electronically via a look-up facility with the DVLA's database at the point of purchase (for pay-to-park) or application (for a resident permit). This would establish a vehicle's fuel-type, year of manufacture, engine capacity and CO<sub>2</sub> emissions level, enabling it to be placed in the correct payment tier.

5.5 For both schemes a diesel surcharge applying to pre-2015 diesel vehicles would also operate on top of the tiered charges.

5.6 By utilising the additional data fields, a more sophisticated and accurate system of linking parking charges to emissions levels can be attained. Charges can be directly linked to CO<sub>2</sub> output levels for most vehicles, with a diesel surcharge to cover the heaviest NO<sub>x</sub> polluters. The year of manufacture and engine size data is necessary for pre-2001 vehicles as the DVLA don't record information of CO<sub>2</sub> levels for vehicles of that age. Whilst we may ideally prefer to use, or at least incorporate, Euro Standards classification, these are currently not collated by the DVLA and are thus unavailable.

5.7 Where the resident permit scheme is concerned, as vehicle technology has advanced in the intervening years, the method of relating engine size to emissions has become increasingly unsophisticated, inaccurate and out-of-date. The rationale for smaller engines being less polluting no longer applies as a general rule and there are currently huge disparities within each banding.

5.8 For both schemes, it is important that charges remain fair and proportionate. It is possible to create a huge differential between the highest and lowest charges but this is unlikely to be desirable in Westminster. It is felt that it is necessary that all classification of vehicles should be subject to a charge of some sort to pay to park or to obtain a permit and no vehicles should be able to park or be granted a permit free of charge.

5.9 The implementation of an emissions-based charging scheme for resident permits necessitates various operational policy changes to the current scheme -

- The conversion of the resident permits to become 'virtual'/electronic- which has already been approved by the Cabinet Member for City Management and Air Quality.
- The replacement of the 'up to two VRMs on a single permit' policy by a policy of 'one VRM per permit' policy. To accommodate this, individuals would be entitled to purchase additional permits for different vehicles, up to a maximum, but with the application of incremental pricing.

5.10 The following principles would also be followed –

- Everyone pays something for a permit with no permits to be issued free of charge
- Simple banding so that charges are clear and easy to understand
- A Diesel Surcharge to apply on top of all bandings where applicable for pre-2015 diesel vehicles to further discourage the use of higher polluting vehicles
- No limit upon permit issue to households. Such a policy would be complex and burdensome to operate and would be inequitable, especially for shared, non-family households.

5.11 It should be noted that driver behaviour is evolving and over the course of time it is expected that EVs and other cleaner, less polluting vehicles will become more popular and widespread. This needs to be borne in mind with any scheme that is introduced and close monitoring will be necessary. Whilst the schemes cannot be futureproof, their charging structures can be periodically amended to take account of this and to continue driving the desired behaviours.

## 5.12 Data Reliance and Its Limitations

5.12.1 It is felt that the Council should be taking a more holistic approach to its kerbside and resident permit charging and ideally we would be considering a vehicle's Euro Standards classification alongside its levels of CO<sub>2</sub> and NO<sub>x</sub> tailpipe emissions and particulate matter (PM) emissions. Unfortunately, Euro Standards, NO<sub>x</sub> and PM data is not yet obtainable as standard from the DVLA.

5.12.2 Reliance on DVLA records has further limitations too, for example:

- Most foreign vehicles are not registered and have no need to be unless the owner is staying in the UK for six months or more, so any DVLA look-up may return nil information,
- A percentage of unregistered UK vehicles are on-street for which any DVLA look-up will return nil information,
- DVLA records for registered vehicles may not themselves be wholly accurate, for example where cherished plates are being/have been moved from one vehicle to another,
- CO<sub>2</sub> emission data is not available as standard for motorcycles. Motorcycles would therefore need to be excluded from an emissions-based pay-to-park scheme and be subject to a standard charge,
- The DVLA do not hold CO<sub>2</sub> emission data for any pre-March 2001 vehicle. These vehicles would therefore have to be charged a standard rate,
- DVLA data does not differentiate plug-in hybrids from other hybrid types, however under an emissions-based charging scheme this lack of differentiation will no longer present an issue as each vehicle would be charged according to their individual levels.

5.12.3 All this compromises, to an extent, the integrity of the data we can receive from the DVLA, and work-arounds and policies would need to exist to mitigate them. Whilst the percentage of nil returns for our pay-to-park scheme account for <3% of transactions, for casual parking those vehicles would have to be charged at a standard rate, as would motorcycles and pre-2001 vehicles. This aspect is less important for the resident permit scheme though as applications for a permit are made in advance and further information can be requested of the applicant.

## **6. Financial Implications**

6.1 Parking Services have revenue income budgets in 2023/24 of £43.701m in respect of Paid For Parking, and £4.362m in respect of Residential Parking. These include savings totaling £3.250m linked to a Parking Fee Structure Review. The savings are profiled between 2023/24 and 2024/25 and assume that the proposed policy could be implemented in Autumn 2023.

6.2 Approved capital budgets in respect of the estimated setup and mobilization costs for the project total £140,000 in 2023/24.

6.3 This report seeks only to obtain an agreement in principle to develop an emissions-based charging regime for the Council's pay-to-park and resident permit schemes. Should that be granted, the revenue and capital implications of adopting

this policy will then be modelled in detail using the latest activity data available. This will also validate earlier assumptions.

## 7. Legal Implications

7.1 The Council's traffic management duties under the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 mean that as well as having regard to the cost of scheme administration and enforcement, charging regimes should also have regard to traffic management and air quality considerations. Therefore the setting of charges can legitimately be used as a method of restraining demand to enable more effective management of the kerbside and to positively affect air quality. The setting of charges cannot however be used as a means to purely and intentionally raise revenue, although the generation of revenue is permitted if it is incidental to the setting of charges for other valid reasons.

7.2 Through the implementation of emission-based charging schemes the Council would aim to positively affect air quality across Westminster, by reducing the number of the higher polluting vehicles utilising the city's pay to park and resident permit bays.

7.3 The Council's authority to operate and set parking charges is defined by statute. Under Section 46 of the 1984 Act, the Council has discretion as to the charges it sets (by means of traffic orders or Notices of Variation of charges under Section 46A). In accordance with Section 55 of the 1984 Act the income the Council receives from on-street parking is placed into the 'Parking Places Reserve Account', which can only be used by the Council for highway improvements and other traffic related measures.

7.3 Section 122 of the RTRA 1984 sets out the considerations which must be taken into account by the Council in exercising its powers under the Act, including in relation to parking. Section 122 states:

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act so to exercise the functions conferred on them by this Act as (so far as is practicable having regard to the matters specified in subsection (2) 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, or, in Scotland the road.*
- (2) The matters referred to in subsection (1) above as being specified in this subsection are—*
  - (a) The desirability of securing and maintaining reasonable access to premises;*
  - (b) The effect on the amenities of any locally affected and (without prejudice to the generality of this paragraph) 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 strategy prepared under Section 80 of the Environment Act 1995 (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 local authority to be relevant.*

7.4 A number of cases have considered the legal duties of local authorities in relation to the exercise of their powers contained under section 122 of the 1984 Act and two main themes have emerged.

7.4.1 In the leading case of *Cran v London Borough of Camden* (1995) RTR 346 it was established that even though section 122(2)(d) allows a local authority to take into account any other matters appearing to it to be relevant, it does not allow the local authority, in setting the charges for parking, to take account of extraneous financial matters such as the aim of generating revenue for other Council projects, however worthy such projects might be. As long as the *Cran* case remains the law, the Council cannot set or increase its charges with the motive of generating revenue. This decision has been reinforced in subsequent decisions including *Attfield vs London Borough of Barnet* (2013) EWHC 2089 (Admin)

7.4.2 In contrast to the above there are a number of decisions in which the Courts have made clear that the creation of a surplus from increased parking charges will not in and of itself be unlawful providing the primary motivation for or intention of the increase is the achievement of objectives which are consistent with the duty contained in section 122. This principle was established in the case of *Chaumeton v London Borough of Camden* (2015) EWHC 1010 which highlighted the fact that Camden's purpose was not to raise revenue but was to address the problems that come with private vehicular traffic and was thus considered a legitimate purpose. The Court therefore erred in the Council's favour by stating that it had acted in good faith and there was no evidence to support the allegation made by the claimant that the intended purpose of the increases and changes in parking charges, introduced through traffic management orders made on 20 March 2012, was to help the Council raise additional revenue for various purposes, a claim firmly rejected by the Court.

7.4.3 In a direct reference to the issues raised in this report, it was, however, accepted in the case of *Djanogly v City of Westminster* 2011 RTR 21 that it would have been a proper exercise of the Council's powers to raise charges with a view to depressing demand. It therefore would be, in this case, a proper aim for the City Council to set differential parking charges across the zones with the objective of controlling demand in the most oversubscribed areas.

7.5 As this report just seeks an agreement in principle to developing emission-based charging schemes for both pay-to-park and resident permits, no amendments to the Council's Traffic Management Orders are necessary at this stage.

## **8. Carbon Impact**

8.1 The Council has made a commitment to become carbon neutral council by 2030 and a carbon neutral City by 2040. Whilst the introduction of these policies should

positively affect the Carbon impact in the City, at this stage, where approval of just the concept is being sought, it is impossible to quantify this impact.

## **9. Equalities Impact**

9.1 In terms of how people with protected characteristics may be impacted by the proposed schemes, the EQIA included as appendix B summarises that there could potentially be a disproportionate impact upon disabled people and people on low incomes.

9.2 Motorists' (in)ability to change or replace their vehicle, should it become subject to higher charges under either scheme, is a potential negative impact, which may be particularly pertinent to those with vehicles adapted for disabled drivers/passengers, or for those on low incomes whose vehicles may also be older and more polluting.

9.3 Positive impacts has been identified for elderly people and young people (including those indirectly impacted by the policy as they are under the legal driving age), as they are groups identified as being most vulnerable to the effects of poor air quality, which this policy aims to help improve.

9.4 A further potential positive impact has also been identified for people on low incomes, as there is a recognised correlation between income inequalities and exposure to poor air quality, which this policy aims to help improve.

9.5 In terms of mitigating the identified negative impacts, this is difficult as the whole point of the policy is to discourage ownership and use of more polluting vehicles. Low-cost and more sustainable alternatives to car ownership and use exist (walking, cycling, public transport, car clubs etc) and will be encouraged but these may not be practical or appropriate in some cases.

9.6 For disabled drivers/passengers, the current parking concessions afforded would continue to apply. For Westminster residents, white disabled badges enable free parking throughout the City in pay-to-park, resident bays and blue badge bays. For visitors various parking concessions are still afforded to disabled blue badge holders, meaning parking is comparatively cheaper compared to non-badge holders. Blue badge holders can park in blue badge bays for free and are granted an extra hour's grace after the expiry of paid for time in pay-to-park bays. Since 2019, blue badges can be issued to those with non-physical disabilities, as well as physical.

9.7 Formal Traffic Order consultation will be necessary before implementation of either scheme. Consideration of these points will also be given when the details of each scheme are developed.

## **10. Consultation**

10.1 Upon agreement in principle to develop emissions-charging schemes as outlined, proposals will be presented to the Council's Policy & Scrutiny

Committee in June 2023. This will help inform the nature of the proposals then submitted to the Cabinet Member for implementation.

- 10.2 As part of the implementation process, each scheme will be the subject of formal Traffic Management Order consultations with residents, statutory consultees and neighbouring boroughs.
- 10.3 As the schemes would apply city-wide, it is not deemed necessary to consult individually with Ward Members.

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact:**

Darren Montague, Parking Implementation Manager  
dmontague@westminster.gov.uk

## **APPENDICES**

Appendix A – Equalities Impact Assessment

For completion by the **Cabinet Member for City Management and Air Quality**

**Declaration of Interest**

I have no interest to declare in respect of this report

Signed: Paul Dimoldenberg Date: 26 June 2023  
NAME: **Councillor Paul Dimoldenberg**

State nature of interest if any:

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*(N.B: If you have an interest, you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled 'Parking Fee Structure Review and reject any alternative options which are referred to but not recommended.

Signed: Paul Dimoldenberg  
Cabinet Member for City Management and Air Quality

Date: 26 June 2023

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.