



Environment Committee

27 JANUARY 2015

Title	Implementation of New Parking Policy
Report of	Housing and Environment Lead Commissioner
Wards	All
Status	Public
Enclosures	Appendix A - Comparators of proposed charges with other Emission Based permit charges across London Appendix B – Parking Improvement Project Update
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Summary

In November 2014, this committee agreed a new Parking Policy and authorised officers to develop a costed plan to implement it. This report sets out the proposed charges for new emission based Parking Permits for the coming financial year for the committee's consideration prior to Policy & Resources Committee approval. Alongside this, for the Committee's approval, is a proposed programme of activity, timeframes and costs for the implementation of the new parking policy.

Recommendations

1. That the Environment Committee consider and recommend the parking permit charges set out in this report to be presented to Policy and Resources Committee for approval
2. That the Environment Committee agrees the action plan for all activity to implement the new Parking Policy

3. That the Environment Committee considers the proposed capital investment and increased revenue costs required to implement the new Parking Policy and determine any additional capital requirement as part of considering priorities of the capital funding allocated to this committee as presented in another report on this agenda and then make recommendations to the Policy & Resources Committee.
4. That the Environment Committee considers the proposed capital investment that is not currently included in any agreed capital programme or highways capital programme and agree to request additional funding of £1.57m from the Policy and Resources Committee.
5. That the Environment Committee note the proposed new parking client team structure and agree its implementation in accordance with the Council's current HR policies.

1. WHY THIS REPORT IS NEEDED

- 1.1 At the November 2014 meeting of this Committee, members agreed a new Parking Policy and a new basis for charging for residents permits based on emissions, this report sets out the proposed charges for these permits. However, agreeing a new basis for charges was only one element of the changes that the new Parking Policy will bring. Members recognised that effective implementation will require a programme of activity and works as well as requiring a capital and revenue investment.
- 1.2 The Committee requested officers to provide detail regarding the costs and timeframes for the implementation of the policy and this information is contained in this report.
- 1.3 **EMISSIONS BASED CHARGING FOR RESIDENTS PERMITS** – At the last meeting of this committee Members agreed a 3 band emissions based charging mechanism for residents parking permits. Moving to an emission based permit structure will require a wholesale change to the existing permit database. This change gives an opportunity to improve the current customer experience and to introduce hand held technology that will provide real time information to Enforcement Officers.
- 1.4 Alongside this will be the introduction of e- permits (permits valid at time of payment). This innovation which is now being used by the DVLA, utilises advancements in technology to make the service more effective. It reduces the resources required to process permit applications, avoids the need for a paper permit to be printed, sent and displayed.
- 1.5 In introducing emission based pricing, a principle was put forward in keeping with residents views gained from the formal parking policy consultation that any scheme should be clear and simple and so it is proposed a there will be a flat rate for all additional cars, up to 4, of £70
- 1.6 The 3 emissions bands agreed at the November Environment Committee were:

Lower Band gCo2	Middle Band gCo2	Higher Band gCo2
<110	111 – 200	>200

- 1.7 Members asked officers to provide them with the permit charges levied by other London Boroughs that also use an emission based policy; this is attached as Appendix A. This shows the vast difference in the level of charges levied under such schemes.
- 1.8 Permit charges of outer London Boroughs that neighbour Barnet are shown in the table below. Brent, Enfield and Camden all have emission based charging whilst Harrow has a flat rate scheme, which means that no matter what type of vehicle someone has they all pay the same rate for the first vehicle and the same applies to the second and third. These neighbouring boroughs are shown below:

Borough	Lowest	Middle	Highest
Brent	Zero	£95.50	£191.00
Enfield	Zero	£95.00	£120.00
Camden	£80.00	£125.00	£255.00

NB: mean averages have been used for comparators in the above table. Please refer to Appendix A for full details

Flat Rate Permit	1st car	2nd Car	3rd Car	4th Car
Harrow	£64.90	£97.30	£129.30	£162.20

- 1.9 In line with the objectives of the new Parking Policy and with the aim of over time reducing the number of cars within the borough that have high emissions the following charging structure for Resident Parking Permits for 2015/16 is proposed:

Lower Band gCo2	Middle Band gCo2	Higher Band gCo2
<110	111 – 200	>200
£30.00	£40.00	£60.00

- 1.10 In addition it is proposed to amend a current charge and introduce two new ones. The Council currently issues a Green Permit, it is proposed that the charge for this permit which will only be issued for electric cars will move from £15 to nil cost.
- 1.11 It is also proposed that we introduce two new temporary permits a weekly one for £100 and a monthly one for £160, these are not for residents, but will allow temporary arrangements to be accommodated for businesses, Utility companies, contractors and internal departments carrying out short term works.

- 1.12 A change to the way in which suspension bay applications are charged for is also proposed. We currently charge £60 per One Bay Suspension for One Day. It is proposed that the initial charge to process the Suspension Application rises to £130 with a daily rate for Chargeable bays of £30 per day for the length of the suspension and a daily rate for Resident Only bays of £20 per bay per day of the suspension.
- 1.13 **IMPLEMENTING THE NEW PARKING POLICY** – The implementation of the new policy means that new activities will need to be undertaken as well as improvements in current processes and procedures. There are two main areas of work:-
- A programme to implement new initiatives such as Moving Traffic Violations, Bay Monitoring technology, School CCTV enforcement and Footway Parking Priorities; and
 - A redesign of the Parking Client Team Structure alongside a realignment of enforcement by NSL (the council's parking contractor)
- 1.14 One of the objectives of agreeing a new policy was to move away from the historical amalgamation of separate decisions accumulated on a case by case basis and develop a consistent approach. To do this a programme of work has been developed that will address a number of long standing issues:
- **Footway Parking** – As members are aware, there are a number of streets in the borough where informal footway parking is in operation. These will be formally reviewed in accordance with the new policy. Once these have been reviewed and appropriate actions taken to either formalise or cease footway parking the next tranche of work will be to review those areas that were highlighted as of being concern through the formal consultation exercise. All of these areas will require to be surveyed before any works orders can be made for the introduction of signs and lines to formalise designated footway parking bays. A process will be instigated to allow for any additional requests received in the interim to be added to the programme and to review ongoing requests following completion of the initial programme.
 - **Bay Monitoring Technology** – to meet the objective of a defined occupancy rate for parking spaces there is a need to explore how this can be monitored. A trial of such technology will be undertaken which if successful could be rolled out where appropriate.
 - **Teacher's permits** - The consultation undertaken to develop the parking policy contained views for and against the introduction of a new Teachers Permit. That is a permit for that enables teachers to park in a CPZ as the school in which they teach is within the CPZ. A formal consultation is required in accordance with the statutory requirements of introducing or amending a Traffic Management Order. However, due to the differing views of residents and teachers within the borough, it is suggested that we first undertake an "informal" or non statutory

consultation exercise with residents on this issue. The aim is to undertake this exercise in March and obtain the views of particular persons who may be affected. Therefore it will include but not be limited to:

- CPZ permit Holders
- Business permit holders
- Residents who live in a CPZ
- All of Barnet residents
- Teachers within Barnet Schools within and out of CPZ's

The Environment Committee will be presented with the results later in the year.

- **Moving traffic contraventions (MTC) & schools CCTV** - One major innovation for Barnet within this new work plan will be the introduction of the enforcement of moving traffic contraventions. The aim is to address the increasing concerns relating to the impact on traffic movement and safety in the Borough due to the increasing number of drivers who do not comply with the following types of restriction:

- No Entry signs
- One way only
- No left or right turn
- No U turn
- Give way
- Restricted vehicles only
- Keep clear
- Box junctions – requiring no stopping

It is intended that the locations where such restrictions exist will be reviewed to determine levels of contraventions so that these may be addressed by the Council taking up the powers to allow enforcement at the relevant sites through the introduction of CCTV. The following issues will be considered:

- The level of non-compliance identified during the review
- Review of accidents involving vehicles and pedestrians
- Areas close to schools
- Congestion hotspots
- Assisting to improve journey times
- Sites where there have been complaints raised with the Council about motorists driving irresponsibly and disobeying road signs
- Known sites where restriction signs are vandalised to aid non-compliance

Alongside this review will be a procurement process to procure the appropriate equipment and support for this initiative. The table below sets out proposed implementation plan:

Description	Date	No. Cameras
School CCTV Camera Installations	Oct-15	10
School CCTV Camera Installations	Nov-15	10
MTC Site Location CCTV Installations	Dec-15	10
MTC Site Location CCTV Installations	Jan-16	10
MTC Site Location CCTV Installations	Feb-16	10
Total MTC Cameras Installed in 2015/16	Mar-16	20
Total School Cameras Installed in 2015/16	Mar-16	30
Trotal Number of CCTV Cameras		50

In summary the work plan is set out in the table below:

Description	Start	End
Emissions based e- permit System Design and implement	Jan-15	Apr-15
Teachers Permit Informal Consultation	Feb-15	Apr-15
Footway Parking Surveys/ Stats/Woks	Mar-15	Mar-16
Paid for Parking Demand Analysis Pilot	Jan-15	Mar-15
Town Centre Paid for Parking Price Review - ALL	Mar-15	Mar-16
CPZ Reviews X 4	Apr-15	Sep-15
School/MTV site reviews and surveys	Feb-15	Sep-15
MTC/School Enforcement Procurement	Feb-15	Sep-15
MTC/School Enforcement Implementation	Oct-15	Mar-16
NSL Enforcement Re-alignment	Jan-15	Mar-15
Review of each Parking Policy Appendix	Mar-15	Sep-15

- 1.15 **Parking improvement project** – Members will be aware that over the last year work has been undertaken to improve the customer experience for those using Parking services. The activities within this programme are nearing completion and a list of what has been achieved is shown as Appendix B.
- 1.16 **PARKING CLIENT TEAM AND NSL RELATIONSHIP** – It is good practice to regularly review the way any service operates and in particular a parking service which is constantly changing in terms of parking provision and parking compliance. Additionally the NSL contract requires the ongoing review of the enforcement plan and to make adjustments as necessary. The Performance & Contract Management Committee receive regular reports on the performance of NSL against set targets.
- 1.17 The outsourcing of the Parking Service in May 2012 to NSL created a new small Client team (council side) essential to the management and reduction of risk by ensuring that services are delivered to the Contract Specification as well as ensuring that due account is taken of changes in policy or emphasis and that statutory decisions are properly taken.

- 1.18 There are a number of reasons as to why now it is appropriate to review the size and shape of the client team. These include the need to implement the new parking policy, the formulation and monitoring of a number of integral Service Level Agreements (SLA's) as well as ensuring that all statutory duties are appropriately addressed and that all parties contributing to delivering the Parking Service are being appropriately managed and co-ordinated.
- 1.19 The Parking Service is made up of a number of service providers (some in other parts of the Council and others external), and as part of the parking improvement project a review as to how the service is working has been undertaken and has identified that the balance of effort is disproportionately focused on monitoring the NSL contract, leaving little resource for monitoring the other service providers who are key to delivering the parking service as a whole. These other service providers being; the Customer Services Group CSG, the Assisted Travel Team, Re (Traffic and Development section), DSO and external suppliers/contractors. These other service providers being; the Customer Services Group CSG, the Assisted Travel Team, Re (Traffic and Development section), DSO and external suppliers/contractors.
- 1.20 The parking service is much more than NSL delivering in accordance with their contract requirements. It is essential that all parties that contribute to the service as a whole are being managed and monitored in accordance with expectation and that when this does not occur appropriate intervention takes place and recovery actions are identified and monitored.
- 1.21 The review has also identified that there are some functions that were anticipated to be carried out by NSL where it is suggested that it is better value for the council for an alternative service delivery. For example, signs and lines maintenance which although being included as an area of work requiring NSL's input it was not possible for a fixed price to be included at the tender stage. This work is therefore charged for, as and when work is required (wear and tear and vandalism). It has been concluded that due to the annual volume of work required it would be far more cost effective for the Council to source this work outside of the NSL contract despite the fact that additional resources will be required within the client team to manage this work with the alternative providers. This has been with agreement of NSL and as part of the agreement if NSL can offer a more competitive price in the future we will use them instead, provided that the quality meets the required standards.
- 1.22 The review has also established that the way in which the contract with NSL is currently structured does not allow an appropriate level of flexibility needed as parking patterns change and as such the current enforcement plan is no longer considered to be fit for purpose. It is proposed that some significant changes are made. This will also require changes in the way the Key Performance Indicators are structured within the contract.
- 1.23 The contract requires the active review of services and the production of a service plan that recommends service developments, innovation, efficiencies, response to changes in legislation and changes to Council policy. NSL and the Council's Parking Client team have worked together to review the historical issues since the commencement of the contract and have used this

knowledge to establish a new Enforcement Plan which is considered to be fit for purpose based on current known issues. In addition it has been necessary to identify the changes required to be made to accommodate the new Parking Policy. Some of the changes include the following:

- Additional on-street staff resources and supervision from NSL to address current known issues
- Additional vehicles to ensure that staff resources are deployed more rapidly and hence more effectively
- Changes to existing staff working patterns
- Changes to the frequency of patrols at certain locations
- More effective use of resources via better planning of each of the CEO's patrols
- No longer deploying on foot CEO's to school locations (following CCTV introduction)
- Increased resource to monitor the newly deployed CCTV
- Increased resource to assist in procuring additional services
- implementation within programmed timescales and full compliance with new requirements from the new Parking Policy (in particular CCTV and Footway Parking process)
- Closer and more regular monitoring and more regular reporting to enhance knowledge and ensure appropriate intervention is made to ensure continued effectiveness

1.24 Another area that has been reviewed is the performance of NSL in relation to issuing good quality PCN's and effectively dealing with the initial informal representations and the ability of the current Parking Client Team resource to deal effectively with the Formal Representations and Appeals. Members of this committee have in the past discussed the council's performance in relation to PATAS Appeals and the need for significant improvement. Addressing this also has an impact on the size of the client team.

1.25 It is therefore clear that the process of dealing with informal and formal representations needs to be improved in addition to the appeals process. In relation to representations this requires a two fold response, firstly the quality of NSL's response to informal representations needs to be improved and secondly that the client team is sufficiently resourced to ensure that appropriate time is allocated to give full and proper consideration to formal representations thus ensuring a fair, appropriate and timely outcome is obtained.

1.26 Equally where it has been established through the processing of representations that appeals need to be defended the team need to produce better quality appeal packs.

- 1.27 In order to deal appropriately with all of the issues identified above it has been concluded that an additional 12 officers are required within the parking client team. This has included an assessment of the additional resources required to deal with the additional volumes of work which will be directly attributable to the implementation of the changes accommodated within the new Parking Policy and in particular those in relation to the roll out of the CCTV cameras.
- 1.28 Clearly there will be additional costs involved in deploying these additional resources however some of this cost will be offset by savings from improving performance, particularly in relation to the PATAS appeals. In addition there will be extra costs involved in deploying the proposed revised enforcement plan, however it is anticipated that this will be offset from additional income, especially early on following implementation of some of the proposals eg. CCTV and the fact that CEO's will be more effectively deployed.
- 1.29 The estimated additional costs are identified in this report in Section 5; Use of resources and implementation will be in accordance with current HR policies and practices.

2. REASONS FOR RECOMMENDATIONS

- 2.1 In agreeing to the new parking policy at this Committee's meeting in November 2014, there is a now a need to ensure that it is implemented effectively and that there are adequate resources to do so.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 In relation to the Parking Policy, the alternative option is not to implement the new Parking Policy (or parts of it) for the borough but this would be at odds with approving the Policy in the first place, and would mean that the Council would continue to operate its parking policies based on the historical amalgamation of separate decisions accumulated on a case by case basis. Having said that, the costings and budget will have a bearing on whether everything desired in the policy can be implemented.

4. POST DECISION IMPLEMENTATION

- 4.1 This report sets out an implementation plan for the work required to implement, the new Parking Policy. If agreed this will be undertaken to the timescales shown in paragraph 1.7.
- 4.2 If agreed, the proposed restructuring of the client team will be undertaken in accordance with current HR practices and policies.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet Council will work with local partners to create the right environment to

improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

5.1.2 The three priority outcomes set out in the 2013/16 Corporate Plan are:

- Promote responsible growth, development and success across the borough
- Support families and individuals that need it- promoting independence, learning and well-being
- Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study

5.1.3 The effective implementation of the Parking Policy will help to achieve the above priority outcomes, particularly in respect of improving the satisfaction of residents through improved confidence in the Council's capacity to effectively manage and monitor the parking service whilst also improving the overall performance at the Parking and Traffic Appeals Service (PATAS).

5.1.4 It will also serve to enhance the public perception of the outsourcing arrangement as a whole through the achievement of a higher quality of decision making around PCN challenges and representations, fewer cancellations at the formal stages of the process and ultimately fewer appeals being considered by PATAS.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Between 2014/15 and 2017/18 an estimated £1.775m of revenue investment will be needed in the SPA as well as up to £5m of capital investment as outlined below, in order to address known issues of non parking compliance. It is anticipated that the additional revenue will be met in full by additional income in the SPA.

5.2.2 The additional revenue will need to be met in full by additional income in the SPA. For the Footway Parking Programme described above the capital investment is estimated to be between £1.5m and £2.5m depending on the extent of Civil works required and £0.1m per annum maintenance costs, this The capital investment could be funded by the £50.375m capital budget agreed for investment in roads and pavements between 2015/16 & 2019/20. The priorities for the capital budget are set out in a separate report on tonight's agenda.

5.2.3 For the 50 CCTV cameras to be implemented the Capital investment required is estimated to be £1.3m with an annual revenue cost of £0.2m per annum to maintain them.

5.2.4 To introduce new signs and lines in line with the parking policy £0.2m capital budget will be needed each year, along with £0.3m revenue per annum to maintain them to a standard suitable for parking enforcement.

- 5.2.5 If Bay monitoring were rolled out it would require a capital investment of approximately £0.075m per Town Centre and would incur £10,000 per town centre, per annum in revenue costs.
- 5.2.6 The three items above are not currently included in any agreed capital programme so will require the agreement of the Policy and Resources committee for additional funding of £1.57m if the initiatives are agreed by this Committee.
- 5.2.7 The Job Descriptions for the new roles are being drafted and once these are completed they will be provided to HR in order that a grading assessment can be conducted. Based on the level of responsibility attached to these roles it is anticipated that the new roles will be graded between existing Scale points 38 and 46.
- 5.2.8 The annual cost of these additional posts, including on-costs, is likely to be between £0.525m and £0.575m depending on the outcome of the grading process. It is anticipated that some if not all of this additional staff cost will be offset by savings arising from the improved performance that these roles are expected to achieve within the SPA.
- 5.2.9 It is anticipated that with the combination of these changes and the implementation of the new parking policy that additional income will be derived which will be considerably more than the additional costs identified above.
- 5.2.10 The Infrastructure and Parking Manager will lead on implementing the changes identified in this report and take the additional responsibility for the on-going management of the extended parking service and ensure that robust performance measures are implemented to ensure that the roles provide efficiency and reputational benefits for the service. The Parking Operations Manager, Compliance Manager and Processing Manager will undertake line management responsibility for the new recruits and ensure that robust monitoring takes place to ensure that the roles provide efficiency and reputational benefits for the service.
- 5.2.11 There will be a need to accommodate additional ICT and accommodation space for the new post holders who will be fully incorporated within established arrangements for the parking client team.

5.3 Legal and Constitutional References

- 5.3.1 The Council's Constitution (Responsibly For Functions, Annex A) gives the Environment Committee certain responsibility related to the street scene including pavements and all classes of roads, parking provision and enforcement, and transport and traffic management including agreement of the London Transport Strategy Local Implementation Plan.
- 5.3.2 Under the Road Traffic Act 1991 the Council took over the enforcement of all parking places on the highway in 1994. In 1994 following a pilot where decriminalised enforcement covered three areas, the Council applied for an

order to be made designating the whole borough a Special Parking Area which was duly done - with the exception of the current Transport for London Road Network and the M1 motorway. Consequently the Council is empowered to enforce the full range of "decriminalised" parking controls that it implements in any borough road.

- 5.3.3 Section 45 of the Road Traffic Regulation Act 1984 allows an authority to designate parking places on highways in their area for vehicles of any class and to charge (such amount as may be prescribed under section 46) for vehicles left in a designated parking place
- 5.3.4 In using the powers under the Road Traffic Regulation Act 1984, the authority has a duty, amongst other considerations, to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities both on and off the highway. This is pursuant to section 122 of the Road Traffic Regulation Act 1984.
- 5.3.5 The Department for Transport issued in February 2008 "The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions" (the "Statutory Guidance"). The Statutory Guidance is published by the Secretary of State under section 87 of the Traffic Management Act 2004. Section 87 (2) requires local authorities to have regard to the Guidance in the delivery of Civil Enforcement of Parking Contraventions.
- 5.3.6 The Department for Transport issued in February 2008 "The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions" (the "Statutory Guidance"). The Statutory Guidance is published by the Secretary of State under section 87 of the Traffic Management Act 2004. Section 87 (2) requires local authorities to have regard to the Guidance in the delivery of civil enforcement of traffic contraventions.
- 5.3.7 In relation to formal representations, paragraph 90 of the Statutory Guidance states that: *"Many enforcement authorities contract out on-street and car park enforcement and the consideration of informal representations. Enforcement authorities should not contract out the consideration of formal representations. Enforcement authorities remain responsible for the whole process, whether they contract out part of it or not."*
- 5.3.8 The Department for Transport issued in November 2010 to all local authorities a document entitled: "Operational Guidance to Local Authorities: Parking Policy and Enforcement – Traffic Management Act 2004" ("DfT Guidance"). The DfT Guidance sets out the policy framework within which the Government believes all local authorities should be setting their parking policies.
- 5.3.9 In relation to formal representations, paragraph 11.18 of the DfT Guidance quotes paragraph 90 of the Statutory Guidance (as quoted above), and in addition states that enforcement authorities *"should ensure that a sufficient number of suitably trained and authorised officers are available to decide*

representations on their merits in a timely and professional manner". Similarly paragraph 14.3 reiterates that: "Authorities should not contract out the responsibility of dealing with formal representations against PCNs. This is a quasi-legal task and should, where necessary, involve input from the legal department and the Chief Executive's department."

- 5.3.10 Some of the proposals within this report are aimed towards ensuring that the Parking client team has the ability to focus sufficient resources to the task of dealing with formal representations and appeals comprehensively and appropriately, and hence in accordance with both the Statutory Guidance and the DfT Guidance.

5.4 Risk Management

- 5.4.1 It is possible that the service changes that may arise from the new Parking Policy may have a negative impact on the Council's reputation and reduce some residents' perception of the Council though this is outweighed by the need for a clear and understandable parking policy that explains the purpose of the parking controls in place throughout the borough.
- 5.4.2 With regard to the restructure proposals, the introduction of the proposed additional posts will have the effect of reducing the current risk of not being able to apply sufficient resource time for the important role of service and contract management and the administering of the statutory processes applicable to meet parking legislation requirements.

5.5 Equalities and Diversity

- 5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equality duty which requires public authorities to have due regard to the need to
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 5.5.2 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent. A full Equalities Impact Assessment was carried out as part of the development of the Parking Policy. The overall feedback from this assessment did not indicate any adverse impacts to the protected groups or lead to any reassessment of the Policy. Their involvement and participation gave confidence that our proposals were appropriate to the needs of the diverse groups that this policy may impact.

5.6 Consultation and Engagement

- 5.6.1 The council's new Parking Policy (and hence its proposals) was developed through a robust and extensive public consultation exercise, which was reported to the last meeting of this committee.

6 BACKGROUND PAPERS

None