

**MEETING**

**ENVIRONMENT COMMITTEE**

**DATE AND TIME**

**THURSDAY 11TH MARCH, 2021**

**AT 6.00 PM**

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
5.	PUBLIC QUESTIONS AND COMMENTS (IF ANY)	3 - 8

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**Public Question**

Nr	Agenda Item	Raised by	Question Raised	Answer
1	6	Niall and Anna Soutar	<p>Why can one department within Barnet Council (i.e. garden waste collections) act properly and in accordance with the law (acknowledging that they did not provide a full year's service) whereas Barnet parking did not provide a full service but refuses to recompense residents?</p>	<p>In March 2020, in response to the national lockdown, the Council made changes to parking enforcement. We reduced deployment of our officers while workplace safety was reviewed, meaning that enforcement was focused on the most important safety restrictions.</p> <p>The Council did not suspend, however, the operation of a basic, proportionate parking enforcement service and had to maintain all the costs of that service. We acknowledge that we changed who was able to park in certain areas, which was aligned to similar activities by other London Councils and in accordance with advice written following discussion with the Department for Transport. As a level of enforcement service was still being provided, we are therefore not refunding permit holders.</p> <p>It should be noted that the sale of a permit does not guarantee a space in a resident's own street but enables the holder of such a permit to park in the relevant wider controlled parking zone in which they reside. It is not clear how financial loss could arise. Whilst we acknowledge that there may have</p>

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				<p>been a level of change in where residents may have found parking which could be perceived as an inconvenience, no evidence has been provided of financial loss.</p> <p>We would also note that our changes to allow more people to park helped address the needs of many key workers working during this period.</p> <p>In regard to the Council’s garden waste collection service, this was a delay to a planned mobilisation of a new chargeable service, where all customers have a consistent renewal point. The decision taken to delay the introduction of the chargeable green waste collection service is not considered comparable to the changes made to parking enforcement during the first period of lockdown, as parking continued to be available, whereas the garden waste service was delayed.</p> <p>The operational costs of controlled parking zones are ongoing and are not just limited to enforcement. Providing a refund (full or partial) to all permit holders for the cost of their permit for the period of lockdown would require significant additional resources to process.</p> <p>The legislation making provision for setting the level of charge for permits (and other priced parking</p>

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				<p>events) allows permit charges to be set at a level to recover the costs of the operations of the schemes. Therefore, if by making widespread refunds of the permit charges it triggered a shortfall in income it could see the Council's parking enforcement scheme operate at a loss (as the cost base remained unchanged). Therefore the Council would potentially find itself in a situation where to recover the cost of the loss incurred it has to raise the prices of permits, therefore charging a premium on future permits to offset the refunded value (plus likely an amount of additional cost to make said refunds) of the permits. This clearly is highly undesirable and would be a wasteful use of funds and resources at a key time. For this reason in part we have therefore declined to make refunds in part or full of individual permits or for wider permit groups/all permit holders.</p> <p>It is noted that the matter was considered through the Council's complaints process and referral to the Local Government and Social Care Ombudsman, who found there was no fault by the Council.</p>
2	6	Maria Byrne	Barnet Council suspended the resident parking service with no recompense to residents. There appears to be no legal basis for doing this and it sets a dangerous precedent. Does this mean the Council can withdraw this service again in the future, at	In March 2020, in response to the national lockdown, the Council made changes to parking enforcement. We reduced deployment of our officers while workplace safety was reviewed, meaning that enforcement was focused on the most important safety restrictions.

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			<p>any time and for any length of time without recompense to residents?</p>	<p>The Council did not suspend, however, the operation of a basic, proportionate parking enforcement service and had to maintain all the costs of that service. We acknowledge that we changed who was able to park in certain areas, which was aligned to similar activities by other London Councils and in accordance with advice written following discussion with the Department for Transport. As a level of enforcement service was still being provided, we are therefore not refunding permit holders.</p> <p>It should be noted that the sale of a permit does not guarantee a space in a resident's own street but enables the holder of such a permit to park in the relevant wider controlled parking zone in which they reside. It is not clear where financial loss has been incurred and whilst we acknowledge that there may have been a level of change in where residents may have found parking which could be perceived as an inconvenience, there is no evidence of financial loss. We would also note that our changes to allow more people to park helped address the needs of many key workers working during this period.</p> <p>The national lockdown was an unprecedented event which impacted the lives of everyone in the country. The parking service had to react and</p>

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				<p>respond to a rapidly changed context and the actions we took were one off events in that context. This is reflected by the tier controls and further lockdown not triggering the same need to change practices. It is hoped that the circumstances in which this took place would not rearise and it is certainly not the Council's belief that this set any sort of precedent for the future and it is clear from past practice that this is not something the Council has had to do previously.</p> <p>This issue was referred to Local Government and Social Care Ombudsman by another resident, who found there was no fault by the Council.</p>

**Public Comment**

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1	6	Niall and Anna Soutar	<p>Residents are not disputing that the Council had the right to suspend resident parking enforcement. However, residents paid for a full 12 month's service and Barnet Council has a legal obligation to provide the full 12 month's service for which residents have paid. This is easily resolved by extending residents' permits. When Barnet Council suspended the green waste collections, that department acted properly and within the law by extending the collection dates, to ensure that residents received the full 12 month's service for which they had paid.</p>

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2	6	Maria Byrne	Barnet Council suspended the resident parking service with no recompense to residents. There appears to be no legal basis for doing this and it sets a dangerous precedent. Does this mean the Council can withdraw this service again in the future, at any time and for any length of time without recompense to residents?