



## GOVERNANCE COMMITTEE

31 AUGUST 2016

**Subject Heading:**

**Councillor Car Parking - Referral following full Council motion**

**CMT Lead:**

**Jane West MD oneSource**

**Report Author and contact details:**

Mark Butler, Director of Asset Management Services oneSource  
01708 432947  
[Mark.butler@onesource.co.uk](mailto:Mark.butler@onesource.co.uk)

**Policy context:**

Staff and Councillor Parking Policy

**Financial summary:**

There are no financial implications resulting from this report

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	X
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input type="checkbox"/>

**SUMMARY**

At its meeting on 13 July, Council resolved that: *This Council, in recognising that when the charges for staff car parking were introduced they also applied to councillors who did not wish to impose on staff charges which they were unwilling to accept themselves, wishes this principle to continue and requests Governance Committee to review the implementation of the current scheme in order to ascertain whether any practical adjustments are appropriate*

In accordance with this, the following report is submitted to the Governance Committee for Members to consider how best to implement Council's expressed wishes.

<b>RECOMMENDATIONS</b>
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That the Governance Committee:

1. Agree any recommendations for amendments to the existing policy and refer them to the appropriate officer for executive decision

<b>REPORT DETAIL</b>
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At the meeting of full Council on 13<sup>th</sup> July 2016, Councillors considered a motion on behalf of the Independent Residents' Group to make minor amendments to the existing arrangements for Councillor car parking at Havering Town Hall.

Council agreed the proposed revision subject to an Amendment by the Conservative Group to request that Governance Committee review the implementation of the current scheme in order to ascertain whether any practical adjustments are appropriate.

### **Background**

1. The current Staff Parking Policy was adopted in April 2011, withdrawing general free parking for staff and enabling employees to purchase a permit to park within the Town Hall, Como Street and Angel Way car parks for a sum of £30 per month, or £300 per annum if purchased in advance.
2. As a result of consultation with Cabinet Members at that time it was agreed the same principles should apply to Councillors using the Town Hall car park, broadly such that:
  - Free parking within the Members' Car Park would continue to be available for attendance at formal meetings (generally evening meetings but including some specific day-time meetings)
  - Councillors requiring extended day-time parking on the Town Hall site could purchase a permit on the same terms as Council staff (i.e. of £30 per month, or £300 per annum if purchased in advance.
3. These broad principles were refined for operational purposes into the existing policy:

### **Current Councillor Parking Policy**

*Parking for councillors is free in the following circumstances:*

- *Attendance at formal meetings during the day (e.g Licencing Committee, School Appeals) – 'formal' is defined as those meetings supported by the Democratic Services*

- *Attending daytime briefings or meetings at the invitation of the Leader of the Council*
- *All evening meetings (using their ID pass to access the CMT/Members car park after 5.00pm or the adjacent public pay and display bays which are free after 6.00pm)*

*Beyond the circumstances above, paid parking is available as follows:*

- *Councillors who need to attend the Town Hall on a daily basis can purchase a permit at a reduced rate. Payment can be deducted at source from Members' Allowances. Paying the full monthly/annual amount will also entitle permit holders to use any of the allocated staff car parks on weekdays and Saturdays (excludes Angel Way Multi-storey on a Saturday) - a windscreen permit will be provided.*
- *Alternatively, for more occasional parking not involving formal meetings, councillors can purchase a Pay and Display ticket from the public machine near the entrance to the Town Hall.*

*Subject to available space, access to the CMT/Member car park before 5.00pm can be obtained by 'buzzing' Reception from the entrance barrier but Councillors are asked to ensure that a valid permit (pre-paid or pay & display) is on display when required.*

#### **Operational issues and Proposals**

4. Generally speaking, the current arrangements work successfully without any day to day issues.
5. 5 councillors currently pay for their parking permit, enabling them to park within the Members car park throughout the day.
6. The only operational issue appears to arise from the practice of requesting those councillors without a permit to 'buzz' Reception when requiring access to the Members car park during the day i.e. before 5pm, beyond which point the barrier raises automatically when the Councillors access card is presented at the entrance..
7. This practice was incorporated into the original arrangements in order to protect councillors from any potential allegation that the benefit of free parking was being used for any activities outside of Council business. It is evident on occasions that individual councillors query/challenge the need to demonstrate to reception staff that they are attending the Town Hall for Council business.
8. The proposal submitted in the motion to Council by the Independent Residents' Group seeks to qualify the existing policy by adding to the current policy statement as follows:

*Subject to available space, access to the CMT/Member car park before 5.00pm can be obtained by 'buzzing' Reception from the entrance barrier **stating that they are engaged upon bona-Fide Council business** Councillors are asked to ensure that a valid permit (pre-paid or pay & display) is on display when required.*

9. If Members wish to dispense with the need to confirm attendance on Council business for day-time parking, it is suggested that an easier method of achieving this would be to adjust the settings on the access control to the Members car park such that the barrier raises at any time of the day to allow access to councillors.
10. The question has also been posed as to why the policy differentiates meetings supported by Democratic Services, rather than apply free parking to councillors attending any Council meeting. These limitations were applied to recognise that some Councillors (primarily Cabinet Members) were proposing to pay for their parking permit and if the availability of free parking for councillors were more ubiquitous, it would undermine the purpose/need to pay for a permit.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

There are no financial implications posed by the proposals within this report, other than the use of existing staff/Members' time. Should the working group propose changes which are ultimately adopted this may have a minor impact on the level of car parking income received by the Council.

### **Legal implications and risks:**

The determination of parking policy for members is a policy matter for the Council to determine and it has a wide discretion, which is likely to enable any of the proposed options. Members receive a basic allowance under the Members Allowance Scheme (established under the Local Authorities Members Allowances Regulations 2003) and this is intended to cover the expenses of carrying out the activities of a councillor and special responsibility allowances are paid to certain members carrying out additional duties – which may include additional attendance at meetings.

It would be reasonable to consider these allowances includes parking charges and some authorities' schemes make provision for travel and parking expenses, especially out of borough travel, but it is not required to view parking expenses as included in the basic allowance.

If parking is provided as an additional free benefit to members outside of the allowance scheme (especially where others would normally pay) it is important that potential tax considerations are taken into account before implementing any scheme.

As to access to the Car Park, this is again a matter of policy. However, it is advised that any scheme is precise in its terms for the benefit of both councillors and officers and it is advised that the phrase "bona fide" is insufficiently precise and open to subjective interpretation, which may lead to further issues. It is recommended that any

amendments consider a finite list of specific types of attendance to avoid this risk. Categories that may wish to be considered are:

- a. Formal committee, council and executive meetings
- b. Executive/Administration non-decision making meetings and briefings
- c. Formal political group meetings
- d. Other Council organised meetings
- e. Case work / constituent meetings
- f. Where express permission has been granted by the Chief Executive (or other person) to park for a specific meeting etc. (as a residual category to allow ad hoc attendance where it is necessary)

This is not an exhaustive list and, it is our advice, that consideration will also need to be given to the limited capacity of the car park and some prioritisation is given and possibly time limited parking, subject to avoiding an over-complex scheme. The above list is in a suggested order of priority with decision-making and Administration meetings prioritised, as these form the core of Council business.

It is likely that any scheme would have to operate on trust and with enforcement at first instance via political group discipline. However, it is recommended that any policy expressly states that a breach of the policy would be considered to be a breach of the Code of Conduct for members. Finally, it is advised that it is important to consider the public perception of any proposed policy.

**Human Resources implications and risks:**

There are no HR implications arising from this paper

**Equalities implications and risks:**

In terms of protected characteristics, the relevant aspect in the context of parking is the provision for individuals with disabilities.

Proximity parking is provided for anyone (officer or councillor) requiring access to a suitable bay.

**BACKGROUND PAPERS**

None