

Meeting: Cabinet
Date: 28 June 2023
Classification: Part 1
Key Decision: Yes
Title of Report: **Parking Charges in Parks' Car Parks**

Policy Context:

Executive Director: Alan Richards, Executive Director Environment & Place

Report Author: Alan Richards, Executive Director Environment & Place

Executive Councillor: Councillor Kevin Buck (Cabinet Member for Highways, Transport and Parking)

1. Executive Summary

- 1.1. This report provides background information to enable the Council to decide on the notice of motion on proposed changes to the Council's charging proposals in Parks Car Parks.
- 1.2. At the full Council meeting on 23 March 2023 there was an item entitled "Opposition Business" requesting that the charging for car parking in the city's parks be debated.
- 1.3. The resolution of Council was that it was agreed that Cabinet consider the motion that:
 - The proposed introduction of parking charges at Belfairs Park, Chalkwell Park, Priory Park and Southchurch Park in the 2024/25 financial year are abolished.
 - The proposed introduction of parking charges at Big Gunners Park, Little Gunners Park and Jones Memorial Ground planned for the 2023/24 financial year are abolished.
 - It becomes Council Policy not to introduce car parking charges at any of the city's parks.
- 1.4. The notice of motion is set out in full in Appendix 1 to this report.

2. Recommendations

It is recommended that Cabinet:

- 2.1. Agree to cancel the implementation of charging in the parks car parks stated in 1.3 for reasons outlined in 3.2

2.2. Agree to produce a policy that makes it clear that the Council’s policy is not to charge in Parks Car parks.

2.3 Agree to the funding of this proposal as set out in Section 5.

3. **Body of the report**

3.1 As part of the budget setting exercise at Council Budget on the 23rd February 2023, Council agreed the introduction of car parking charges to car parks in a selection of named parks, to be introduced in the 2023/24 and 2024/25 financial years.

3.2 Concerns were expressed that charging for parks car parks would deter the city’s residents from accessing/utilising these popular facilities and thereby have a negative impact on people's health (both physical and mental), and that the limited amount of revenue raised would therefore be a false economy.

4. **Assurances**

4.1 All areas within the City are now zoned and as such charges are outlined on the Council’s fees and charges annual schedule. However, no charges can be implemented in any location without statutory consultation.

5. **Financial Implications**

5.1 At Council Budget on the 23 February 2023, the proposal to charge for parking in parks was approved for the setting of the 2023/24 budget and ensuing years to generate income of £68,500 per annum from 2024/25.

5.2 The current approved income budget for these areas is as follows;

Locations	23/24	24/25	25/26
<ul style="list-style-type: none">• Jones Memorial• Big Gunners• Little Gunners	£18,500	£18,500	£18,500
<ul style="list-style-type: none">• Chalkwell Park• Priory Park• Belfairs Park• Southchurch		£50,000	£50,000
TOTAL	£18,500	£68,500	£68,500

5.3 If Cabinet resolve to remove these charges in 2023/24 and the proposed ones for 2024/25 this will mean an additional pressure on the Council’s in year budget and future years budget as set out above.

5.4 Therefore, for 2023/24 and for later years, it is recommended that the parks maintenance budget is reduced by £18,500 to address the budget income shortfall arising from the reversal of car park charging in the Jones Memorial, Big Gunners and Little Gunners car parks.

- 5.5 For 2024/25, as the proposed charges for parking in parks (£50k) are not yet part of the Council's base budget, and that if the resolution is to remove their implementation, then the resultant sum of £50k is recommended to be added to the Council's Medium Term Financial Plan budget gap for 2024/25 and therefore addressing as part of budget setting for 2024/25 and onwards.

6. Legal Implications

- 6.1 The setting of the Council's budget is a non-executive function and is reserved to full Council under section 67 of the Local Government Finance Act 1992. The Executive proposed a budget which included provision to charge in the Council's Parks car parks and that was factored in to the budget that was agreed at Budget Council on the 23rd February 2023. If a subsequent change in charging policy results in a budget shortfall, and the shortfall cannot be addressed through in year virements or from other agreed budget sources, then full Council will be required to reconsider the budget and ensure adequate provision is in place before any changes to charging policy can be made.
- 6.2 Following the setting of the budget, the executive cannot take any decisions for which there is no agreed budget (see regulation 5 and Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000), however, virement can be made from one cost centre to another in line with the Council's financial standing orders and this is expenditure permitted under the Financial Procedure Rules and deemed to be expenditure within the Council's budget.
- 6.3 Council Financial Procedure Rules (Part 4 (f)) Appendix B(3) details the Scheme of Virement whereby Key Controls are maintained and administered by the Chief Finance Officer.
- 6.4 If the shortfall in addressing the Budget cannot be made through virement then Part 4(c) of the Constitution, Budget and Policy Framework Procedure Rules, section 2(a) provides that if the Executive and any officers discharging Executive Functions wishes to make a decision that is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget then the decision may only be taken by the Council (subject to urgency procedures at Section 3). At this Council meeting the Council would need to address the proposals to fund this shortfall.
- 6.5 Paragraph 3.3(c) of Appendix B must also be taken into account in relation to recurring savings or expenditure which will impact upon future resources, and states as follows:

virement does not create additional overall budget liability. The CE & Executive Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year

effects of decisions made part way through a year, for which they have not identified future resources. The CE & Executive Directors must plan ahead to fund such commitments from within their own budgets.

7. Carbon Impact

7.1 Increased utilisation of car parking will generate carbon emissions.

8. Equalities

8.1 No direct equalities implications arise from the recommendations of this report.

9. Consultation

9.1 Not required if the proposed scheme is to be cancelled prior to implementation

10. Appendices

10.1 Appendix 1: Opposition Business Motion



Opposition Business
Motion - Full Council ;