

OUTCOME OF TRO PROCESS

PREPARED BY: Traffic Management Team, Highways and Traffic Group

TITLE OF REPORT: Emission based car park charges in Bath**PROPOSAL:** Introduction of vehicle emission-based parking charges in council car parks**SCHEME REF No:** 23-009**REPORT AUTHOR:** Andrew Dunn, Team Manager - Parking**1. DELEGATION**

The delegation to be exercised in this report is contained within **Part 3, Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

Section A	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
Section B	Without prejudice to the generality of this, Officers are authorised to: serve any notices and make, amend or revoke any orders falling within his/her area of responsibility.
Section D9	An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator.

For the purposes of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.

2. LEGAL AUTHORITY

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 1 provides, generally, for Orders to be made for the following reasons, and in the case of this report specifically for the reason(s) shown below:

This proposal is made in accordance with the Road Traffic Regulation Act 1984, section 35 (Variation of charges at off-street parking places). An order under section 35(1)(a)(iii) of this Act makes provision as to the charges to be paid in connection with the use of off-street parking places, the authority making that order may vary those charges by notice given under this section.

3. PROPOSAL**Emissions based parking charges**

- 3.1. In line with savings proposals agreed in the 2023/24 council budget agreed by Full Council in February 2023, the Cabinet Member for Transport has agreed to progress with proposals which implement a new variable charging structure for council car parks in Bath that are

linked to a vehicle's CO2 emissions and its fuel type.

- 3.2. This proposal is based on the existing Bath car park prices introduced on 1st November 2022 and applies the structure and rationale developed, and implemented in January 2022, for the council's emission-based on street residents parking permits linked to DVLA VED banding.
- 3.3. In addition to the CO2 variable charge, the price of parking for diesel fuelled vehicles will be further increased (in comparison to a vehicle of similar engine size and CO2 output of other fuel types) due to the relatively higher levels of other pollutants emitted from the tail pipe following the combustion of diesel fuel.
- 3.4. All customers can check their vehicle's emissions rating, fuel type, or engine capacity free of charge online at <https://www.gov.uk/get-vehicle-information-from-dvla>
- 3.5. Customers will be required to provide their vehicle registration mark when purchasing parking, including when paying with cash.
- 3.6. The drivers of the most polluting vehicles, this being those that emit more than 131g/km of CO2 or are fuelled by diesel, will pay progressively more for their parking based on the emissions from their tailpipe. Drivers of electric vehicles (who are required to pay for their parking and pay for any electric charging) or vehicles that emit up to 130g/km and are not diesel fuelled will see no change to their parking charges.
- 3.7. It's anticipated that a higher charge (those motorists as set out in paragraph 3.6) will be payable by 66% of customers. Where no DVLA data for a particular vehicle is available the maximum charge for the chosen tariff will apply.
- 3.8. The proposed charging structure for Bath car parks is outlined in Appendix A to this report, with the charges for diesel fuelled vehicles shown in table 2 of Appendix A.
- 3.9. Emission-based charges are not proposed at the council's Park and Ride (P&R) sites or the Odd Down Coach Park as these facilities are located outside the city centre. Parking will remain free of charge to visitors at all three P&R sites when using the P&R service.
- 3.10. An emission-based charge introduces greater ability and control to incentivise the displacement of more polluting vehicles away from city centre car parks to more sustainable alternatives, including the city's park and ride service or other public transport options.
- 3.11. Season ticket charges for Bath car parks were last reviewed in 2022 alongside new parking charges (implemented in November 2022) and this resulted in season ticket costs being linked to a 35% discount against the equivalent daily parking charge. As a result of the historic and unreasonably low discounts offered for season tickets prior to this review, some customers experienced significant price rises. Season ticket costs are therefore proposed to remain at current charges for existing season ticket customers for the first 12 months of the operation of emissions-based charges.
- 3.12. Charges for new customers will be linked to the emission of their vehicle. Appendix B provides an indication of the charges for season tickets based on current parking charges.

Holburne Museum car park

3.13. Emission-based charges do not apply at this location, provided exclusively for visitors to the Holburne Museum.

3.14. It's also recommended that a change is made to address a historic anomaly with the following inserted into schedule 1 (Car Parks with Parking Charges):

Item No.	Column 1 Location of Parking Place	Column 2 Days and Hours of Operation	Column 3 Period of Parking	Column 4 Charge per Parking Place	Column 5 Maximum Period of Parking
13.	Holburne Museum	Every day including bank holidays 8am – 6pm inclusive, Charges do not apply to Blue Badge holders on display of a valid Blue Badge.	Up to 2 hours Up to 3 hours Up to 4 hours Up to 6 hours Up to 10 hours	£3.50 £5.00 £7.00 £10.50 £12.50	Until 6pm

4. **BACKGROUND**

4.1. These proposals have been developed to improve air quality through a major shift to walking, cycling and public transit and incentives to reduce the use of more polluting vehicles to secure the safer movement of pedestrian, bikes and e-scooter traffic on the highway by reducing the public health risks posed to them by air pollution. These proposals are also aimed to facilitate the achievement of strategic outcomes of local transport policy by reducing congestion and vehicle intrusion into neighbourhoods, and particularly residential neighbourhoods and align with the Council policy on Liveable Neighbourhoods.

4.2. Air quality impacts on pedestrian safety, managing traffic flows and availability of parking are all significant issues in our region, particularly in the city of Bath. Whilst this proposal is a separate standalone scheme, they are complimentary to other projects aimed at addressing these issues, including but not limited to the following.

- a) Promoting a major shift to public transport, walking and cycling, with incentives to reduce the use of more polluting vehicles, in accordance with the UK government National Air Quality Strategy
- b) Improving the safety of cyclists and pedestrians through active travel schemes which rebalance priorities on our roads and build on social distancing needs
- c) The introduction of a Clean Air Zone in central Bath, to encourage less polluting ways of travelling around the city
- d) Liveable Neighbourhoods policy and work concerning reducing the effect of motor vehicles on neighbourhoods, particularly residential neighbourhoods.

- 4.3. Air pollution can cause or contribute to a variety of health conditions, particularly amongst the young and elderly. The health problems resulting from exposure to air pollution have a high cost to people who suffer from illness and premature death, to our health services and to business. In the UK, these costs add up to more than £20 billion every year (Source: Royal College of Physicians). Any reduction in emissions within the city centre will have a beneficial impact on those living and visiting the city centre.
- 4.4. As noted in the National Air Quality Strategy, measures designed to address air quality issues will often have a positive effect on climate change. Whilst these proposals are not justified on climate change grounds; it is anticipated that the proposed measures which are designed to (1) improve air quality in order to secure the safer movement of pedestrian traffic on the highway, and (2) meet traffic management purposes, will also significantly reduce the level of emissions that drive climate change, as a result, for example, of encouraging a switch to low emission vehicles.
- 4.5. The council undertook significant engagement and consultation work to develop and implement the concept of emissions based variable charging for on street parking permits in 2021 and this proposal further develops this work. The consultation document and outcomes reports are published online at:
- 4.5.1. Spring 2021 engagement – <https://beta.bathnes.gov.uk/parking-permits-consultation-april-2021>
- 4.5.2. Autumn 2021 statutory consultation – <https://beta.bathnes.gov.uk/parking-TRO-consultation-autumn-2021>
- 4.6. An EQIA has been developed to consider the impact of this proposal on individuals and groups with protected characteristics and this will be reviewed to consider the feedback received from this consultation. This draft EQIA is included as Appendix C to this report.
- 4.7. New pay and display machines will be installed in the summer of 2023 as part of an existing programme of works to replace hardware that is at least 12 years old. Cash remains an important source of payment for some customers and will continue to be accepted at all current locations. The installation of modern pay and display equipment presents an opportunity to review the provision of card payment terminals in some locations.

5. SOURCE OF FINANCE

Implementation of these proposals are to be funded from Capital budgets.

6. INFORMAL CONSULTATION REQUIREMENT

Informal consultation was carried out with the Chief Constable, Ward Members, and the Cabinet Member for Transport.

The responses to the informal consultation can be found in TRO reports number 2 and 3.

7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))

The feedback and views received from 1692 respondents have been analysed and the results compiled within the attached report (Appendix D) entitled "Emission-based car

parking charges in Bath car parks. Traffic Regulation Order Consultation Outcome Summary”.

8. RECOMMENDATION

That the Traffic Regulation Order as advertised is sealed.



Gary Peacock
Head of Highways Delivery Parking & Passenger Transport

Date: 15th Aug 2023

9. DECISION

As the Officer holding the above delegation, I have decided that the objections / comments be not acceded to and the Order as advertised be sealed.

In taking this decision, I confirm that due regard has been given to the Council’s public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act.

The Council’s policy framework has been used as the basis to develop the scheme with full engagement with stakeholders across the area.

I further note that the issue of deciding whether to implement any scheme is a matter of broad judgement, taking into account the wider transport and climate aims of the Council rather than a purely mathematical analysis on the numbers of positive or negative responses.

The arguments both for and against the scheme were clearly identified and were considered fully as part of the decision-making process before I made the final decision as set out above.



Chris Major
Director for Place Management

Date: 16/08/2023