

Traffic Regulation Order (TRO) Statement of Reasons

Bath and North East Somerset Council

Review of on-street resident parking permit charges

STATEMENT OF REASONS

Proposal

In line with savings agreed by Full Council in February 2025 as part of the budget setting process for 2025/26, the Council is proposing a review of on-street parking permit charges, including:

- A. An increase in the baseline charge for on-street parking permits from £100 to £120 for an annual permit (20%), with corresponding increases across bands where permit charges are emission based.
- B. Where an on-street permit charge does not align to the £100 baseline charge its charge will be increased by an equivalent 20%.
- C. Removal of the 50% discount for EV vehicles.
- D. The council proposes to introduce an annual review of permit charges, linked to inflation, into the Fees and Charges process as part of the council's annual budget setting, agreed by Full Council, from April 2026.

More details of the proposals, including a breakdown of the charges, are included in the main report.

Reasons

1. In January 2022 the council implemented an emissions-based pricing policy for resident parking permits, its first price review since 2013. This review linked permit charges to the vehicle's emissions:
 - A. 100% electricity powered vehicles, those emitting 0g/km of CO₂ had permit charges reduced by 50%.
 - B. Vehicles that emitted between 1-130 g/km of CO₂ and do not use diesel fuel saw no change in their permit price from this review.
 - C. More polluting vehicles emitting 131g/km of CO₂ or greater, or are powered by diesel fuel, or where CO₂ emission data is not available, were charged

proportionally more for their permit.

2. The baseline permit charge is the historic £100 charge for a first permit and the charge for less polluting vehicles within the emission-based charging policy, as described in paragraph 1B above. All permits aligned by cost to the baseline charge are proposed to be increased as part of this proposal.
3. Whilst the removal of the 50% discount for EV vehicles, comprising 3% of permits, may be considered to be a disincentive to promoting the uptake of EV vehicles, it's noted that aligning EV permit costs to the same as the least polluting vehicles is a more equitable approach and ensures a fairer contribution to operational costs of residents parking schemes. In addition, the relatively high cost of EVs means this discount has a disproportionate impact to householders on lower incomes whilst the comparatively small discount is unlikely to be a major factor influencing an EV purchase.
4. The councils on-street parking permit baseline charge has not increased for over 10 years, despite ongoing inflationary pressures. An increase in the charge helps to ensure that additional costs to the council in implementing, managing and enforcing permit schemes are covered by those that own or drive vehicles, and not by all residents, who as taxpayers, may not own or cannot afford to own, a vehicle.
5. The councils published on-street parking permit terms and conditions (paragraph 3.11 of the terms and conditions available online at <https://www.bathnes.gov.uk/street-parking-permits-terms-and-conditions>) states that *"the charge paid for a permit covers the membership, administration, maintenance and enforcement of permit schemes"*.
6. The councils Residents Parking Scheme strategy (<https://www.bathnes.gov.uk/document-and-policy-library/residents-parking-scheme-strategy>) states that the council must ensure that its residents parking schemes are self-financing to ensure that operating costs are not subsidised by other areas of the Council.
7. Analysis of the costs for the administration, maintenance and enforcement of resident parking schemes in 2024/25 indicate a shortfall of £168k against income generated from the sale of on street parking permits.
8. An increased baseline charge from £100 to £120 (a 20% increase) will also proportionality increase the cost of a permit for more polluting vehicles; further helping to encourage behaviour change and reduce air pollution caused by private vehicles, whilst also reducing the emission that cause climate change. For comparative purposes, the equivalent costs in June 2025 of a £100 permit in 2013 uplift by inflation measured by the Consumer Price Index (CPI) is £140.51 (<https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>), an increase of 41%
9. The council's on-street TROs will continue to detail the structure of emission-based charges and how each band, in the case of emission-based charges, is calculated from the baseline charge.
10. From April 2026, the charges (rounded to the nearest whole numbers that maintain proportionality between different permit types) will be published within the councils Fees and Charges and will take precedence over charges included within the TRO,

which will be varied as part of this review.

11. The council may increase these charges each year by a percentage rise not exceeding inflation, linked to the Consumer Price Index (CPI), rounded to the nearest whole numbers that maintain proportionality between different permit types. The inflationary index applied to the charge will be based on the percentage change between the month the new charges are proposed and the equivalent figure 12 months prior. Any proposed increase that exceeds the inflationary index would be subject to further public engagement to allow feedback to be considered.
12. Any increase on the previous year's charge will be proposed and formalised as part of the annual Fees and Charges setting process which is consulted upon and adopted by Full Council as part of the council's budget setting process each year. These charges will be published on the council's website and be readily accessible.
13. In times of exceptionally low or exceptionally high inflation, the council will reserve the right not to apply an inflationary change. This may also be based on an assessment of whether the cost of implementation would outweigh the financial benefit of the increase.
14. The Council has considered article 8 within Schedule 1 to the Human Rights Act (Right to respect for private and family life, home and correspondence) and Protocol 1 Article 1 (Peaceful enjoyment of possessions). Both of these rights are qualified rights, and the Council does not consider that the measures proposed under the TRO amount to a deprivation of possessions as the right to access property has not been extinguished. The proposals are considered to have a minimal impact on human rights. However, the Council is entitled to affect these rights where it is in accordance with the law, necessary (such as in the interests of public safety or economic well-being, to prevent disorder and crime, to protect health, or to protect the rights and freedoms of others), in pursuit of a legitimate aim and proportionate to do so. The proposals within this report are considered to be in accordance with the law, necessary, in pursuit of a legitimate aim and proportionate.
15. The Council has had due regard to the needs set out in section 149(1) of the Equality Act 2010. It considers that the proposed Order is consistent with the section 149 public sector equality duty, which it has discharged.

Road Traffic Regulation Act 1984

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 Order specifically for the reason(s) shown and marked below:

(a)	for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or	X
(b)	for preventing damage to the road or to any building on or near the road, or	
(c)	for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or	
(d)	for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,	
(e)	(without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or	

(f)	for preserving or improving the amenities of the area through which the road runs, or	X
(g)	for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)	X

In making this proposal the Council has discharged its duty under section 122 of the Road Traffic Regulation Act 1984.

The Council is under a duty pursuant to section 122(1) of the Road Traffic Regulation Act 1984 (as amended) to exercise its duties under the Act (so far as practicable having regard to the subsection (2) matters), to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

As for the subsection 122(2) matters:

- a) the desirability of securing and maintaining reasonable access to premises.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that inflationary pressures that may arise over time do not impact the schemes operation which might otherwise result in an increase in unauthorised vehicles or those parked in contravention of a valid parking restriction.

- b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that inflationary pressures that may arise over time do not impact the schemes operation which might otherwise result in an increase in unauthorised vehicles, including heavy commercial vehicles, or those parked in contravention of a valid parking restriction.

- bb) The strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)

Comment: The proposals would increase the cost of a permit for more polluting vehicles; further helping to encourage behaviour change and reduce air pollution caused by more polluting private vehicles, whilst also reducing the emission that cause climate change.

- c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.

Comment: The proposals support the administration and enforcement of resident parking schemes within Bath & North East Somerset, ensuring that inflationary pressures that may arise over time do not impact the schemes operation which might otherwise result in an increase in unauthorised vehicles, or those parked in contravention of a valid parking restriction, and which may impede the efficient passage of public service vehicles.

- d) Any other matters appearing to the local authority to be relevant.

Comment: These proposals have been developed aimed to improve air quality through a major shift to mass transport, walking and cycling and incentives to reduce the use of more polluting vehicles in order to secure the safer movement of pedestrian 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.

Having balanced the various matters and considerations, the Council has concluded that it is appropriate to progress the proposed Order.

The Council has also discharged its duty under section 16 of the Traffic Management Act 2004. It has concluded that the proposed Order is consistent with that duty, given its other policies and objectives.

Neither section 16 nor section 122 of the 1984 Act precludes the making of the proposed Order.

Date: 22 July 2025