

Agenda



Contact: Steve Culliford, Democratic Services
Telephone: 07895 213735
Email: steve.culliford@southandvale.gov.uk
Date: 12 December 2022
Website: www.whitehorsedc.gov.uk

A meeting of the **Cabinet**

**will be held on Tuesday 20 December 2022 at 10.30 am
Meeting Room 1, Abbey House, Abbey Close, Abingdon, OX14 3JE**

To watch this virtual meeting, follow this link to the council's [YouTube channel](#).

Cabinet Members:

Councillors

Bethia Thomas (Chair)
Neil Fawcett (Vice-Chair)
Andy Crawford
Debby Hallett

Helen Pighills
Sally Povolotsky
Judy Roberts

Alternative formats of this publication are available on request. These include large print, Braille, audio, email and easy read. For this or any other special requirements (such as access facilities) please contact the officer named on this agenda. Please give as much notice as possible before the meeting.

Patrick Arran
Head of Legal and Democratic

Agenda

Open to the Public including the Press

1. Apologies for absence

2. Minutes

(Pages 3 - 7)

To adopt and sign as a correct record the minutes of the Cabinet meeting held on 2

December 2022.

3. Declarations of interests

To receive declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest in respect of items on the agenda for this meeting.

4. Urgent business and chair's announcements

To receive notification of any matters which the chair determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chair.

5. Public participation

To receive any questions or statements from members of the public that have registered to speak.

6. Car Park Fees

(Pages 8 - 30)

To consider the report of the head of development and corporate landlord.

7. Budget monitoring

To consider the head of finance's report (to follow).

8. Budget update

To consider the head of finance's report (to follow).

Minutes of a meeting of the Cabinet



held on Friday 2 December 2022 at 2.00 pm
in the Meeting Room 1, Abbey House, Abbey Close, Abingdon, OX14 3JE

Open to the public, including the press

Present in the meeting room:

Cabinet members: Councillors Emily Smith (Chair), Bethia Thomas (Vice-Chair), Andy Crawford, Neil Fawcett, Helen Pighills and Judy Roberts
Officers: Steve Culliford (Democratic Services Team Leader) and Mark Stone (Chief Executive)

Remote attendance:

Cabinet member: Councillor Debby Hallett
Officers: Patrick Arran (Head of Legal and Democratic), Emma Baker (Planning Policy Team Leader), Harry Barrington-Mountford (Head of Policy and Programmes), Andrew Down (Deputy Chief Executive – Partnerships), Simon Hewings (Head of Finance), Jeremy Lloyd (Broadcasting Officer), Suzanne Malcolm (Deputy Chief Executive – Place), Mark Minion (Head of Corporate Services), and Lucy Murfett (Policy Manager)

43. Apologies for absence

Councillor Sally Povolotsky had sent her apologies for absence.

44. Minutes

RESOLVED: to adopt as a correct record the minutes of the Cabinet meeting held on 11 November 2022 and agree that the chair signs them as such.

45. Declarations of interests

Councillor Emily Smith declared interests in items 11 and 12 on the agenda. Her interest in item 11, Oxfordshire Food Strategy, related to accepting an offer of employment in a food charity that might be involved in the strategy's action planning. Her interest in item 12, Didcot Growth Accelerator Enterprise Zone Memorandum of Understanding, related to her being a non-executive director of the Oxfordshire Local Enterprise Zone, with which the council was negotiating a revised memorandum of understanding.

46. Urgent business and chair's announcements

Councillor Emily Smith announced that this would be her last meeting as both the chair of Cabinet and a Cabinet member as she was stepping down from her position as leader of

the council on 7 December 2022. She thanked officers and fellow Cabinet members for their support.

47. Public participation

None

48. Recommendations and updates from other committees

Cabinet noted updates from the Joint Audit and Governance Committee and the Scrutiny Committee. The committees made no recommendations to Cabinet.

49. Diversity and inclusion strategy

Cabinet considered the head of corporate services' report on a proposal to adopt a diversity and inclusion strategy. The Corporate Plan included an aspiration for the council to work in an open and inclusive way. The council had also approved a motion relating to diversity and inclusion, and had published a diversity and social campaign calendar on its website. The diversity and inclusion strategy continued this work.

Cabinet noted that the Joint Scrutiny Committee had welcomed the strategy and had suggested improvements. The public consultation response had been strong also. Suggestions had been taken into account in the strategy presented to Cabinet.

The Cabinet member for community engagement reported that it was important for the council to increase inclusivity and make the council's services easier to access. The strategy had been developed to do this by creating an environment where everybody felt that they belonged, that their voice would be heard, and their differences recognised and accepted. The strategy would drive improvements in the council's services to make it easier for everyone to use them.

Cabinet welcomed the strategy, noting that an action plan would be developed to implement it. It was important to review service provision to ensure that services were easily accessible by everyone.

RESOLVED to:

- (a) note the consultation responses received, including comments from Joint Scrutiny Committee; and
- (b) adopt the Joint Diversity and Inclusion Strategy for South Oxfordshire and Vale of White Horse district councils, as set out at Appendix 1 to the head of corporate services' report to Cabinet on 2 December 2022.

50. Council tax base 2023/24

Cabinet considered the head of finance's report on the need to set the council tax base for 2023/24. This was required to calculate the amount of taxable resources to allow Council to set its council tax in February 2023. Oxfordshire County Council, Thames Valley Police and all parish councils within the district would also be informed of the tax base relevant to them.

Cabinet noted that this year a new parish had been created, that of Harwell East, covering the part of Great Western Park within the Vale. This had caused additional work; staff were thanked for this.

RECOMMENDED to Council to:

- (a) approve the report of the head of finance for the calculation of the council's tax base and the calculation of the tax base for each parish area for 2023/24;
- (b) agree that, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as its council tax base for the year 2023/24 is 56,664.9; and
- (c) agree that, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as the council tax base for the year 2023/24 for each parish be the amount shown against the name of that parish in Appendix A of the report of the head of finance to Cabinet on 2 December 2022.

51. Oxfordshire Plan 2050 ceasing production and implications for the Joint Local Plan and Local Development Scheme

Cabinet considered the head of policy and programmes' report. This reported that work had ended on the Oxfordshire Plan 2050. The report also considered the implications for the Joint Local Plan and the Local Development Scheme.

Cabinet recalled that in February 2018, the council had agreed to participate in developing a strategic plan with the other Oxfordshire authorities. Later that year, Cabinet approved the timetable for an Oxfordshire plan. However, during the summer 2022, the leaders of the five Oxfordshire local planning authorities announced that they were unable to reach agreement on the approach to planning for future housing needs and ended work on the Oxfordshire Plan 2050. Instead, the councils agreed to tackle these issues through their own local plans, in the Vale's case through a joint local plan with South Oxfordshire District Council, recognising the wider duty to co-operate.

The report presented the next steps and sought approval of an amended timetable for the Joint Local Plan in an updated Local Development Scheme. The report proposed that the timetable for progressing the Joint Local Plan to adoption stage should be extended by 11 months. This would allow time to fill gaps in the evidence base and avoid holding public consultations during a pre-election period. Recognising that the timetable might need to change again, the report sought delegated authority to make further updates.

Cabinet noted the end of work on the Oxfordshire Plan 2050 and welcomed the revised Local Development Scheme and its amended timetable for the Joint Local Plan. Cabinet agreed to add a further resolution to note that the Joint Local Plan was progressing well, recognising the wider duty to co-operate with other councils.

RESOLVED: to

- (a) formally note the cessation of work on the Oxfordshire Plan 2050;

- (b) note that Vale of White Horse and South Oxfordshire councils have committed to develop a Joint Local Plan and work is progressing well to the delivery of that outcome, recognising the wider duty to co-operate;
- (c) approve the updated Joint Local Development Scheme (December 2022), attached at Appendix 1 to the head of policy and programmes' report to Cabinet on 2 December 2022; and
- (d) authorise the head of policy and programmes, in consultation with the Cabinet member for corporate services and transformation, to make any updates to the Joint Local Development Scheme.

52. Corporate Plan and Climate Action Plan performance reports - quarter 2, 2022/23

Cabinet considered the head of policy and programmes' report on 2022/23 quarter 2 performance monitoring on progress against the Corporate Plan and the Climate Action Plan. This covered the period 1 July to 30 September 2022.

Cabinet welcomed the performance reports and noted that the Climate Action Plan report would be considered by the Climate Emergency Advisory Committee.

RESOLVED: to note the Corporate Plan and Climate Action Plan Performance Reports for Quarter 2, 2022/23.

53. Oxfordshire Food Strategy

The chair, Councillor Emily Smith, declared an interest in this item and left the meeting during its consideration. Councillor Bethia Thomas, vice-chair, took the chair.

Cabinet considered the head of policy and programmes' report on the Oxfordshire Food Strategy. Oxfordshire County Council had commissioned Good Food Oxfordshire to produce a food strategy. Cabinet was asked to endorse the strategy and agree to develop a local action plan to implement it. Funding would be available from the county council to help deliver the action plan.

The strategy's main aims were to ensure:

- healthy and sustainable food was affordable and accessible to everyone
- a sustainable food economy where local food businesses flourished
- more locally produced, sustainable food was bought and consumed locally
- that food production, consumption and waste had a less negative impact on the planet

The Cabinet member for healthy communities reported that the strategy largely reflected the council's corporate priorities. Joint Scrutiny Committee had welcomed it also. However, the opportunity for the council to influence how the strategy was implemented was welcomed. To this end, a local action plan would be developed and considered by Cabinet in 2023.

Cabinet agreed, supporting the strategy and welcoming the opportunity to develop a local action plan. This would allow the council to put its own identity on the implementation of the strategy.

RESOLVED to:

- (a) endorse the Oxfordshire Food Strategy (Part One) principles and framework for delivery, attached at Appendix 1 to the head of policy and programmes' report to Cabinet of 2 December 2022'; and
- (b) ask officers to work with relevant partners to develop a detailed local food strategy action plan (Part Two).

54. Didcot Growth Accelerator Enterprise Zone - Memorandum of Understanding

The chair, Councillor Emily Smith, had declared an interest in this item and left the meeting during its consideration. Councillor Bethia Thomas, vice-chair, took the chair.

Cabinet considered the report of the deputy chief executive – partnerships. This outlined work undertaken to draft a new memorandum of understanding that would set out how local business rates were spent.

The spending of the retained business rates in the Enterprise Zone area was the responsibility of the Oxfordshire Local Enterprise Partnership. The money was spent on infrastructure projects in Oxfordshire but not necessarily in the area from which they were collected. The aim was for the revised memorandum of understanding to confirm the prioritisation of business rates spending on projects in the Didcot Growth Accelerator Enterprise Zone (EZ2) or its surrounding area. Officers would also propose projects that supported the council's corporate objectives.

Cabinet welcomed the council entering into a revised memorandum of understanding on this basis. Cabinet also supported the council being formally confirmed as the accountable body, as the majority of the enterprise zone was within its district.

RESOLVED:

- (a) that Vale of White Horse District council should enter into a new memorandum of understanding with the Oxfordshire Local Enterprise Partnership, South Oxfordshire District Council and Oxfordshire County Council, for the retention and distribution of business rates growth income from the Didcot Growth Accelerator Enterprise Zone, agreeing the roles of each party and specifically that Vale of White Horse District Council becomes sole Accountable Body; and
- (b) to authorise the deputy chief executive – partnerships, in consultation with the Cabinet member for strategic partnerships and place, to finalise terms of the new memorandum of understanding, including non-material amendments, and to enter into it.

The meeting closed at 2.35 pm

Chair:

Date:

Cabinet Report



Report of Head of Development and Corporate Landlord

Author: John Backley

Telephone: 01235 422667

Textphone: 18001 01235 42267

E-mail: john.backley@southandvale.gov.uk

Wards affected: all

Cabinet member responsible: Sally Povolotsky

Tel: 07939 912997

E-mail: sally.povolotsky@whitehorsedc.gov.uk

To: CABINET

Date: 20 December 2022

Car park fees for 2023/24

Recommendations

- (a) Cabinet to agree the car parking fees for the financial year 2023-24.

In addition, if cabinet does agree to amend the fees and charges that require a change in the car parking fees or order, to:

- (b) authorise the Head of Legal and Democratic to prepare a Notice of Variation under the Road Traffic Regulation Act 1984 for publishing in the local newspaper and all affected car parks. (Or authorise the Head of Legal and Democratic to prepare and publish a draft order under the Road Traffic Regulation Act 1984)
- (c) authorise the Head of Development and Corporate Landlord to oversee necessary communications and consultations and report back to Cabinet.

Purpose of Report

1. This report provides information to help cabinet decide if it chooses to amend the car park fees and charges in the Vale of White Horse District Council's three market towns of Abingdon, Faringdon and Wantage.
2. Reviewing the car park fees and charges each year is in line with the council's car park policy as updated in 2022.

Corporate Objectives

3. The provision and pricing of car parking supports the Vale Council's Corporate Plan 2020/24 and strategic objective three (building healthy communities) by encouraging

the switch to more active sustainable travel options, improving air quality and supports objective four (building stable finances) by maximising income available to the council.

4. Reviewing how much we charge for car park fees also supports our Corporate Plan objective two, “tacking climate emergency” as it may influence changes in behaviour to consider alternative modes of transport other than the motor car and help to reduce the carbon footprint in the district.

Background

5. The new car park policy as agreed by cabinet in August 2022 included guidance from the Road Traffic Regulation Act 1984 which states that local authority parking enforcement should be self-financing, and we should aim for our parking income to at least meet the cost of managing and running our car parks
6. The current fees and charges and the price of permits (and the previous years’ fees) are shown in Appendix 1 and a comparison of car park fees with other neighbouring car parks is shown in Appendix 2.
7. In February 2022 the cabinet agreed to make changes to the car park fees as below:
 - A. To reduce free parking from two hours to one hour and introduce a charge of £1.50 for up to two hours
 - B. Increase all current fees by 40 pence
 - C. To make permits non-transferable between car parks
8. Officers estimated that the above changes would increase the income by £218,000 per year.
9. Officers carried out the relevant consultation and changes to the car park schedules to the car park Orders and the changes were implemented on 4 April 2022.
10. Cabinet agreed to stop issuing any new residential permits from December 2020. All new applicants now pay the ‘normal’ permit price. For those residents that had residential permits prior to this change it was agreed for existing residential permit holders to increase their permits by 10 percent each year for four years, so these residential permit holders would still get a lower rate but no new residential permits would be issued. Residential permits are only renewed for those customers who had them before they were stopped in 2020. Please see the table below which shows the increase in cost to April 2024.

Table showing change to residential parking permits

Residential permit costs during phasing out period (Only available to those who had residential permits as of 30 November 2020)								
Town	Type of permit	Length of permit	Residential permits available at	Cost of residential permits Nov. 2020 (£)	Price from 1/12/20 initial increase by 25% (£)	Price from 1/04/22 plus 10% (£)	Price from 1/04/23 plus 10% (£)	Price from 1/04/24 plus 10% (£)
Abingdon	Monday to Sunday	Annual	Cattlemarket Charter Audlett Drive Abbey Close West St Helen Street	287	429	472	520	572
		Six Month		144	215	237	260	286
Abingdon	Monday to Sunday	Annual	Rye Farm Hales Meadows	287	386	425	467	514
		Six Months		144	194	213	234	258
Faringdon	Monday to Saturday	Annual	Gloucester Street	119	178	196	216	237
Wantage	Monday to Saturday	Annual	Portway	119	178	196	216	237
Wantage	Monday to Saturday	Annual	Mill St / Limborough Road	143	232	256	281	309
		Six Month		72	123	135	149	163

11. The car park penalty charges are set by legislation which changed on 1 November 2022 when we introduced civil parking enforcement (CPE). Some of the penalty charges under CPE are lower than currently (for example 'minor' infractions such as overstaying your time) and some are higher (for example if you do park in a disabled bay without displaying a blue badge or you do not pay the penalty charge after 28 days and the council issues a charge certificate).
12. The purpose of having car park orders under Section 32 of the 1984 Road Traffic Regulations Act (RTRA) is for 'relieving or preventing congestion of traffic'. The council meets this requirement by having off-street car parks which are accessible and well used which means that people do not park on the highway which may cause traffic to be held up. Under the new civil parking regulations, the council has no legal powers to set parking fees at a higher level than that needed to achieve this.

Car park account

13. Table 1 below estimates how the net cost of car parks will change over a five-year period up to 2025/26 if no changes are made. Reviewing the income and expenditure over the medium term allows cabinet to take a view of how income and expenditure are likely to change and see whether the account is predicted to run at a loss or with a surplus.
14. The actual turnout for 2021/22 (including ancillary cost such as public conveniences) shows a deficit in the car park account of £513,248. The increase in the fees from the 4 April 2022 is reflected in the 2022/23 'pay and display' income budget. (Please note there is some 'other income' associated with the 'Park and Charge' project to install electric vehicles which is grant money from county council to pay for costs in 'supplies and services').
15. Based on the first six months of income and expenditure in 2022/23, officers estimate the income from 'pay and display' fees will increase to produce an estimated total of £511,582. Overall, there is therefore an estimated deficit of £259,186 this year which increases to £391,208 in 2025/26 when including ancillary services such as the provision of public conveniences in car parks. If these services are not included, the deficit in 2022/23 is an estimated £114,008.
16. The budget forecasts increased employee costs attributed to the Technical team who will have new additional responsibilities in dealing with disputed and unpaid penalty charge notices under CPE from November 2022 rather than the legal team. Enforcement income is also due to decrease as the maximum level of penalty charge under CPE notice will be £70 rather than the current excess charge of £80.
17. Note the account includes for services associated with the car parks such as public conveniences to provide full cost of providing the service. For clarity, the car park account without including ancillary costs like public conveniences is shown as a separate row under Table 1 below.
18. The season ticket income includes for 10 percent increase in the cost of residents parking permits for the next three years.

Table 1 Car park income and expenditure over a five-year period.

Car park income and expenditure over a five year period					
	Actual	*Outturn	Forecast	Forecast	Forecast
	2021/22	2022/23	2023/24	2024/25	2025/26
	£	£	£	£	£
Car park expenditure					
Employees:	142,067	125,913	160,805	161,731	169,083
Contract costs	230,822	250,996	281,596	297,084	313,423
Premises:	306,713	271,100	247,380	248,577	258,027
Transport:	16,150	10,235	0	0	0
Supplies and services:	91,637	52,613	76,614	77,674	78,792
Central and administrative:	12,677	28,840	44,673	45,025	45,395
Depreciation	86,871	156,958	160,958	165,958	170,958
Total expenditure:	886,937	896,655	972,026	996,048	1,035,678
Car park income					
Enforcement:	(24,476)	(50,545)	(43,545)	(43,545)	(43,545)
Season tickets:	(71,692)	(74,343)	(78,843)	(83,843)	(89,343)
Pay and display:	(245,745)	(511,582)	(511,582)	(511,582)	(511,582)
Other income:	(31,776)	(1,000)	0	0	0
Total income:	(373,689)	(637,470)	(633,970)	(638,970)	(644,470)
Surplus (-) / deficit	513,248	259,186	338,057	357,079	391,208
Without toilets Surplus (-) / deficit	263,296	114,008	182,604	198,005	228,372

Options for fees and charges

19. Based on the current usage and estimated income and expenditure shown in Table 1, officers propose a number of options in order to set the car park account to at least 'break even' in the medium term.

Summary of options

Option	Description	Estimated increase in revenue (pa)	Communications campaign recommended?	Can be dealt with by a Notice of Variation
1	No change	£0	No	N/A
2	Remove the one-hour free parking and charge a nominal amount of 50p.	£300,000	Yes	No, require formal consultation and a new Order
3	Extend Sunday parking charges to all car parks	£40,000	Yes	No, require formal consultation and a new Order
4	Creating 'premium rate' parking spaces closest to the major amenities	£20,000	Yes	Yes
5	Evening – a flat fee of £1 from 6pm to 9pm	£100,000	Yes	No, require formal consultation and a new Order
6	Half price permits for zero emission vehicles	Reduced by £5,000	Yes	No
7	Increase the cost of permits by 10%	£7,000	Contact existing permit holders	Yes
8	Simplified charging regime	£50,000	Yes	Yes
9	Increase fees across the board by ten percent.	£50,000	Yes	Yes

20. Option 1. Make no change to the fees and continue to operate car parks at a deficit.

21. Option 2. Remove the free parking and charge a nominal amount of 50p for up to one hour. This option would largely bring the account to a balanced state.

22. Option 3. Extend Sunday parking charges to all car parks. Currently Sunday charging only applies to three car parks in Abingdon (Rye Farm, Hales Meadow and Abbey Close). There are a further five car parks in Abingdon, two car parks in Faringdon and in Wantage three car parks, a total of ten car parks where Sunday charging could be applied.
23. Option 4. Creating 'premium rate' parking spaces closest to the major amenities and increase the fees in those car parks closest to the town centre only (Civic, Cattlemarket and West St Helen's St. in Abingdon, Portway and Mill St car park in Wantage and Southampton St. car park in Faringdon).
24. This could be offset by making long stay fees cheaper in car parks with capacity on edge of town (Audlett Drive, Abbey Close, Rye Farm and Hales Meadow in Abingdon, Gloucester St in Faringdon and Limborough Rd in Wantage) as shown in the table below.

Table Increases in fees for town centre car parks

	Current price	Premium town centre car parks	Edge of town car parks
Up to one hour	Free	£1.00	Free
Up to 2 hours	£1.50	£2.00	£1.00
Up to 3 hours	£2.30	£3.00	£2.00
Up to 4 hours	£3.90	£4.00	£3.00
Up to 6 hours	£4.60	£5.00	£4.00
Over 6 hours	£5.10	£6.00	£5.00

25. Option 5. Extend the charging period to raise income in the evening from 6pm to 9pm – a flat fee of £1 after 6pm.
26. Option 6. Half price permits for zero emission vehicles.
27. Option 7. Increase the cost of permits in line with inflation i.e. 10 percent rounded up.
28. Option 8. A simplified charging regime - fees of £1 per hour
- Up to 2 hours £1.50 to £2.00
- Up to 3 hours £2.30 to £3.00
- Up to 4 hours £3.90 to £4.00
- Up to 6 hours £4.60 to £6.00

Over 6 hours £5.10 to £7.00

29. Option 9. Increase all fees by the current price index of ten percent. This would increase income by an estimated £50,000 per year.

Economic development implications

30. Option 1. No increase in fees could demonstrate support for local businesses.

31. Options 2 to 9. Any increases in fees could negatively affect footfall to Vale town centres and is likely to cause concern within the business community as they continue to recover from the post pandemic trading challenges and current the current economic climate. Businesses in the Vale's market towns have struggled in recent years with the growth of nearby shopping centres in Oxford and Didcot and internet shopping. Many businesses will think it will discourage local people to make short visits to town centres if the cost of parking is increased.

32. Appendix 2 compares car park fees and charges to neighbouring local authorities and shows that current fees remain competitive, even after the increase

33. Over the last three years, Vale Chambers of Commerce, business groups and individual businesses continually assert that the Vale needs free parking like Witney. They believe that Witney town centre thrives due to the free parking and residents will travel to Witney instead of Abingdon/Faringdon/Wantage as there is free parking. To date actual evidence of this has not been provided.

34. Economic development officers have commissioned a town centres and retail study to inform the new joint local plan. This report is in progress and will lay out a holistic view of the factors affecting our towns as well as suggesting strategies for improvement.

Climate and ecological impact implications

35. Option 1. Continuing to offer a period of free parking of one hour may encourage increased vehicle turnover in the town centres and impact negatively on the air quality.

36. Options 2 to 5 and 7 to 9. Vale of White Horse District Council has agreed a target to work towards being a carbon neutral council by 2025 and a carbon neutral district by 2030. Increased fees may encourage people to consider alternative more sustainable forms of transport like public transport, walking or cycling.

37. Having reduced fees on the edge of towns (option 4) may reduce congestion and air pollution in the centre of towns if more users choose to park in car parks on the edge of towns and walk into the town centres

38. Option 6. Clearly demonstrates the initiative to encourage the take up of electric vehicles and therefore reduce pollution from vehicle emissions.

39. Climate officers support increased fees as a way to encourage people to consider using more sustainable travel such as public transport, walking or cycling.

40. Surplus income from car park revenue could be used to improve cycle infrastructure and storage.

41. The Climate officers support introducing a premium charge to help to discourage driving into the town centres, resulting in reduced congestion and fewer emissions from cars circulating to find space in car parks.
42. Option 6. Climate officers support low-cost parking for EV vehicles owners although it is unlikely to be a key motivator. Introducing reduced price permits for EV's shows positive commitment from the council to the strategic objectives and could be actively promoted through the Communications team.

Financial Implications

43. Refer to summary table for estimated changes in total fee income for each option in paragraphs 21 to 29.
44. Any council decision that has financial implications must be made with the knowledge of the council's overarching financial position. For Vale, the position reflected in the council's medium-term financial plan (MTFP) as reported to Full Council in February 2022 showed that the council was able to set a balanced budget for 2022/23, but that there is expected to be a budget gap in future years.
45. This future funding gap is predicted to increase to over £3.7 million by 2026/27. As there remains no certainty on future local government funding, following the announcement of a one-year spending review by government, and as the long-term financial consequences of the Coronavirus pandemic remain unknown, this gap could increase further. Every financial decision made needs to be cognisant of the need to address this funding gap in future years.
46. Under CPE the car park account should be clear and transparent and published to show the council is not making excess surplus income.
47. In line with legislation under the Road Traffic Regulation Act 1984 para 55 (2), at the end of the financial year any deficit in the (car park) account shall be made good out of the general fund.
48. Any surplus income generated from these increases will need to be used in accordance with the Road Traffic Regulation Act 1984 Section 55 specific definitions (Highways, car parks, free public open spaces and recreational facilities) See Appendix 3.
49. Changes to the schedule can be made by placing Notices in the car parks and by advertising in local newspapers at a cost of £5,000 per Notice which can be met from existing car park budgets. A change to the Order will require advertising a draft Schedule to allow for feedback from the public and a further Notice for the making of the new Order.
50. A ten per cent increase in residential permits prices (as previously agreed) will increase income by an estimated £3,300 from 1 April 2023.

Legal Implications

51. A Notice Of Variation under the regulation covers tariff changes only and the Notice requires you to state what the charges are now and what the charges are going to be when the Notice comes into force. It is designed purely to allow for tariffs to be

increased on a yearly basis without the need for going through the full making of an Order.

52. Any change other than a tariff change falls outside a Notice of Variation. These should not be dealt with by a Notice of Variation, because it is not a change to an existing tariff but rather the introduction of an additional charge. This would include the case when there is no charge.
53. Option 1. No legal implications as no changes will be required.
54. Option 2 and 6. The options do not require any changes to the car park Orders and so no formal consultation with users is necessary to change the schedules. However, officers propose that changes that are significant and would impact on car park users, (charging for the first hour, Sunday and evening fees as per options) require a communications campaign to explain the reasoning behind the change and allow users to feedback comments. Work will be required by Legal to update the schedules by drafting the notices required for advertising the changes.
55. Options 3 and 5. These changes cannot be made by way of a Variation Order as this only covers changes to current charges. As the options 3 and 5 are for fees that do not currently exist at all (charging on Sunday and in the evening), in order to allow representations and objections from the public and thereby, to reduce the risk of a legal challenge, officers recommend a formal consultation to amend the Order. This will require Cabinet to agree a draft Order for consultation, and formally consider any comments or representations before agreeing the making of a new Order.
56. Option 4, 7, 8 and 9. None of the options require any changes to the Orders and can all be done by a simple procedure under the Road Traffic Regulation Act by advertising a notice of variation to change the schedule.
57. Any increases to the parking fees require a change to the parking schedule appended to the order by publishing notices. The notices are displayed in car parks and advertised in local newspapers which incurs costs.
58. The purpose of having car park orders under Section 32 of the 1984 Road Traffic Regulations Act (RTRA) is for 'relieving or preventing congestion of traffic'. Under the new civil parking regulations, the council has no legal powers to set parking fees at a higher level than that needed to achieve this. The council meets this requirement by having off-street car parks which are accessible and well used which means that people do not park on the highway which may cause traffic to be held up.
59. Statutory guidance under section 87 of the Traffic Management Act 2004 states the financial objectives of CPE are to run enforcement operations efficiently, effectively and economically. The Secretary of State will not expect local or national taxpayers to meet any deficit.

Communications Implications

60. Options 2,3 5 and 6. Do not require a formal consultation with any statutory bodies, stakeholders or members of the public. However, given the impact on users of the car park, the current economic climate, the need to be transparent and background information to reasons for the changes, officers are recommending a communications

campaign to inform stakeholders. Options 3 and 5 in addition are major changes requiring formal consultation and support by communications officers.

61. Relatively simple changes to the fees (options 4, 7 and 9) can be done by Notice and implemented by 1 April 2022. Other changes to the charging regime (options 2,3 and 5) involving more extensive public consultation, will require cabinet to consider any representations and therefore estimated implementation is June 2023.

62. The outcome of any changes to be clearly communicated to the public by social media and on the council website.

Risks

63. Option 1. By continuing to offer a period of free parking the Council could be criticised for not taking the opportunity to actively tackle climate issues by discouraging customers traveling by car. If the fees are not increased, the Council could be criticised for not tackling the deficit of car parking account and therefore monies from the general account will be required to balance the car park account.

64. Options 2 to 9. Potential reputational damage to the Council from negative media coverage for the loss of the free period and increase in fees.

65. By increasing the fees, the Council could be criticised for not taking the opportunity to actively supporting businesses in town centres.

66. Increasing parking fees may change people's habits and they could choose to shop elsewhere. This may impact on the businesses in the town and the car park revenue if the number of visitors to the towns reduces. There is also a risk that due to price elasticity of demand that any projected increase in revenue may be less than estimated.

67. Option 4. Making parking cheaper on the edge of town may be challenged by users with mobility issues. By creating cheaper parking on the edge of towns may be considered as discriminating against those less capable of walking into town centres. Whilst disabled parking is provided in all of our car parks, further equality impact assessment may be required to pursue this option.

Conclusion

68. The report has set out a range of options for Cabinet to consider in paragraphs 19 to 29. In setting the fees and charges for the financial year 2023-24, the options provide a range of interventions and there are implications to be considered. There is a balance to be struck between the revenue position, and the economic and climate implications of the options proposed.

Background Papers

- Car park policy 2022
- Car park usage survey September 2022.

Appendix 1 Vale of White Horse District Council car park fees and charges and permit changes introduced in April 2022

CAR PARK	TYPE OF PARKING		PERIOD	CHARGES	
	Current Charging Period	New Charging Period		April 2021	New Charges April 2022
Abbey Close Abingdon	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge
			Up to 2 hrs	No charge	£1.50
			Up to 3 hrs	£1.90	£2.30
			Up to 4 hrs	£3.80	£4.20
			Up to 6 hrs	£4.70	£5.10
			Over 6 hours	£5.70	£6.10
	Permits Mon – Sun Non-transferable		Annual	£857.00	£857.00
			3 months	£256.00	£256.00
			1 month	£86.00	£86.00
	Permits Mon-Fri (5 day) Non-transferable		Annual	£715.00	£715.00
			3 months	£213.00	£213.00
			1 month	£72.00	£72.00
	Cosener's House Day permits 24 hours (in advance)			£6.38	£6.38
	Civic Abingdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge
Up to 2 hrs				No charge	£1.50
Up to 3 hrs				£1.90	£2.30
Up to 4 hrs				£3.80	£4.20
Up to 6 hrs				£4.70	£5.10
Over 6 hours				£5.70	£6.10
Audlett Drive Abingdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge
			Up to 2 hrs	No charge	£1.50
			Up to 3 hrs	£1.90	£2.30
			Up to 4 hrs	£3.80	£4.20
			Up to 6 hrs	£4.70	£5.10
			Over 6 hours	£5.70	£6.10
	Permits Mon – Sun (7 days) Non-transferable		Annual	£857.00	£857.00
			3 months	£256.00	£256.00
			1 month	£86.00	£86.00
	Permits Mon-Fri (5 day) Non-transferable		Annual	£715.00	£715.00
			3 months	£213.00	£213.00
1 month			£72.00	£72.00	

CAR PARK	TYPE OF PARKING		PERIOD	CHARGES	
	Current Charging Period	New Charging Period		April 2021	New Charges April 2022

Charter M/S Abingdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.90	£2.30	
			Up to 4 hrs	£3.80	£4.20	
			Up to 6 hrs	£4.70	£5.10	
			Over 6 hours	£5.70	£6.10	
	Permits Mon – Sun Non-transferable	Annual		£857.00	£857.00	
		3 months		£256.00	£256.00	
		1 month		£86.00	£86.00	
	Permits Mon-Fri (5 day) Non-transferable	Annual		£715.00	£715.00	
		3 months		£213.00	£213.00	
		1 month		£72.00	£72.00	
	Annual am or pm Non-transferable	6 days		£429.00	£429.00	
		5 days		£358.00	£358.00	
	Vehicle Release Fee			£50	£50	
West St Helen St Abingdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.90	£2.30	
			Up to 4 hrs	£3.80	£4.20	
			Up to 6 hrs	£4.70	£5.10	
			Over 6 hours	£5.70	£6.10	
	Permits Mon – Sun (7 days) Non-transferable	Annual		£857.00	£857.00	
		3 months		£256.00	£256.00	
		1 month		£86.00	£86.00	
	Permits Mon-Fri (5 day) Non-transferable	Annual		£715.00	£715.00	
		3 months		£213.00	£213.00	
		1 month		£72.00	£72.00	
	Cattle Market Abingdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge
				Up to 2 hrs	No charge	£1.50
				Up to 3 hrs	£1.90	£2.30
Up to 4 hrs				£3.80	£4.20	
Up to 6 hrs				£4.70	£5.10	
Over 6 hours				£5.70	£6.10	
Permits Mon – Sun (7 days) Non-transferable	Annual		£857.00	£857.00		

CAR PARK	TYPE OF PARKING		PERIOD	CHARGES	
	Current Charging Period	New Charging Period		April 2021	New Charges April 2022
			3 months	£256.00	£256.00
			1 month	£86.00	£86.00
	Permits Mon-Fri (5 day) Non-transferable		Annual	£715.00	£715.00
			3 months	£213.00	£213.00
			1 month	£72.00	£72.00

Hales Meadow Abingdon	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge
			Up to 2 hrs	No charge	£1.50
			Up to 3 hrs	£1.90	£2.30
			Up to 4 hrs	£3.50	£3.90
			Up to 6 hrs	£4.20	£4.60
			Over 6 hours	£4.70	£5.10
	Permits Mon – Sun (7 days) Non-transferable		Annual	£684.00	£684.00
			3 months	£209.00	£209.00
			1 month	£67.00	£67.00
	Permits Mon-Fri (5 day) Non-transferable		Annual	£572.00	£572.00
			3 months	£173.00	£173.00
			1 month	£57.00	£57.00
	Market trader Permits		Annual	£85.00	£85.00
Rye Farm Abingdon	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Pay and Display (Mon-Sun 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge
			Up to 2 hrs	No charge	£1.50
			Up to 3 hrs	£1.90	£2.30
			Up to 4 hrs	£3.50	£3.90
			Up to 6 hrs	£4.20	£4.60
			Over 6 hours	£4.70	£5.10
	Permits Mon – Sun (7 days) Non-transferable		Annual	£684.00	£684.00
			3 months	£209.00	£209.00

CAR PARK	TYPE OF PARKING		PERIOD	CHARGES		
	Current Charging Period	New Charging Period		April 2021	New Charges April 2022	
			1 month	£67.00	£67.00	
			Annual	£572.00	£572.00	
			3 months	£173.00	£173.00	
			1 month	£57.00	£57.00	
Portway Wantage	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.70	£2.10	
			Up to 4 hrs	£3.70	£4.10	
			Up to 6 hrs	£4.70	£5.10	
			Over 6 hours	£5.70	£6.10	
	Permits Mon – Sun (7 days) Non-transferable			Annual	£501.00	£12.00
				3 months	£150.00	£12.00
				1 month	£51.00	£12.00
Permits – School Term Non-transferable			Daily (10 min)	£12.00	£12.00	
Limborough Rd A & B Wantage	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.70	£2.10	
			Up to 4 hrs	£3.30	£3.70	
			Up to 6 hrs	£3.70	£4.10	
			Over 6 hours	£4.20	£4.50	
	Permits Mon – Sun (7 days) Non-transferable			Annual	£501.00	£501.00
				3 months	£150.00	£150.00
				1 month	£51.00	£51.00
Market trader Permits Non-transferable			Annual	£74.00	£74.00	
Mill Street, Undercroft Wantage	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.70	£2.10	
			Up to 4 hrs	£3.30	£3.70	
			Up to 6 hrs	£3.70	£4.10	
			Over 6 hours	£4.20	£4.60	
	Permits Mon – Sun (7 days) Non-transferable			Annual	£501.00	£501.00
				3 months	£150.00	£150.00
				1 month	£51.00	£51.00
Southampton Street	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	No charge	

CAR PARK	TYPE OF PARKING		PERIOD	CHARGES		
	Current Charging Period	New Charging Period		April 2021	New Charges April 2022	
Faringdon			Up to 3 hrs	£1.50	£1.90	
Gloucester St Faringdon	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Pay and Display (Mon-Sat 8.00am to 6:00pm)	Up to 1 hr	No charge	No charge	
			Up to 2 hrs	No charge	£1.50	
			Up to 3 hrs	£1.40	£1.80	
			Up to 4 hrs	£2.80	£3.20	
			Up to 6 hrs	£3.00	£3.40	
			Over 6 hours	£3.20	£3.60	
			Permits Mon – Sun (7 days) Non-transferable	Annual	£356.00	£356.00
				3 months	£108.00	£108.00
				1 month	£36.00	£36.00
			Market trader Permits	Annual	£40.00	£40.00
			Permits – School Term	Daily (20 min)	£12.00	£12.00
General - On application			Daily rate for Skips	£25.00 plus vat (per space) 2 spaces required as stated in the terms & conditions		
			Wheelie Bins (per space)	Annual	£204.00 plus vat	
	Permit replacement		£12.00	£12.00		
	Permit Refunds (Admin cost)		£10.00	£10.00		
Excess Charges		Standard	£80.00	£80.00		
		If paid within 14 days	£40.00	£40.00		

Appendix 2 Comparison of car park fees and charges with local suppliers, October 2022

Place	Average Charging periods	up to 1 hour	up to 2 hours	up to 3 hours	up to 4 hours	up to 5 hours	up to 6 hours	Up to 7 hours	up to 8 hours	up to 10 hours	up to 12 hours
South Oxfordshire District Council	8am to 6pm Monday to Saturday 10am to 5pm Sunday	Free	1.60	2.20		2.60			5.40		
Train Station, Henley (APCOA on behalf of First Great Western) (discounts apply if pay by 'phone)	All days any time			2.00	3.00		4.00				
Dry Leas (Henley rugby club)	7am-7pm Mon to Sunday										3.50
Mill Meadows (Henley Town Council) Mon-Fri Free after 7:00pm Sat and Sun and BHs	All days Free from 7pm to 9am	1.50/1.80	3.00/3.50		6.00/7.00	Over 4 hrs 8.00/9.00					
Wycombe DC (High Wycombe) Easton Street	7am – 8pm Mon – Sat - Sunday £1.00 all day Free from 8pm to 7am	1.00	2.00	2.50	3.00	3.50	4.00	Over 6 hr 9.00			
Wycombe DC (High Wycombe) Baker St	Car Park Closed										
Wycombe DC (Marlow) Riley Road	7am to 7pm Mon - Sun	80p	1.60	2.50	3.00		4.00				6.50

Woking Borough Council (Victoria Way, Brewery Road & Heathside Crescent)	6am - 6pm Charges on Sunday at reduced rate, 1 hr 1.60, 2 hrs 3.00 over 2 hrs 3.30	1.60	3.20	4.80	6.40	7.60	7.60	12.00			13.00 up to 24hr
Aylesbury Vale DC (Friarscroft – outer long stay)	6.30am - 8.30pm Mon – Sat (Sundays and bank holidays 1.50)										3.00 up to 24 hrs
Banbury (Market Pl, ultra short stay)	8am - 6pm Mon –sat (Sundays & B/H 1hr – 1.10, over 1 hr 1.60)	1.60 (1.10 up to 30 mins)									
West Oxfordshire DC (Marriotts Walk multi-storey, Witney)	7am – 1am Mon -Sat 9am -1am Sunday	Free	Free	Free	Free	Free	Free	Free	Free	Free	
West Oxfordshire DC (Woodford Way)	All day - Mon -Sun	Free	Free	Free	Free	Free	Free	Free	Free	Free	
Cherwell DC (Claremont)	Mon – Sun 8am to 6pm Free after 6pm	1.10 Sundays 1.10	2.20 or Sunday 1.60 over 1hr	3.00							
Cherwell DC (Cattle Market)	8am - 6pm Mon -Sun. Free parking after 6pm Mon - Sun	1.10 Sunday 1.10	2.20 or Sunday 1.60 over 1hr	3.00	3.80						5.00 – Day rate
Newbury Central KFC car park	Mon to Sun. 8am to 6pm (6pm to 8am £2.00)	1.50	2.70	3.90	5.20		7.20		8.70		12.00
OCC (Redbridge Park & Ride)	24 hours	free	1 to 16 hrs 2.00	16-24 hrs 4.00	24-48hrs 8.00	48-72hrs 12.00	28 days 30.00				

OCC (Oxpens)	6am -5pm Mon-Sun 5pm-6am Mon-Sun £4.00	3.50	4.50	5.50	7.50	9.50	11.50	6-12 hrs 18.50			12-24 hrs 25.50
OCC (Worcester Street)	8am -8pm Mon-Sun After 8pm 4.50 / 5.00	4.50 / 5.00	6.50 / 7.80	9.50 / 10.50	12.00 / 13.00		18.50 / 20.50		28.50 / 30.50	35.50 / 35.50	
Oxford Westgate	Mon to Sun 6am to 5pm	3.50	4.50	5.50	7.50	9.50	12.00			6-12 hrs 20.00	12-24 hrs 35.00
Oxford Westgate	Mon to Sun 5pm to 6am	3.50									Over 1hr 4.00
Reading Broad Street Mall	Mon- Sun 24 hrs. 6pm to 8am £4.10	1.60	4.10	6.10	8.10	10.10	12.20				14.20 (up to 24 hrs)
Swindon, Whalebridge multi-storey	Mon to Sat 6am to 6pm Mon – Sat 6pm to 6am – up to 2hr 1.00 Over 2hrs 2.00 Free parking Sundays	1.20	2.40	3.60	4.80		7.60				8.80 6 to 24 hrs
Waitrose Abingdon	Mon – Fri 7.30-9pm Sat 7.30am – 8pm Sun 10am – 4pm		Free for customers Max stay is 2 hrs								
Waitrose Faringdon	Free										
Waitrose Wantage	Free										
Waitrose Wallingford	Mon – Fri 8am – 9pm Sat – 8am - 8pm Sun 10am – 4pm	0.50p (refunded with min. £10 spend in Waitrose)	1.00 Max Stay 2hrs								

Didcot Gateway	Open 24hrs	1.25	2.25	4.25							6.45 for 24hrs
Orchard Centre Didcot	Mon – Sat 7am – 7pm Free Parking on Sunday		Free	1.70	2.50	4.80 – Max 5 hrs stay					
Sainsburys Wantage	Mon – Sat 8am – 6pm Free any other time	Free	1.50	2.10	3.70	3.70	4.10				Max 4.50

Appendix 3 - Road Traffic Regulations Act 1984 Section 55

55 Financial provisions relating to designation orders.

(1) A local authority shall keep an account of their income and expenditure in respect of parking places [F1 for which they are the local authority and which are—

(a) in the case of [F2 Transport for London,] the council of a London borough and the Common Council of the City of London, parking places on the highway; and

(b) in the case of any other authority, designated parking places.]

(2) At the end of each financial year any deficit in the account shall be made good out of the [F3 general fund] [F4 or, in Wales, council fund], and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.

(3) If the local authority so determine, any amount not applied in any financial year, instead of being or remaining so appropriated, may be carried forward in the account kept under subsection (1) above to the next financial year.

F5 [(3A) [F6 Transport for London,]] The council of each London borough and the Common Council of the City of London shall, after each financial year, report to the [F7 Mayor of London] on any action taken by them, pursuant to subsection (2) or (3) above, in respect of any deficit or surplus in their account for the year.

(3B) The report under subsection (3A) above shall be made as soon after the end of the financial year to which it relates as is reasonably possible.

(4) The purposes referred to in subsection (2) above are the following, that is to say—

(a) the making good to the [F8 general fund] [F4 or, in Wales, council fund] of any amount charged to that fund under subsection (2) above in the 4 years immediately preceding the financial year in question;

(b) meeting all or any part of the cost of the provision and maintenance by the local authority of [F9 off-street parking accommodation, whether in the open or under cover;]

(c) the making to other local authorities, F10 . . . or to other persons of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of [F9 off-street parking accommodation, whether in the open or under cover;]

[F11 (d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—

(i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services,

- (ii) the purposes of a highway or road improvement project in the local authority's area,
- (iii) in the case of a London authority, meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,
- (iv) the purposes of environmental improvement in the local authority's area,
- (v) in the case of such local authorities as may be prescribed, any other purposes for which the authority may lawfully incur expenditure;]
- (e) in the case of a London authority, meeting all or any part of the cost of the doing by the authority in their area of anything—
 - (i) which facilitates the implementation of the London transport strategy, and
 - (ii) which is for the time being specified in that strategy as a purpose for which a surplus may be applied by virtue of this paragraph;
- (f) in the case of a London authority, the making to any other London authority of contributions towards the cost of the doing by that other authority of anything towards the doing of which in its own area the authority making the contribution has power—
 - (i) to apply any surplus on the account required to be kept under subsection (1) above; or
 - (ii) to incur expenditure required to be brought into that account.

F12[(4A) For the purposes of subsection (4)(d)(ii)—

- (a) a highway improvement project means a project connected with the carrying out by the appropriate highway authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Highways Act 1980) of a highway in the area of a local authority in England or Wales; and
- (b) a road improvement project means a project connected with the carrying out by the appropriate roads authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Roads (Scotland) Act 1984) of a road in the area of a local authority in Scotland.]

F13(4B) For the purposes of subsection (4)(d)(iv) “environmental improvement” includes—

- (a) the reduction of environmental pollution (as defined in the Pollution Prevention and Control Act 1999 (c. 24); see section 1(2) and (3) of that Act);
- (b) improving or maintaining the appearance or amenity of—
 - (i) a road or land in the vicinity of a road, or
 - (ii) open land or water to which the general public has access; and

(c)the provision of outdoor recreational facilities available to the general public without charge.

(4C)Regulations for the purposes of subsection (4)(d)(v) above—

(a)may prescribe all local authorities, particular authorities or particular descriptions of authority,

(b)may make provision by reference to whether the authority or authorities in question have been classified for the purposes of any other enactment as falling or not falling within a particular category, and

(c)may make provision for the continued application of that provision, in prescribed cases and to such extent as may be prescribed, where an authority that is prescribed or of a prescribed description ceases to be so.】

F14(5).

F15(6).

F16(7).

【**F17**(8)For the purpose of enabling Transport for London and any other London authorities to discharge jointly any functions conferred by virtue of subsection (4)(f) above by a joint committee established under section 101(5) of the **M1**Local Government Act 1972, sections 101(5) and 102 of that Act shall have effect as if Transport for London were a local authority.

(9)In the application of this section in relation to Transport for London, any reference to its general fund shall be taken as a reference to the financial reserves for which provision is made under section 85(4)(c) of the Greater London Authority Act 1999 in calculating Transport for London’s component budget for the financial year in question.

(10)In this section—

- “London authority” means Transport for London, a London borough council or the Common Council of the City of London;
- “the London transport strategy” means the transport strategy prepared and published under section 142 of the Greater London Authority Act 1999.】