

APPENDIX 3

BACKGROUNDCabinet Decision

On 5 December 2023, Cabinet considered the Permit Scheme for Council Car Parks report shown at **APPENDIX 1** and **RESOLVED** that:

1. **The cost of exemption permit be increased to £172.50 where the daily tariff is £1 for up to 12 hours, and £337.50 where the daily tariff is £2 for over two hours.**
2. **The proposed permit scheme for residents' parking in Council car parks between 4pm and 8am at a cost of £170 a year, subject to confirmation of residency, to come into effect from 1 January 2024 be approved.**

Reason: It is important fees and charges income are optimised in order for the Council's to meet its anticipated budget gap in 2024/25.

Options considered and rejected

1. No change to the discount.
2. A 10% discount.

Notice of Call-In

A notice of Call-In of this decision was received on 11 December 2023 reproduced at **APPENDIX 2**.

The notice of Call-In was signed by five Members of the Council:
Councillor Philip Owen, Councillor Jill Owen, Councillor Graham Hills, Councillor Michael Brown and Councillor Lydia Ball.

The grounds given for the Call-In were:

1. **Ground 5** -The decision was not in the Public Interest as there had been no public consultation to determine effects of scheme,
2. **Ground 1a** – the decision breached the decision making principal of being 'Open and transparent' due to the lack of consultation.
3. **Ground 1c** – the decision breached the decision making principal to 'take into account all relevant considerations and ignore irrelevant considerations' due to lack of consideration on cost of living.
4. **Ground 1d** – the decision breached the decision making principal to 'Evaluate alternative options' due to little consideration of possibility of providing free spaces.
5. **Ground 1e** – the decision breached the decision making principal to 'Undertake consultation as required or as may be appropriate' due to no consultation with affected Stakeholders.

6. **Ground 1g** – the decision breached the decision making principal to ‘Obtain and consider professional advice as may be required or appropriate’ due to no advice sought from highways professionals of effect on parking.

Reasons for Refusing Call-In

On 13 December 2023 the Monitoring Officer consulted the Chair of the Overview Scrutiny Committee and considered whether a case has been made for Calling-In the decision and whether delaying the implementation of the decision would be likely to cause significant damage to the Council’s interests, in accordance with the provisions set out at Chapter 2- Part 7 rule 15.5.

The Call-In request was refused for the following reasons:

1. **Ground 5.** Not in the Public Interest – It was not considered to be in the Public interest to delay implementation of the residents permits scheme being introduced as this would enable residents to benefit from reduced parking costs, which was the resolution made by Cabinet on 5 December 2023.
2. **Ground 1(a)** Lack of consultation – The Monitoring Officer advised and the Chair noted that no statutory consultation is required for parking charge increases.
3. **Ground 1(c)** Cost of living consideration – the Monitoring Officer advised that Cabinet Members had agreed free car parks remain free in each of the four towns, parking is also free on Sunday and in some carparks on Saturday (this was detailed in the first report in October 2023). The permits reduce the agreed price increases to mitigate some of the additional charges already agreed by Cabinet in October 2023.
4. **Ground 1(d)** Lack of consideration of free spaces – The Monitoring Officer advised that the service has been free since 2010 between the hours of 4pm and 8am – the reports on parking fees update that is no longer sustainable as it impacts annually on the general fund – the cost increases were chosen by Members after being presented with a number of options – the permits reduce the agreed price increases to mitigate some of the additional charges already **agreed by Cabinet in October 2023 and not by their decision on 5 December 2023.**
5. **Ground 1(e)** Lack of consultation – The Monitoring Officer advised and the Chair noted that no statutory consultation is required for parking charge increases.
6. **Ground 1(g)** No advice sought from highways – The Monitoring Officer advised and the Chair noted as this decision relates to off street parking not on street parking highways should not be affected – off street parking is within the control of Broxtowe Borough Council and on street parking is within the control of Nottinghamshire County Council – Broxtowe is therefore the lead authority in this matter.