



## In Focus

### **Parking Places (Variation of Charges) Bill (HL Bill 98 of 2016–17)**

#### Key Provisions

The [Parking Places \(Variation of Charges\) Bill](#) is a private member's bill, which has completed all of its stages in the House of Commons, and is due to have its second reading in the House of Lords on 24 February 2017. The Bill was introduced by the Conservative MP for Bosworth, David Tredinnick. Three clauses long, the aim of the Bill is to allow local authorities to more easily lower parking charges in areas for which they are responsible. If a local authority wishes to raise charges, then the Bill would require that they consult interested parties. The Bill would apply to England only, and has the support of the Government.

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#### Scrutiny of the Bill in the House of Commons

Under current legislation, local authorities must use the same procedure regardless of whether they want to raise or lower parking charges at both off-street and on-street parking places in their area. This includes publishing notice of the variation in a newspaper before the changes come into force; specifying all changes and timing of those changes; with regard to off-street parking, displaying a notice in the parking place; and with regard to on-street parking displaying a similar notice in prominent positions about the road. The Parking Places (Variation of Charges) Bill would amend sections 35C and 46A of the Road Traffic Regulation Act 1984 to allow for a different procedure to be specified by regulation, the purpose of which would be to make it less onerous to lower charges, but require that a local authority must hold a consultation should they wish to raise them.

Introducing the Bill at second reading, its sponsor, David Tredinnick, explained the rationale behind these changes:

[The Bill would] allow for new regulations to be made that revise the existing regulations to reduce the burden on local authorities that are seeking to lower their charges. In addition, the Bill allows for a new power that will mean that local authorities will need to consult if they want to increase their parking charges under an existing traffic order. [...] The reform will allow local authorities to react more quickly to market changes and allow greater flexibility if they are looking to put in place reduced parking charges or even free parking. It also puts local authorities on an even footing with the private sector—this is important—by allowing local authorities at short notice to provide free or discounted parking to support town centre events.<sup>1</sup>

Mr Tredinnick added:

Requiring 21 days' notice, with the notice to be published in the local newspaper and posted at appropriate places on the street, is bureaucratic and totally unnecessary. It is important that

councils should engage their local communities when they are raising charges, to help ensure that the business community is aware of any proposals and to help it make informed comment about them. The Bill will reinforce what should be good practice.<sup>2</sup>

At second reading, the Government indicated its support for the Bill, as did members of other parties, though there was a suggestion that who should be consulted when a local authority sought to raise charges should be more clearly defined.<sup>3</sup>

No amendments were tabled to the Bill during committee stage in the House of Commons, but Kevin Foster (Conservative MP for Torbay) tabled new clause 1 at report stage, the effect of which in his words would be to “make it clear beyond doubt that the Bill’s aim was to make it easier to reduce parking charges rather than making it easier to increase them”.<sup>4</sup> The amendment was subsequently debated and then withdrawn without division, with Mr Foster stating that he was sufficiently reassured by assurances given by Mr Tredinnick and the Government that the purpose of the Bill was to allow flexibility to revise parking charges downwards.<sup>5</sup>

Speaking at third reading for the Opposition, Andy Slaughter (Labour MP for Hammersmith) said that his Party supported the Bill, in particular its aim to increase flexibility and encourage local authorities more towards lowering rather than raising charges.<sup>6</sup> Marcus Jones, Parliamentary Under Secretary of State for Local Government, reiterated the Government’s support for the Bill, stating:

The Bill recognises not only that councils need flexibilities, but that councils need to involve local communities in their decision-making process. The Bill offers a real opportunity for a small but sensible reform to local authority car parks and will give the Government powers to scrap the bureaucratic requirements on local authorities if they wish to lower their parking charges. It also offers a real opportunity for councils to take a flexible approach to support their high streets.<sup>7</sup>

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## Further Information

- House of Commons Library, [Parking Places \(Variation of Charges\) Bill](#), 21 November 2016
- Department of Transport, [Traffic Management Act 2004, Operational Guidance to Local Authorities: Parking Policy and Enforcement](#), March 2015
- Royal Automotive Club (RAC), [The Control of Parking by Local Authorities](#), 2010

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<sup>1</sup> [HC Hansard, 25 November 2016, col 1186.](#)

<sup>2</sup> *ibid.*

<sup>3</sup> *ibid.*, col 1189.

<sup>4</sup> [HC Hansard, 3 February 2017, col 1300.](#)

<sup>5</sup> *ibid.*, col 1317.

<sup>6</sup> *ibid.*, col 1319.

<sup>7</sup> *ibid.*, col 1343.

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