

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

PARKING PLACES (VARIATION OF CHARGES) BILL

First Sitting

Tuesday 31 January 2017

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CLAUSES 1 to 3 agreed to.
Bill to be reported, without amendment.

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Saturday 4 February 2017

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The Committee consisted of the following Members:*Chair:* MR ADRIAN BAILEY

† Barwell, Gavin (<i>Minister for Housing and Planning</i>)	Pearce, Teresa (<i>Erith and Thamesmead</i>) (Lab)
Carswell, Mr Douglas (<i>Clacton</i>) (UKIP)	Sharma, Mr Virendra (<i>Ealing, Southall</i>) (Lab)
Clegg, Mr Nick (<i>Sheffield, Hallam</i>) (LD)	† Smith, Nick (<i>Blaenau Gwent</i>) (Lab)
Cooper, Rosie (<i>West Lancashire</i>) (Lab)	† Stewart, Bob (<i>Beckenham</i>) (Con)
† Cunningham, Mr Jim (<i>Coventry South</i>) (Lab)	† Tredinnick, David (<i>Bosworth</i>) (Con)
† Harris, Rebecca (<i>Castle Point</i>) (Con)	Whittaker, Craig (<i>Calder Valley</i>) (Con)
† Hoare, Simon (<i>North Dorset</i>) (Con)	
Johnson, Gareth (<i>Dartford</i>) (Con)	Glenn McKee, <i>Committee Clerk</i>
McPartland, Stephen (<i>Stevenage</i>) (Con)	
† Murray, Mrs Sheryll (<i>South East Cornwall</i>) (Con)	† attended the Committee

Public Bill Committee

Tuesday 31 January 2017

[MR ADRIAN BAILEY *in the Chair*]

Parking Places (Variation of Charges) Bill

9.30 am

The Chair: Welcome to the Committee. Just before we begin, please ensure your electronic devices are switched to silent, and I remind Members that tea and coffee are not allowed during sittings.

No amendments have been tabled to the Bill, so we will begin with a debate on clause 1. I suggest to Committee members that any remarks they may wish to make that are appropriate for clauses 2 and 3 can be made during that debate. In other words, we will have a general debate about the Bill on the Question that clause 1 stand part. If the Committee is content with that suggestion, I will then put the Questions that clauses 2 and 3 stand part of the Bill formally, once we have completed consideration of clause 1, on the basis that those clauses will already have been debated. In essence, we will deal with all three clauses together.

Clause 1

PROCEDURE FOR VARYING CHARGES AT OFF-STREET
PARKING PLACES

Question put, That the clause stand part of the Bill.

The Chair: With this it will be convenient to consider whether clauses 2 and 3 stand part.

David Tredinnick (Bosworth) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey, not least because you are a midlands Member of Parliament and have a long length of service. The Bill is particularly relevant to you given your experience as deputy leader of Sandwell Borough Council between 1997 and 2000 and then your later experience as Chair of the Select Committee on Business, Innovation and Skills between 2010 and 2015. Although you cannot comment on the Bill today in your capacity as the Chair, I like to think you will feel comfortable with what we are doing today and that it would, indeed, have helped—and will help—Sandwell Borough Council and that it would certainly be seen as beneficial by the Committee you used to chair.

As a preamble, when I summed up at the end of the debate on Second Reading, I said:

“I have always tried to keep in the back of my mind that our job as Members of Parliament is to improve the quality of life of the people we represent. Having listened to today’s debate, I can say in all honesty that this modest two-clause Bill”—

three, with a technical clause—

“will improve the quality of life in every city and town in this country. I am most grateful for the Government’s support.”—[*Official Report*, 25 November 2016; Vol. 617, c. 1195.]

To the Labour Front-Bench team, I am grateful for the Opposition’s support. I understand, Mr Bailey, that they will not be speaking today, but I have had discussions with them before this and I am grateful that they have been amenable to supporting the Bill.

I referred to every town and every city in this country. For greater accuracy, I asked the Library to look out the number of settlements we have that would be affected by this Bill. According to the 2011 census, we have in this country 56 cities, 696 towns with a population of 5,000 or larger and 1,590 settlements with a population of 1,000 to 5,000. This shows the scale of the places where the Bill can have an impact.

It is significant for me, as a Back Bencher, to bring a private Member’s Bill to a Public Bill Committee that can have an impact not just on one area of the country. My hon. Friend the Member for South East Cornwall has a very special place here because she has taken through two or three private Member’s Bills, and it is a great comfort to have her here as an expert. She has done so much for the fishing community with her private Member’s Bills, which were specific to that community in Cornwall, which she has defended so well in her time in this place. When this Bill becomes law, as I hope it will, it will affect every village in England that has parking restrictions. The scope of the Bill includes Wales, but it will not apply in Wales for technical reasons.

The value of UK retail sales in 2015 was £339 billion. That will provide jobs for 3.3 million employees by 2017 in approximately 287,000 outlets. The major challenge to high streets in this day and age is internet competition. One of the reasons why the Bill is important for local communities of all sizes is that it will enable councils to fight back against internet competition as part of their armory. The Bill will give the Government power to streamline the procedures local authorities must follow to reduce parking charges. It will provide a power for local authorities to consult local businesses and residents when increasing parking charges.

On Second Reading in late November, on the spur of the moment, I described this as a “Santa Claus” Bill, because it had the capacity for councils to reduce parking charges at a stroke before Christmas when they want to increase the demand for services in a local area. I will explain in a moment the difference between where we would be after the Bill and where we are now. This clearly caught the imagination of the House authorities. For greater accuracy, I have brought something along. They decided to produce a Christmas decoration that had on it, “Santa Act 2016”. I gather they were hot bestsellers. I have to tell the Committee—

The Chair: Order. I hate to interrupt the hon. Gentleman’s superb presentation, but may I remind him that it is not appropriate to bring visual aids to debates in the Commons?

David Tredinnick: I am most grateful to you for reminding me of something that I knew very well. I crave your indulgence, Mr Bailey. Being a superstitious person, I most certainly did not put anything on my tree that had “Act” on it, because this is not an Act and we still have procedures to go through. However, it is indicative of how anything to do with good will fires the imagination of the public and people like it.

I have referred to the importance of high-street shopping and given some statistics. My own main town of Hinckley was recently a finalist in the Great British High Street competition. Part of the way that we do things in Hinckley and Bosworth Borough Council is to look

very closely at cost-effective parking, which is seen as essential. It already has a process of consultation in place with the local business organisations. However, this is not the case all over the country.

To get to the meat of the Bill, clause 1 provides the Government with a power to make regulations that simplify the procedure to follow for lowering parking charges. At present, councils must give 21 days' notification in the press and place signage in the car parks if they want to lower their charges. The private sector, however, can take a business decision to lower charges without going through this process. To give councils flexibility to reduce their charges, clause 1 allows the Government to simplify the requirement, putting local authorities on an even footing with the private sector.

Equally importantly, councils should consider the effect of increased parking charges on the high street. Clause 1 therefore makes provision for a consultation requirement, so that councils take on board the views of local businesses and residents when they are looking to increase parking charges on an existing traffic order. They must already consult when a traffic order is set up; however, it is proportionate to expect them to consult if they want to raise charges during the life of the traffic order.

I was asked on Second Reading what consultation looks like and to give a commitment to define it. I understand that my hon. Friend the Minister may have something to say about this and that some work is in hand to come up with illustrative regulations in due course. That is very helpful, and I thank him. These proposals also make provision for a circumstance where consultation is not required: where a local authority has lowered charges for a temporary period and is returning them to an existing level. The great thing about the Bill is that it will give councils the flexibility, instead of having to put a notice in the local papers 21 days before changing a charge, to decide that a car park is empty and that it needs to fill it to take the pressure off another end of the town, as in Hinckley, and they can do so immediately. Or, as the chief executive of Hinckley pointed out to me, it can reduce the charges after the Christmas sales, when people do not want to come into the town as much as before Christmas, and then bring them back up again. It gives a very simple power to local authorities to be flexible, which is important.

Taken together, both elements of the clause offer councils a real opportunity to take the views of their local communities into account, while giving councils flexibilities where decreases to parking charges are possible and can be made to better support the goal of thriving town centres. I was going to urge the Committee to agree that this clause stand part of the Bill, but since we are taking the other clauses at once, it may be appropriate if I urge the Committee to agree that all the clauses stand part of the Bill.

The Chair: Yes.

David Tredinnick: Clause 2 is about the procedure for varying charges at designated parking places. It will apply the clause 1 provisions to designated parking bays, better known as on-street parking.

Clause 3 deals with the extent, commencement and short title of the Bill. This is the final clause that we will consider and it covers the usual matters: the extent of

the Bill, the provisions for commencing its clauses and for laying regulations as necessary, and the title of the Bill. The matter of its extent has been raised in drafting the Bill. The Act will extend to Wales, as I said earlier; but for the avoidance of doubt, officials at my hon. Friend the Minister's Department have already clarified that, if the Bill is passed, it will form part of the law of England and Wales. It would not make sense for it to extend to England and not Wales, because England and Wales is one jurisdiction and legislation cannot form part of the law of England without forming part of the law of Wales. However, the application of the Bill's substantive provisions—their practical effect—will be restricted to England. The Welsh Government have confirmed that they are happy with this interpretation and with the rationale for Wales being mentioned in the Bill.

I urge the Committee to agree that these clauses stand part of the Bill.

The Chair: Before I go any further, I understand that the hon. Member for Blaenau Gwent is standing in for the shadow Minister but not opposing the Bill. Does he wish to say anything?

Nick Smith (Blaenau Gwent) (Lab): Thank you, Mr Bailey. I shall make a very short contribution because, as you say, I am standing in for my colleague this morning. My hon. Friend the Member for Erith and Thamesmead sends apologies; she is ill today. Labour will not oppose the Bill. We hope that it will support cost-effective parking across the country in the future.

Mrs Sheryll Murray (South East Cornwall) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. I shall make a short contribution. I congratulate my hon. Friend the Member for Bosworth on bringing in the Bill. I want to ask the Minister to clarify a few things. I live in a council area in Cornwall run by a Liberal Democrat-independent administration that was recently going to put up parking charges and, in certain circumstances, introduce parking charges where there had been none. That was of great concern to my constituents. I understand that the council will consult local businesses, which I welcome, and such other organisations that represent people who are likely to be affected. How will such other organisations be selected, and how will individual users, who are most likely to be affected, have their say?

I will give a little history to my concerns. When Cornwall Council was formed, over 80% of the electors in Caradon district, where I live, voted in a poll during the consultation period against the formation of the unitary council. That poll was ignored by the Liberal Democrats who run the County Council.

9.45 am

The Chair: Order. May I remind the hon. Lady that we are discussing parking charges? I understand that there might be some general political points to be made in the context of parking charges, but she seems to be straying rather a long way from it at the moment.

Mrs Murray: I apologise if you have that view, Mr Bailey. I was going to go on to say that that was much in the same way that the Bill has been ignored by the right hon. Member for Sheffield, Hallam, who was down to attend this Committee but is clearly not present.

[Mrs Sheryll Murray]

Will the Minister explain how that situation will not arise when we consult on the increase in parking charges? What power if any is there to stop a rise in parking charges if councillors choose to ignore that consultation in the way I have outlined?

Thank you, Mr Bailey, for allowing me to make this short contribution; I fully support my hon. Friend's Bill.

The Minister for Housing and Planning (Gavin Barwell):

It is a pleasure to serve under your chairmanship, Mr Bailey, for the first time today. I congratulate my hon. Friend the Member for Bosworth on bringing forward this very welcome Bill.

I know from my experience of taking the Mental Health (Discrimination) Act 2013 through the House that it is a very significant undertaking for a Member of Parliament to negotiate a private Member's Bill through with the Government and Opposition and to secure the broad-based support that my hon. Friend has been able to achieve. I congratulate him not only on behalf of his constituents—as he said, the Bill will benefit people right across the country.

I welcome the opportunity to speak on behalf of the Government to support clause 1 and the Bill. It sets the framework for regulations that will simplify the procedures that local authorities must follow if they want to lower their parking charges and, in clause 1, their off-street parking charges. The Bill also introduces a consultation requirement, which my hon. Friend the Member for South East Cornwall referred to, if local authorities want to increase their charges.

I am sure all members of the Committee agree that high streets, and town and village centres, continue to play an essential role in the lives of our communities. Parking plays an important role in providing access to those centres. Again, I am sure the Committee will agree that, in this day and age, we want to do everything we can to encourage people to walk, cycle and use public transport, but we need to recognise that, if we want thriving centres, some people will want to travel there by car. It is important that provision is made to enable them to park close to those centres at a reasonable price. There is strong evidence that the cost of car parking informs decisions made by shoppers on whether they will travel to a particular town centre or choose an alternative location, in some cases out of town.

I have experience of that in my constituency. To avoid straying into party political matters, Mr Bailey, I will say a good thing and a bad one. Historically, a previous Labour administration in my town sold off our multi-storey car parks and the charges have gone right up. That has been a significant problem in Croydon town centre. I am pleased that last night the Labour council announced that it would introduce an hour's free parking in districts across the borough. That illustrates both the good and the bad impact that council decisions can have on our communities.

The Government are committed to promoting town centres as a thriving place at the heart of our communities, whether for shopping, leisure, or perhaps a trip to a restaurant or pub. I believe the clause will help to ensure that all councils have the opportunity to respond effectively

to calls by local people and businesses to reduce their car parking charges. As my hon. Friend the Member for Bosworth alluded to, that may include supporting events in a particular centre with temporary reductions to charges, which will attract more visitors and benefit that local economy. The clause allows for regulations to remove the requirements to give three weeks' notice in the press of an intent to reduce charges. If local authorities are reducing charges, the Government view it sufficient for them to notify people via their websites with only one day's notice.

The Government strongly believe that it is right and proper for local authorities to consult their local communities and town centre businesses when proposing to increase charges—that point was raised by my hon. Friend the Member for South East Cornwall. I am sorry to hear of Cornwall Council's proposals. This is not about the Government dictating how local councils should set their parking policies, but about asking councils, in the spirit of localism, to listen to the views of local communities before they increase charges. To directly answer her question, there is no power in the Bill to prevent a council from increasing charges. We are asking councils to have a consultation before they take that decision. That seems to me to be the right balance in terms of where the House should set policy.

My Department has prepared draft illustrative regulations to try to assist the Committee in scrutinising the legislation. I believe that those regulations were shared with members of the Committee yesterday. I particularly draw the Committee's attention to those illustrative regulations recognising a specific circumstance to try to ensure that this part of the clause is proportionate. They include provision that there would not have to be a consultation if a council had temporarily reduced charges to support a particular event and was then increasing them back to the previous level. That would clearly be a perfectly reasonable thing for a council to do. It would be disproportionate to make it consult in those circumstances.

To ensure the measures work in practice, prior to the introduction of any regulations, the Government will consult local authorities, the Local Government Association as the representative body of local government in England, the British Parking Association and others to ensure that their views are taken into account before the regulations are made. Furthermore, Parliament will have an opportunity to consider any regulations under normal secondary legislation procedures. I inform the Committee that my Department will undertake a new burdens assessment to establish the administrative cost, if any, to local authorities arising from their duty to consult.

You have asked us to debate clauses 2 and 3 as part of the clause 1 stand part debate, Mr Bailey. My hon. Friend the Member for Bosworth has noted that clause 2 essentially applies the same provisions as clause 1 but to designated parking bays—on-street parking, in other words. I have no additional comments to make about those provisions, other than to say that the Government support clause 2 as we do clause 1. Finally, on clause 3, my hon. Friend has again succinctly summarised the position, and I have no comment to make other than to say the Government support it.

Although the Bill is short, it makes an important contribution to an issue about which all of our constituents feel strongly. It is about their ability to access local businesses in their village, district or town centre, and if

they need to do so by car, to do so easily and at a proportionate cost. From the late 1980s and '90s, we have seen the rise of out-of-town shopping and, more recently, the rise of online shopping. It is important that Parliament and local councils take steps to do all we can to ensure that this country continues to have the thriving centres, which mean so much to us all and help to define the communities in which we live. It is a pleasure to support my hon. Friend's Bill. I congratulate him on bringing it this far and wish it continued success.

David Tredinnick: I thank the Minister and my hon. Friend the Member for South East Cornwall for their remarks, and I thank the hon. Member for Blaenau Gwent for his support.

It is not necessarily easy to come up in the ballot for private Members' Bills—it is an uncertain process. This year amazingly represents 30 years of service for me in the House. It is particularly special for me to bring a Bill this far through the process to Committee and hopefully through its remaining stages. It will have a wide-ranging impact on the quality of life in every town, city and village in the country.

Bosworth is of course named after the battle of Bosworth in 1485, when English history changed, but it is particularly special for me to make this present to the

people of Hinckley, which is the main town in my constituency. It gives the council the power to vary parking charges in the different car parks all over the town, particularly at a time when there is competition not only from the internet and online shops, but from other towns in the area. I have always been delighted to represent my town of Hinckley, and I am absolutely delighted to introduce the Bill.

I thank colleagues of all parties for their support. Thank you, Mr Bailey, for chairing this Committee.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 and 3 ordered to stand part of the Bill.

Bill to be reported, without amendment.

David Tredinnick: On a point of order, Mr Bailey. It is my hope and expectation that this Bill is reported on Friday this week and proceeds to Third Reading on that day.

The Chair: Thank you.

9.58 am

Committee rose.

