



Resources Directorate
7 Newington Barrow Way,
London, N7 7EP

Report of: Councillor Caroline Russell

Meeting of	Date	Ward(s)
Council	3 March 2022	All

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AMENDMENT TO BUDGET PROPOSALS 2022/23 AND MEDIUM-TERM STRATEGY

1. INTRODUCTION

- 1.1. This report amends the 'Budget Proposals 2022/23 and Medium-Term Financial Strategy' report on the main agenda with proposed changes to the 2022/23 General Fund budget and Medium-Term Financial Strategy (MTFS) and to the Housing Revenue Account (HRA) 2022/23.
- 1.2. The proposals ensure the Council makes best use of its parking powers across street parking and HRA parking on estates to support its work tackling the Climate Emergency and reducing pollution, car use and transport carbon emissions. This approach is outlined in the [Parking Policy Benchmark Assessment Tool](#), published recently by CPRE London. The proposals also include funds for a study into the potential for charging for parking electric vehicles (EVs) according to their size and relative harm.
- 1.3. There are two proposals that explicitly tackle the cost-of-living crisis supporting two different groups of Islington residents who are the most affected by the worrying financial squeeze across energy bills and supermarket shopping. For the fourth year running, the proposals include a 100% council tax relief scheme for residents on the lowest incomes. There is a new proposal to support a cohort of care leavers with a basic income pilot based on the London Living wage running for three years.

- 1.4. The HRA proposals include six new officer posts in housing repairs specifically to address the backlog in cyclical repairs and to administer a scheme to address cold damp and mouldy homes prioritising over-crowded households as they are worst affected.
- 1.5. There are proposals both for the General Fund and the Housing Revenue Account to significantly increase the roll out of secure bike parking in hangars on street and on estates. The cost of parking a bike in an on-street bike hangar is reduced to one sixth of the cost of parking a Band A car. The same cost will be applied for the bike hangars installed on estates. The roll out of extra secure bike parking on estates will help address the shortfall in secure bike parking and enable residents to comply with fire safety requests to remove bikes from walkways.
- 1.6. There will be a Climate Emergency Transport Fund within the General fund Budget to underpin the council's work to reduce transport carbon and meet net zero 2030 commitments by rolling out low traffic neighbourhoods via the People Friendly Streets schemes. This fund will be prioritised to community led measures such as parklets and pocket parks and measures to make main roads less dangerous and more inclusive so children, older and disabled people can get about safely and conveniently and to support low-income households to transition from car use.

2. RECOMMENDATIONS

- 2.1. To agree the 'Budget Proposals 2022/23 and Medium-Term Financial Strategy' report subject to the following detailed in **Appendix 1**
- 2.2. **Proposal 1:**
 - i. To agree to increase all parking permit bands for residents, so that the cheapest band is £150 per year as recommended in the CPRE London Parking Policy Benchmark Assessment Tool. This is about £3 per week and represents an increase of 400%, which is applied to all other parking bands.
 - 2022/23 income generated (-£11.844m)
 - 2023/24 income generated (-£11.333m)
 - 2024/25 income generated (-£10.842m)
- 2.3. **Proposal 2:**
 - ii. Subject to the approval of Proposal 1 above, to agree to undertake and fund a consultation in 2022/23 to remove the 5% contribution by residents eligible for full council tax support and if agreed, to implement from 2023/24 to protect the financial health of eligible residents by avoiding the risk of council tax arrears.
 - 2022/23 consultation year
 - 2023/24 cost (+£1.180m)
 - 2024/25 cost (+£1.180m)
- 2.4. **Proposal 3:**
 - iii. Subject to approval of Proposal 1 above, to run a three-year pilot of a London Living Wage based Basic Income for the cohort of Care Leavers

turning eighteen within Islington in 2022/23

- 2022/23 cost (+£2.851m)
- 2023/24 cost (+£2.908m)
- 2024/25 cost (+£2.965m)

2.5. Proposal 4:

- iv. Subject to the approval of Proposal 1 above, to commission a report into the potential for electric vehicle (EV) residential parking charges to be based on battery capacity to differentiate between small EVs and larger, heavier performance electric vehicles in future budgets. The proposed bands are 0-35KWh, 36-70KWh and over 70KWh.
 - 2022/23 one-off cost (+£0.015m)

2.6. Proposal 5:

- v. Subject to the approval of Proposal 1 above, to agree to reduce the cost of parking a bike in a bike hangar to £25, which is one sixth of the cheapest cost of parking a car in the lowest parking band.
 - 2022/23 cost (+£0.209m)
 - 2023/24 cost (+£0.251m)
 - 2024/25 cost (+£0.293m)

2.7. Proposal 6:

- vi. Subject to the approval of Proposal 1 above, to agree to invest in the installation of an additional 300 bike hangars per annum across the Borough.
 - 2022/23 one-off cost (+£1.380m), income generated (-£0.036m)
 - 2023/24 one-off cost (+£1.380m), income generated (-£0.072m)
 - 2024/25 one-off cost (+£1.380m), income generated (-£0.108m)

2.8. Proposal 7:

- vii. Subject to the approval of Proposal 1 above, to create a Climate Emergency Transport Fund for measures to support the roll out of low traffic neighbourhoods, in particular, interventions on main boundary roads and provision of community parklets along with support for low income households to transition to greener transport options in light of increased car parking costs.
 - 2022/23 cost (+£7.425m)
 - 2023/24 cost (+£5.687m)
 - 2024/25 cost (+£5.132m)

2.9. Proposal 8:

- viii. To bring all HRA estate car parking for non-service charge payers in line with Pay & Display fees across the borough. This will support the council's 2030 climate emergency goals, along with traffic and air pollution reduction targets.
 - 2022/23 income generated (-£0.840m)

- 2023/24 income generated (-£0.545m)
- 2024/25 income generated (-£0.309m)

2.10. *Proposal 9:*

- ix. Subject to the approval of Proposal 8 above, to install 65 bike hangars in vacant estate parking bays in 2022/23, reducing fire risk by providing a secure space in line with Proposal 5, at £25 for residents to park their bikes away from corridors and walkways.
 - 2022/23 one-off cost (+£0.299m)
 - 2023/24 income generated (-£0.008m)
 - 2024/25 income generated (-£0.008m)

2.11. *Proposal 10:*

- x. Subject to the approval of Proposal 8 above, to fund 6 Fixed Term posts over the three years, to combat HRA building repairs backlogs and tackle cold, damp, and mouldy homes
 - 2022/23 cost (+£0.265m)
 - 2023/24 cost (+£0.270m)
 - 2024/25 cost (+£0.276m)

2.12. *Proposal 11*

- xi. Subject to the approval of Proposal 8 above, to create a two-year fund for estate improvements to tackle cold, damp and mouldy homes
 - 2022/23 cost (+£0.241m)
 - 2023/24 cost (+£0.241m)

2.13. *Proposal 12*

- xii. Subject to the approval of Proposal 8 above, to create a green transport transition fund for key workers affected by proposal 8
 - 2022/23 cost (+£0.034m)
 - 2023/24 cost (+£0.041m)
 - 2024/25 cost (+£0.041m)

- 2.14. To delegate authority to the Corporate Director of Resources, in consultation with the Executive Member for Finance, Performance and Community Safety, to make any changes to the General Fund cash limits and prudential indicators contained within the report 'Budget Proposals 2022/23 and Medium-Term Strategy', as necessitated by any of the agreed changes arising from this report.

3. REVISED GENERAL FUND BUDGET PROPOSALS 2022/23

GENERAL FUND REVENUE SAVINGS PROPOSALS

- 3.1. **Proposal 1: Increase all parking permit bands for residents, so that the cheapest band is £150 per year, £3 per week, as recommended in the CPRE London Parking Policy Benchmark Assessment Tool. This represents an**

increase of 400%, which is applied to all other parking bands.

- 3.2. The introduction of this policy is to support the councils' work to reduce air pollution and carbon emissions from transport by helping reduce car use and ownership in the borough and ensuring the cost of parking a bicycle in Islington is never higher than one sixth of the cost of parking a car as recommended by CPRE London. The annual cost for space to park a single bike in a bike hangar for a resident is £112.20 per annum with an additional charge for a key deposit. Although, Proposal 5 of this budget amendment proposes to reduce this cost to £25.
- 3.3. The policy includes electric vehicles (EVs) which like petrol and diesel vehicles contribute to road danger and congestion. EVs also create health damaging PM2.5 particle pollution from tyre wear.
- 3.4. Electric motorbikes are not mentioned specifically in the fees and charges schedule. They are extremely carbon and energy efficient vehicles so the 400% uplift on all parking fees will not apply.
- 3.5. As a result of this proposal, the lowest residential permit band (EV) and band A petrol and diesel will increase from a £28, and £33 charge respectively to £150 per annum and similarly all other bands are increased by 400%. This seeks to encourage more environmentally friendly and less polluting methods of travel by our residents.
- 3.6. The Council budget proposal does not include an increase in parking permit fees in line with the CPRE London Parking Policy Benchmark Assessment Tool. Based on current trends for residential permit sales, this would provide surplus income to the Council of £11.844m in 2022/23 assuming a 20% shift to lower bands as motorists behaviour changes in line with the new policy each year. Therefore, the surplus income will reduce to £11.333m in 2023/24 and £10.842m in 2024/25.
- 3.7. Any additional income from this new policy will be used for transport related council activities as governed by the Road Traffic Regulation Act 1984.
- 3.8. **Proposal 2: To agree to undertake and fund a consultation in 2022/23 to remove the 5% contribution by residents eligible for full council tax support and if agreed, to implement from 2023/24**
- 3.9. The Council's budget proposal reduces from 8.5% to 5% the council tax contribution by people eligible for full council tax support, currently 26,522 households. If, following consultation, this proposal is agreed, it will allow residents who are eligible for full council tax support currently paying 5% towards their council tax bill, to contribute nothing in 2023/24 and in subsequent years. In 2022/23 a consultation on this change will take place to ensure it is implemented in 2023/24.
- 3.10. The scheme will reduce the debt burden on Islington's poorest residents and improve their financial health.
- 3.11. To extend the current scheme to cover all eligible residents, rather than just those of pensionable age, would cost a further £1.180m and will be funded by reallocating general fund budgets currently supporting Public Realm following implementation of Proposal 1 above. If agreed, the proposal would be effective from the beginning of the 2023/24 financial year.
- 3.12. **Proposal 3: To pilot a three year Basic Income trial for the cohort of Care Leavers turning eighteen within Islington 2022/23**
- 3.13. Islington Council recognises that we currently have a cost-of-living crisis, due to

ongoing rises in inflation and energy prices in the wake of the Coronavirus Pandemic. Therefore, this proposal seeks to commission a three-year trial of Basic Income for the cohort of care leavers turning eighteen in 2022/23.

- 3.14. Each financial year, a new cohort of care leavers exits the care system and this proposal seeks to provide a basic income for this cohort of young people who have been in the care of the council to help them get established independently. This will be a three-year trial at the London Living Wage, which is universally believed to be the amount an individual in London should receive in order to meet basic needs and be above the poverty line.
- 3.15. The cost to the council for the trial during 2022/23 will be £19,747 per participant, rising by an assumed 2% rate of inflation per annum. Based on the estimated cohort for those turning eighteen in 2022/23, the respective costs during financial years 2022/23, 2023/24 and 2024/25 are estimated to be £2.686m, £2.739m and £2.794m.
- 3.16. The proposal creates four 3-year fixed term posts as Benefit Officers, to assist those within the trial, providing practical financial support and advice. These will be graded as SO1, costing the council a total of £504,867 over the three years.
- 3.17. This proposal will be funded by reallocating general fund budgets currently supporting Public Realm following implementation of Proposal 1 above.
- 3.18. **Proposal 4: To commission a study into the potential for varying charges for residential parking permits for Electric Vehicles (EVs)**
3.19. This proposal will complement the Council's public health work introducing low traffic neighbourhoods and reducing health impacts of air pollution through transport policy.
- 3.20. EVs do not emit Nitrogen Dioxide like fossil fuelled cars but still produce health damaging PM2.5 particle pollution from tyre and road wear. Larger, heavier EVs create more PM2.5 particle pollution than smaller vehicles. To support the council's net zero policies, council parking charges should discourage purchase of larger EVs.
- 3.21. The council anticipates an increasing percentage of EVs parking on street as residents change cars in response to the ULEZ introduced in October 2021. Parking charging policy should be updated to incentivise purchase of smaller EVs.
- 3.22. The one-off funding of £15,000 will be allocated to commission a study into the potential to introduce differential pricing for residential permits for on-street EV parking from next year.
- 3.23. The study will look at using battery capacity or weight of vehicle to create three bands of EVs to encourage the purchase of smaller lighter vehicles rather than larger, heavier, high performance electric cars. The proposed battery capacity bands are 0-35 kWh, 36-70 kWh and over 70 kWh. The lowest band would capture a Nissan Leaf and the upper band a Tesla allowing the council to charge parking fees for larger EVs to reflect the carbon emissions used in the construction and operation of the vehicle, the road danger relative to weight and size and the higher PM2.5 tyre wear pollution due to the weight of the car and its battery.
- 3.24. The study would liaise with the Department for Transport to establish whether any new EV banding systems for charging purposes (e.g. parking or road user charging) are already being explored.
- 3.25. This proposal will be funded by reallocating general fund budgets currently supporting

Public Realm following implementation of Proposal 1 above.

- 3.26. **Proposal 5: To agree to reduce the cost of parking a bike in a bike hangar to support the roll out of low traffic neighbourhoods (LTNs) so that the cost is one sixth of the cost of parking a car in the lowest parking band.**
- 3.27. By March 2022, the Council will have installed 400 bike hangars across the borough with each holding six bike spaces. These are being charged at £112.20 per bike per annum.
- 3.28. The lack of a safe place to lock up a bike at night is a barrier to cycling. To support the council's policies enabling a shift from driving to walking and cycling, access to secure cycle storage will be made more affordable, so the cost of parking a bike in a bike hangar will be reduced to £25 per annum or about 50p a week. In conjunction with proposal 1, this will ensure the cost of parking a bike is one sixth of the cost of the cheapest annual car parking permit and will bring the Islington price more in line with neighbouring boroughs.
- 3.29. The council has committed to increasing bike hangars by 100 units per year, and therefore the knock-on effect of reducing the bike hangar charge will increase.
- 3.30. This proposal will reduce income to the Council by £0.209m in 2022/23, (based on occupancy rate of 80% bikes), £0.251m in 2023/24 and £0.293m in 2024/25.
- 3.31. This proposal will be funded by reallocating general fund budgets currently supporting Public Realm following implementation of Proposal 1 above.
- 3.32. **Proposal 6: To agree to invest in the installation of an additional 300 bike hangars per annum across the Borough.**
- 3.33. There is a list of over 8,000 people waiting for bike hangar parking in Islington.
- 3.34. To support the Council to meet its net zero 2030 ambition and to underpin the Low Traffic Neighbourhood roll out, this proposal will provide a further 900 bike hangars, contributing an additional 5,400 spaces to park a bike by 2024/25.
- 3.35. This proposal will cost the Council £4.140m in installation costs, and £0.216m in additional income following the implementation of Proposal 5 above (£25 per bike hangar place). Therefore, the total cost of this proposal will be £3.924m. This will be funded by reallocating general fund budgets currently supporting Public Realm following implementation of Proposal 1 above.
- 3.36. **Proposal 7: Subject to the approval of Proposal 1 above, to create a Climate Emergency Transport Fund for measures to support the roll out of low traffic neighbourhoods, in particular, interventions on main boundary roads and provision of community parklets along with support for low income households to transition to greener transport options in light of increased car parking costs.**
- 3.37. This proposal seeks to create a Climate Emergency Transport Fund of £7.425m in 2022/23, £5.687m in 2023/24, and £5.132m in 2024/25. This will be for measures to support the roll out of low traffic neighbourhoods (LTN), in particular, interventions on main boundary roads and provision of community parklets.
- 3.38. This fund will support the council in its efforts to reduce transport carbon through the roll out of the people friendly streets schemes. Funding will be focussed on main roads

that are LTN boundaries to make them less hostile and easier to cross for people walking and cycling with Copenhagen crossings over side streets, benches, extra trees, new pedestrian crossings and pop up bike lanes.

- 3.39. The fund will also support community led greening measures like establishing parklets and pocket parks.
- 3.40. The Climate Emergency Transport fund will provide support for low income households to transition to greener transport options and to bridge the transition to higher parking costs.

4. REVISED HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2022/23 HRA Proposals

- 4.1. **Proposal 8: To bring all HRA estate car parking for non-service charge payers in line with Pay & Display fees across the borough. This will support the council's 2030 climate emergency goals, along with traffic and air pollution reduction targets**
- 4.2. The introduction of this policy is to support the councils' work to reduce air pollution and carbon emissions from transport by helping reduce car use and ownership in the borough and encourage those who commute to do so via public transport.
- 4.3. HRA estate parking bays are currently rented out to Non-Resident occupiers. People parking vehicles with the largest CO₂ emission impact (Band D), currently pay £1,002.56 per annum for a 24/7 estate parking bay space in Islington. This is less than £3 a day or £19.28 per week and significantly below market rates.
- 4.4. The proposal will seek to bring these charges in line with Pay & Display (P&D) prices in the borough. The lowest cost alternative parking is 10-2pm pay and display typically in areas near tube stations to discourage commuter parking. The policy adds the price of parking in a 10-2pm resident permit area for five days per week, using a P&D Band 1 charge for HRA band A vehicles, and up to P&D Band 7 for the highest band D.
- 4.5. Therefore, a Non-Resident occupying a dedicated HRA estate-parking bay with a band A car will pay £1,694.16 per annum or £4.65 per day or £32.58 per week and a band D car will pay £5,370.56 per annum or £14.75 per day or £103.28 per week.
- 4.6. As result of the introduction of this policy, it had been assumed there will be a 20% reduction in demand per annum, due to the increase in price. Therefore, this will generate £0.840m surplus income in 2022/23 by adding the cost of four hours, five days a week (P&D) to the current amount charged by the HRA. This will reduce to £0.545m in 2023/24 and £0.309m in 2024/25.
- 4.7. **Proposal 9: Subject to the approval of Proposal 8 above, to assign the additional income generated within the HRA to install 65 bike hangars in vacant bays in 2022/23, reducing fire risk by providing a secure space in line with Proposal 5, at £25 for residents to park their bikes away from corridors and walkways.**
- 4.8. The HRA currently has 1,317 vacant car parking bays and a lack of secure bike parking for residents.

- 4.9. The cost to install one bike hangar is £4,600 so this proposal would seek to install 65 new bike hangars in 2022/23 at a cost of £0.299m.
 - 4.10. 65 bike hangars, would provide 390 extra secure bike parking spaces which would be available at a price of £25 per annum in line with Proposal 5.
 - 4.11. This proposal will be funded by the additional income generated within the HRA following implementation of Proposal 8 above.
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- 4.12. **Proposal 10: Subject to the approval of Proposal 8 above, to fund 6 Fixed Term posts over the three years, to combat HRA building repairs backlogs and tackle cold, damp and mouldy homes**
 - 4.13. Six new three year fixed term posts will be created to increase HRA capacity to deliver cyclical maintenance on estates in a timely way to avoid delay to maintenance causing repair costs to rise due to deterioration of building fabric.
 - 4.14. This will include five officers graded SO1, and one manager graded at PO5 to oversee.
 - 4.15. This extra officer capacity would also administer the funds in proposals 11 and 12.
 - 4.16. The additional staff would cost £0.811m over the three financial years, and the proposal will be funded by the additional income generated within the HRA following implementation of Proposal 8 above.
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- 4.17. **Proposal 11: Subject to the approval of Proposal 8 above, to create a fund for estate improvements to tackle cold, damp and mouldy homes**
 - 4.18. The Council has a duty to ensure that homes are fit for habitation.
 - 4.19. Many council homes have ongoing problems with condensation and black mould. This is caused by excess moisture in the air coming into contact with cold surfaces and is worsened by lack of ventilation and poor insulation.
 - 4.20. A two-year fund of £0.241m per annum will be created in 2022/23 to address mould and condensation installing active ventilation systems, prioritising over-crowded households where the negative impact of condensation on health is greatest. This fund will be available also in 2023/24.
 - 4.21. This proposal will be funded by the additional income generated within the HRA following implementation of Proposal 8 above.
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- 4.22. **Proposal 12: Subject to the approval of Proposal 8 above, to create a green transport transition fund for key workers affected by proposal 8**
 - 4.23. A fund will be created to ensure keyworkers have access to affordable parking if they currently use an estate parking bay and need to use a vehicle in order to carry out their job. Help will also be provided to switch to a lower band car or to get an e bike.
 - 4.24. The fund will be £0.034m in 2022/23, and £0.041m in 2023/24 and 2024/25.

5. MATTERS TO CONSIDER IN SETTING THE BUDGET

COMMENTS OF THE SECTION 151 OFFICER

- 5.1. The Council when determining the Budget and thereby the level of Council Tax must take into account the report of its Section 151 Officer. The report must comment on

the robustness of the estimates included in the budget and parallel consideration on the adequacy of the Council's proposed reserves. This section of the report includes consideration of these specific areas and enables the authority to discharge its duty to take account of the statutory report under section 25(2). **These comments are provided in addition to those in the substantive report 'Budget Proposals 2021/22 and Medium-Term Financial Strategy' and relate to the proposals within the Opposition Budget.**

- 5.2. It is the opinion of the Section 151 Officer that the estimates for 2022/23 have been prepared on a robust basis, and further that where there are uncertainties, for instance on the levels of service demand, that these can be covered by the corporate contingency. The funding of proposals in this budget report are reliant on Proposal 1 and 8 being agreed that would allow for the release of funding to fund Proposals 2 to 7 and 9 to 12 respectively on a balanced budget basis.
- 5.3. The Section 151 Officer is required to report to the authority, when it is making the statutory calculations required to determine its council tax, on the estimates included in the budget and the adequacy of the reserves the budget provides for. The level of general balances is set in the context of the prevailing financial climate within local government, the level of risk facing the authority and the sustained improvement in our financial standing in recent years.

COMMENTS OF THE MONITORING OFFICER

- 5.4. In considering whether to adopt the amendments to the budget proposals contained within this report, members should have regard to the considerations set out in the main budget report.
- 5.5. **Proposal 1**
The Council has discretion as to the charges it fixes for annual parking permits (section 46 of the Road Traffic Regulations Act (1984 Act)). In exercising its power to charge, the Council must have regard to Section 122 of the 1984 Act. That section imposes a duty on the council to exercise its power to charge (so far as practicable having regard to the matters specified below to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The matters specified are:
 - (a) the desirability of securing and maintaining reasonable access to premises;
 - (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;
 - (b) The strategy prepared under Section 80 of the Environment Act 1995 (national air quality strategy);
 - (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; and
 - (d) any other matters appearing to the local authority to be relevant.

Further, in setting charges, the council must have regard to the Mayor of London's Transport Strategy (sections 142 and 144(1)(a) Greater London Authority Act

- 1999). That strategy emphasises the importance of reducing car use and encouraging cycling, walking and use of public transport.
- 5.6 Case law has established that although section 122(2) (d) permits a local authority to take into account any other matters appearing to it to be relevant, it does not allow the local authority, to fix charges for parking, with the motive of generating additional income for other authority purposes.
- 5.7 However, the Courts have also made clear that the creation of a surplus from increased parking charges will not of itself be unlawful provided that the primary motivation for/or intention of the increase is the achievement of objectives which are consistent with the duty in section 122. Accordingly, the proposal would, if adopted, *probably* be lawful as the primary motivation for the increase in charges is to discourage the use of cars in accordance with the Mayor of London's Transport Strategy and thereby reduce air pollution and carbon emissions from transport.
- 5.8 Surplus income arising the proposed increase in the charges for parking permits may only be used for the purposes specified in section 55 of the 1984 Act. These purposes are off street car parking, public passenger transport services, highway or road improvement, maintenance of roads, environmental improvement and anything which facilitates the implementation of the London transport strategy. Accordingly, if existing public realm spending is permitted to be funded from the projected surplus, then that surplus funding will be spent on public realm matters which are currently being paid for out of the General Fund, and so there is a reallocation of the latter monies which can then be spent on proposals 2 and 3.

5.9 **Proposal 2**

It is proposed to consult on a revision to the council's Council Tax Reduction Scheme for 2021/22 that, if approved prior to 31 January 2022, would increase the maximum reduction in council tax from 91.5% to 100% from 2022/23.

Before a council tax reduction scheme may be revised, the council must:

- (a) consult any major precepting authority which has power to issue a precept to it,
- (b) publish a draft scheme in such manner as it thinks fit, and
- (c) consult such other persons as it considers are likely to have an interest in the operation of the scheme

(Paragraphs 3(1) and 5(5) Schedule 1A Local Government Finance Act 1992)

The method of consultation is not specified in the act or guidance. It is therefore suggested the consultation be advertised in the local press and the Council's publications and website. In addition, that a percentage of Council Tax Reduction recipients and Council Tax payers not receiving a reduction be consulted by email.

5.10 **Proposal 3**

The Council may employ such staff as it considers necessary to support the Basic Income trial (section 112 Local Government Act 1972). The Council may establish and fund the trial for care leavers (section 1 Localism Act 2011).

5.11 **Proposal 4**

Sections 45 and 46 of the Road Traffic Regulation Act 1984 (the Act) enables the Council to fix differential parking charges for different classes of vehicle, including by reference to their level and type of emissions. Accordingly, the Council may commission a study to investigate the feasibility of introducing charges for residential parking permits according to the battery capacity of electric vehicles (section 111 Local Government Act 1972).

5.12 **Proposal 5**

Section 32 of the Road Traffic Regulation Act 1984 enables the council to make an order providing on street parking places for vehicles. This power extends to installing, in roads or elsewhere, stands or racks for, or devices for securing, bicycles. (section 63 of the 1984 Act). The power to charge for on street parking is contained in section 35 of the 1984 Act. The Council has a discretion as to the level of charges, and the purpose of encouraging the roll out of LTNs in the borough is a proper and reasonable one.

5.13 **Proposal 6**

Section 32 of the Road Traffic Regulation Act 1984 enables the council to make an order providing on street parking places for vehicles. This power extends to installing, in roads or elsewhere, stands or racks for, or devices for securing, bicycles. (section 63 of the 1984 Act).

5.14 **Proposal 7**

The Council has a number of powers available to create low traffic neighbourhoods: see e.g. section 6 of the Road Traffic Regulation Act 1984, read with section 122.

5.15 **Proposal 8**

The Council can in its capacity as a local housing authority and landowner charge non-residents to use estate parking bays, especially where there is surplus capacity in that the parking bays are not required by housing residents. The level of charge will be lawful so long as it is not *irrational*. The proposed equalisation of the estate charges with those charged by Pay & Display elsewhere in the borough would meet the test of rationality. Sums raised from the charges is properly attributable to the Housing Revenue Account as these are sums falling to be credited in respect of land which has been acquired or appropriated for the purposes of Part II of the Housing Act 1985 (the provision of housing): section 74(1)(b) of the Local Government and Housing Act 1989. The money raised from the increase is intended to be spent on matters which are also related to that land.

5.16 **Proposals 9 – 11**

The monies raised from Proposal 8 will be credited to the Housing Revenue Account. The sums to be spent on Proposals 9 to 11 are connected with land which has been acquired or appropriated for the purposes of Part II of the Housing Act 1985 (the provision of housing): section 74(1)(b) of the Local Government and Housing Act 1989. The sums to be spent can therefore be lawfully debited to the Housing Revenue Account. The particular focus of the expenditure is lawful from a rationality perspective, as are the amounts to be spent.

5.17 Proposal 12

Insofar as the expenditure on this matter is for persons who work on the Council's estate of housing, this would probably be lawful as it would be connected with land which has been acquired or appropriated for the purposes of Part II of the Housing Act 1985 (the provision of housing): section 74(1)(b) of the Local Government and Housing Act 1989. The expenditure would facilitate the performance of the work on the Council's estate. Insofar as it was proposed to be spent on other workers, it would not fall within section 74(1)(b) and so could not be spent from the Housing Revenue Account, and would therefore be unlawful. Funding would need to come from the Council's General Fund if it was to be lawful expenditure. Further, supporting greener transport options facilitates the implementation of the Mayor of London's Transport Strategy (see paragraph 5.8 above), and support for car parking charges for those on low incomes would fall within the discretion as to the level of charges (see paragraph 5.11 above).

6. EQUALITIES IMPACT ASSESSMENT

- 6.1. The Equality Act 2010 sets out the requirement for the Council to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.2. An Equalities Impact Assessment (EQIA) of the 2022/23 budget is set out at Appendix G. to the 'Budget Proposals 2022/23 and Medium-Term Financial Strategy' report. It is supplemented by detailed EQIAs of major proposals at departmental level. These demonstrate that the Council has met its duties under the Equality Act 2010 and the Child Poverty Act 2010.
- 6.3. This amendment does not impact on the original Equalities Impact Assessment report at Appendix G to the 'Budget Proposals 2022/23 and Medium-Term Financial Strategy' report so the original assessment is still considered valid.
- 6.4. **Proposal 1**

Increase in parking permits bands will have an impact on residents, particularly those that own cars and are struggling financially in the current climate. The reinvestment of any funds would have positive impacts on some groups but these would need to be considered in a more detailed equality impact assessment to allow for a full consideration of the impact.

6.5. Proposal 2

This proposal would help families on low incomes and those burdened with debt to pay nothing towards their council tax bill.

6.6. *Proposal 3*

This proposal will have a positive impact of care leavers

6.7. *Proposal 4*

Undertaking this study would not, in itself, have any equality implications. Any changes proposed following the study would go through the Council's governance processes and have an EQIA completed at that stage.

6.8. *Proposal 5*

This proposal will need to be considered alongside wider LTN proposals but would benefit bike users

6.9. *Proposal 6*

This proposal would benefit residents across the borough. Consideration would need to be given to the location of the bike hangers and any accessibility issues.

6.10. *Proposal 7*

This proposal has no adverse equalities impacts. However, the fund would be created from the funds as a result of increase in parking charges (proposal 1) which may have negative impacts on some residents. The Climate Emergency Transport fund will provide support for low income households to transition to greener transport options and to bridge the transition to higher parking costs.

6.11. *Proposal 8*

This proposal doesn't seem to have adverse impacts on any particular groups. A full EQIA would be needed to properly consider the impact of this proposal in more detail.

6.12. *Proposal 9*

No obvious adverse impacts on any protected groups as a result of this proposal. Any installation of bike hangers would need to consider accessibility to ensure these are suitably located and don't cause obstructions particularly for those with disabilities.

6.13. *Proposal 10*

The proposal to create new posts won't have any negative impacts. There may be positive impacts for residents as a result of clearing the housing repairs

backlog

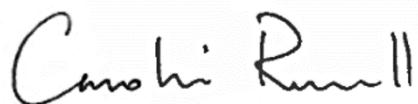
6.14. **Proposal 11 – 12**

Proposals 11-12 don't appear to have negative impacts on any protected groups and should have some positive impacts for some residents and key workers.

Background papers:

None Final Report Clearance

Signed by



Councillor Caroline Russell

Date: 23/02/2022

Appendices:

Appendix 1 – Opposition Budget Assumptions

Responsible Officer:

Steve Key (Director, Service Finance)

Report Authors:

Ellena Smith, Graduate Finance Trainee

Sophie Stoprya, Graduate Finance Trainee