



Mayor and Cabinet

Response to the Sustainable Development Select Committee's comments on emissions-based short stay and motorcycle parking charges and Consultation Report

Date: 12/01/2022

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Head of Commercial Operations and Development

Outline and recommendations

This report provides officer responses to the comments raised by the Sustainable Development Select Committee (SDSC) on 30th June regarding emissions-based short stay and motorcycle parking charges.

It also presents the results of the motorcycle parking charge public consultation and a new proposed pricing structure, for which this report requests approval, subject to statutory Traffic Management Order (TMO) consultation.

It is recommended that Mayor and Cabinet:

- Consider officer responses and report to the SDSC.
- Consider the results and feedback from the public consultation.
- Approve a requirement for motorcycles to hold a valid permit or parking session to park in any permit holder, shared use, or short-stay parking bays, subject to statutory consultation via the TMO process.
- Approve a new proposed pricing structure for motorcycle parking charges, subject to statutory consultation via the TMO process.
- Delegate authority to the Executive Director of Housing, Regeneration and Public Realm to consider the outcome of the TMO statutory consultation process and whether to approve the implementation of the new scheme.

Timeline of engagement and decision-making

30th Jun – SDSC meeting, in which emissions-based short stay and motorcycle parking charges were discussed and comments were raised

14th Jul – Mayor and Cabinet meeting, in which proposals were approved

12th Jan – Mayor and Cabinet meeting, in which officers will respond to SDSC's comments, present the consultation results and seek approval for the new proposed charges, subject to statutory Traffic Management Order (TMO) consultation

1. Summary

- 1.1. On Wednesday 30th June 2021, the Sustainable Development Select Committee (SDSC) considered a report from officers on emissions-based short stay and motorcycle parking charges. The Committee reflected on the contents of the report and received a presentation from the Head of Commercial Operations and Development. Following questions, the Committee agreed to refer its views to Mayor and Cabinet.
- 1.2. On Wednesday 14th July 2021, a report was presented to Mayor and Cabinet, in which the proposals to introduce emissions-based short stay and motorcycle parking charges were approved. Within this meeting, the introduction of motorcycle parking charges was approved, subject to public consultation.
- 1.3. Councillor Louise Krupski presented the SDSC's comments during the Mayor and Cabinet meeting, and a report containing the SDSC's views was later presented to officers for a formal response.
- 1.4. In this report, officers will provide a response to the SDSC's suggestions, for consideration by Mayor and Cabinet. This report also provides the results of the consultation, as well as a new parking structure based on feedback received, for which this report seeks approval, subject to statutory Traffic Management Order (TMO) consultation.

2. Recommendations

- 2.1. It is recommended that Mayor and Cabinet:
 - Consider officer responses and report to the SDSC.
 - Consider the results and feedback from the public consultation.
 - Approve a requirement for motorcycles to hold a valid permit or parking session to park in any permit holder, shared use, or short-stay parking bays, subject to statutory consultation via the TMO process.
 - Approve a new proposed pricing structure for motorcycle parking charges, subject to statutory consultation via the TMO process.
 - Delegate authority to the Executive Director of Housing, Regeneration and Public Realm to consider the outcome of the TMO statutory consultation process and whether to approve the implementation of the new scheme.

3. Sustainable Development Select Committee (SDSC) Views and Officer Responses

SDSC comment 1:

- 3.1. *The Committee recommends that further consideration should be given to the*

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appropriate level of emissions based charging for vehicles that have converted to liquid petroleum gas - in order to incentivise behaviour change.

Officer response 1:

- 3.2. The emissions of a vehicle will be checked via Experian and will return the most up-to-date vehicle information at the time. Whether vehicles that have been converted to liquid petroleum gas (LPG) are judged based on their new emissions will be dependent on whether the DVLA records have been updated.
- 3.3. It will be possible for customers to manually update vehicle information, should they be able to prove that the DVLA information is incorrect.
- 3.4. Communication is ongoing regarding whether there will be a way to ensure that LPG vehicles will be charged based on their new emissions rather than their old ones.
- 3.5. However, this will be held under constant review, and once the scheme has been implemented, a fully comprehensive review will take place to determine the positive and negative impacts of introducing these charges. During this review, officers will establish whether these proposals have encouraged behaviour change and the take up of lesser polluting vehicles.

SDSC comment 2:

- 3.6. *The Committee believes that there should be a considered campaign of engagement about the change to cashless payments with groups of people (particularly those who are elderly or disabled) who may continue to use cash payments for parking. The Committee also asks that further thought is given to those parking places in the borough that are not close to shops or pay points for parking payments using cash.*

Officer response 2:

- 3.7. As part of the Traffic Management Order (TMO) amendment process for emissions-based short stay parking charges and the cashless system, the public was notified in local newspapers about the proposals to implement emissions-based short stay parking, and a cashless system to facilitate this. Notices were also posted in all on- and off-street parking places as part of the statutory consultation process.
- 3.8. Once the implementation process commences, officers will liaise with the Council's media and communications department in order to create a targeted campaign in order to contact the members of the public stated above. Consideration will be taken to ensure that these members of the public are informed of their options going forward when using paid for short stay parking bays.
- 3.9. Prior to the removal of the machines, signage will be implemented, warning users that the machines will soon no longer be available to pay for their parking. Previously, when machines have been removed, a telephone number has been provided which allows users to speak to a customer service officer, who can talk them through how to pay.
- 3.10. Once the emissions-based system goes live, users will be able to pay for their parking in nearby shops that offer a PayPoint payment option if they wish to pay for their short stay parking with cash. Customers will be able to pay by card or cash in shops that offer a PayPoint payment option, once they have completed a cash transaction.
- 3.11. Parking locations and nearby PayPoint shops have been cross-referenced to determine the distance. There are a handful of locations, such as some paid for on-street parking bays in Blackheath and the car park in Beckenham Place Park, where the shops are a fair distance from the pay machines. This will be held under constant review.

SDSC comment 3:

- 3.12. *The Committee recommends that Mayor and Cabinet should take a robust approach*

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with Transport for London about the lack of parking enforcement on the borough's red routes.

Officer response 3:

- 3.13. On 15th July 2021, a meeting was held to discuss enforcement on TfL managed roads throughout the borough. Rushey Green was raised as the main 'problem area', on which several motorcycles were parking illegally without being enforced. TfL officers raised the issue that motorcycles often displace themselves onto borough roads, and that enforcement support would assist with this.
- 3.14. To support TfL officers, joint enforcement was planned for August 2021, but as this did not go ahead, a further meeting occurred on 5th October 2021. Several joint enforcement patrols were then agreed and took place over October and November 2021.
- 3.15. Within the first few joint patrols, it was not felt that the situation was improving. However, after an interim meeting, enforcement increased. Once all joint working patrols took place, a review meeting was held on 23rd November, in which it was presented that there had been a noticeable reduction in the number of motorcycles parking illegally on the pavement in Rushey Green. The situation continues to be monitored, and more joint working patrols are being organised for the future.
- 3.16. TfL have also been informed of the proposed changes to motorcycle parking, so that they are aware that this may affect illegal pavement parking issues on TfL managed roads within the borough.

SDSC comment 4:

- 3.17. *The Committee also recommends that businesses should be held to account for inconsiderate parking outside of their premises – and that the Council should explore the options for levying fines and penalties on those premises that fail to take action.*

Officer response 4:

- 3.18. A letter was sent to restaurants that utilise delivery services across the borough, informing them of the parking issues that we are facing across the borough and requesting that they warn drivers not to park on the pavement outside their restaurants. Although the Council recognises that many delivery drivers are not directly employed by these restaurants, we asked for their assistance in tackling this.
- 3.19. During the meeting held regarding illegal pavement parking on Rushey Green on 15th July, TfL raised the issue that some restaurants had placed stickers outside their restaurant, which told delivery drivers where to stand when collecting food, and TfL believed that this was encouraging delivery drivers to park on the pavement. Within the letter that was issued to restaurants, the Council requested that restaurants remove any stickers of this description and have since been informed that they have been removed as a result of the letter.
- 3.20. The letter was also issued to fast food organisations who operate within Lewisham. A positive response was received by one of the organisations, who stated that although their riders are self-employed, when they choose to ride for them, they do so under a rider contract that makes it clear they must complete orders in a legal manner. This includes following the Highway Code, complying with parking restrictions, and respecting pedestrianised areas, and when they identify riders who fail to meet this standard, they will take action. As a result of the letter sent to them, the delivery organisation sent out internal communications to riders in the Lewisham area to remind them to follow the Highway Code and that pavements must not be used to park, especially by those on motorcycles.
- 3.21. This will be kept under review, and if it is found that further communications need to take place with these restaurants, a further letter will be issued.

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SDSC comment 5:

- 3.22. *The Committee would welcome an awareness raising campaign regarding the proposed implementation of the new rules. Following this the Committee believes that there should be firm enforcement of the new charges.*

Officer response 5:

- 3.23. A consultation email address, motorcycleparkingconsultation@lewisham.gov.uk, was set up for any queries. Save London Motorcycling, a motorcycling lobbyist group, submitted their concerns via this email address, and as a result met with Council officers to discuss their concerns about the proposals to introduce motorcycle parking charges.
- 3.24. Before pay machines are removed, temporary signage will be posted to inform users that a cashless system will soon be implemented. The signage will inform customers that pay machines will be removed and cash payment options will soon be available in PayPoint locations nearby. Following this, permanent signage will be implemented which will inform customers of the nearest shops to pay by cash, should they wish to.
- 3.25. Before implementation of the cashless system and emissions-based charging system for paid for parking, Council officers will advertise how residents can make payment for parking.
- 3.26. Council officers will consider ensuring that those who commit a contravention under the proposed new rules are first made aware of the contravention, and once they do not comply, strong enforcement will be employed.
- 3.27. The parking enforcement contractor's Civil Enforcement Officers (CEOs), Notice Processing and Complaints teams will be made aware of the changes and if there are any 'concessions' for first-time contraventions before a stricter stance is taken. This will be communicated to teams.

SDSC comment 6:

- 3.28. *The Committee believes that careful consideration should be given to the future locations of electrical charging points in order to avoid restricting pedestrian access and/or (existing or planned) provision for cyclists.*

Officer response 6:

- 3.29. The Council takes pedestrian safety seriously and therefore adheres to highway safety standards to minimise pedestrian and cyclist impedance as much as practically possible.
- 3.30. A 1.8m minimum footway width between a charging point and the back of the footway is generally maintained. In some extreme cases, where there is a large demand for a charge point in a congested or otherwise tricky site where some impedance is unavoidable, a 1.6m clearance is used.
- 3.31. There has been a reluctance to impose buildouts in order to refrain from impacting the viability of any future cycle routes. Therefore, all our chargers are on the footway or in car parks. Moreover, we have limited the number of charging points on busy cycle routes, given the impact of these on the comfortable use of the route for cycling in some cases.
- 3.32. In future, the hope is that the two forms of alternative sustainable transport can be accommodated either with buildouts and protected parking or by some other means so as to promote both modes of transport in the borough.

4. Motorcycle Parking Charge Consultation

- 4.1. On 14th July 2021, Mayor and Cabinet approved the introduction of motorcycle parking

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charges, subject to public consultation.

Consultation results

- 4.2. The consultation ran from 9th August to 1st November 2021. During the first week of the consultation, it was noticed that the phrasing of some of the questions might have been confusing or vague to responders. Therefore, liaison with other departments took place to gain perspective regarding how the questions could be improved and to ensure that each section and question of the consultation was clear to the user.
- 4.3. The consultation questions were amended on 13th August, to provide more clarity. However, the responses received between 9th and 13th August are included in the evaluation, to ensure that everyone who had their say is included.
- 4.4. 1271 responses were received for this consultation. The full results of the consultation can be found in Appendix A.
- 4.5. To gain an idea of the demographic responding to the consultation, the following questions were asked: "In what capacity are you responding to this consultation?" and "Do you own a vehicle?"
- 4.6. Most respondents were residents of Lewisham, while visitors and commuters to the borough were second and third respectively.

Option	Total	Percent
I live in Lewisham Borough (private residence)	594	46.73%
I live in Lewisham Borough (housing estate)	78	6.14%
I am a business owner in Lewisham Borough	26	2.05%
I work for Lewisham Council or NSL in Lewisham	26	2.05%
I commute within Lewisham Borough	239	18.80%
I visit Lewisham Borough frequently	307	24.15%
I am a Disabled Badge holder	24	1.89%
I am a student	14	1.10%
Other	101	7.95%
Not Answered	103	8.10%

- 4.7. 39% respondents said that they owned a car or a van, 30% respondents owned both a car or van and a motorcycle, and 26% respondents owned a motorcycle.

Option	Total	Percent
Yes - a car or van	491	38.63%
Yes - a motorcycle	336	26.44%
Yes - a car or van and a motorcycle	384	30.21%
No	58	4.56%
Not Answered	2	0.16%

- 4.8. Consideration must therefore be taken for those who may be most affected by the introduction of motorcycle parking charges, residents, visitors and commuters. The number of people who own both a car or van and a motorcycle also indicates that consideration will need to be taken in terms of motorcycle permits, as there will need to be clear rules surrounding those who already own a permit for their car or van.
- 4.9. To determine the current location of most motorcycles being parked, discover where motorcyclists would be most affected, and discuss ways to mitigate the impact, the following question asked was, "If you own a motorcycle, where do you usually park?"

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- 4.10. 28% respondents parked on-street, but not in a bay, 15% respondents stated that they park on their driveway, and 9% respondents park in on-street permit holder bays.

Option	Total	Percent
On-street permit holder bay	115	9.05%
On-street (no bay)	354	27.85%
Driveway	186	14.63%
I do not own a motorcycle	426	33.52%
Not Answered	190	14.95%

- 4.11. To understand how motorcycles are used throughout Lewisham, the following question was asked: "If you own a motorcycle, what do you usually use it for?"
- 4.12. 41% respondents stated that they mainly used their motorcycle for "commuting", 33% responded with "Visiting friends/family", 24% stated that they used their motorcycle for "Shopping", and 5% respondents stated that they use their motorcycle as part of their job for delivery services such as Deliveroo, Just Eat and Uber Eats. Many of these respondents may also use their motorcycle for more than one of these options.
- 4.13. Particular consideration will need to be taken to mitigate the impact of the proposed charges on these groups.

Option	Total	Percent
Commuting	520	40.91%
Visiting friends/family	422	33.20%
Shopping	310	24.39%
As part of my job (delivery services, such as Deliveroo, Just Eat, Uber Eats)	60	4.72%
I do not own a motorcycle	380	29.90%
Other	71	5.59%
Not Answered	233	18.33%

- 4.14. To understand more about the feeling of safety when parking motorcycles in the borough, the following questions were asked: "If you own a motorcycle, do you feel your motorcycle is safe when parking within the Borough?", "If you own a motorcycle, do you feel that lockable solo motorcycle bays would increase the safety and security of your vehicle?" and "Where would you like to see more lockable bays?"
- 4.15. 24% respondents said that they do feel their motorcycle is safe, while 34% respondents said that they do not feel their motorcycle is safe while parking within the borough.

Option	Total	Percent
Yes	309	24.31%
No	432	33.99%
I do not own a motorcycle	410	32.26%
Not Answered	120	9.44%

- 4.16. 41% respondents said they feel lockable bays would increase the safety and security of their vehicle, while 18% said that they felt it would not increase the safety and security of their vehicle.

Option	Total	Percent
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Yes	518	40.76%
No	226	17.78%
I do not own a motorcycle	406	31.94%
Not Answered	121	9.52%

4.17. When asked where they would like to see more lockable bays throughout the borough, 38% respondents said in car parks, and 46% respondents said in on-street bays.

Option	Total	Percent
Car parks	478	37.61%
On-street bays	585	46.03%
Don't know	257	20.22%
Not Answered	271	21.32%

4.18. The answers to the safety and security questions show that currently, many motorcyclists do not feel that their motorcycle is safe when parking in the borough. The rise in those who believed that lockable bays would increase the security of their vehicle shows that the installation of this infrastructure is something that could be considered alongside the introduction of motorcycle parking charges.

4.19. Officers will look into installing lockable bays in car parks and key locations where the uptake of motorcycles would be most prominent. Further investigation will take place regarding the need for on-street lockable bays.

4.20. The next questions in the consultation were asked to determine the opinion on motorcycle parking charges and how they may affect different groups.

4.21. When asked, "Do you agree with the proposed introduction of motorcycle parking charges?" 29% respondents stated that they do agree, while 67% respondents did not agree.

Option	Total	Percent
Yes	373	29.35%
No	848	66.72%
Don't know	24	1.89%
Not Answered	26	2.05%

4.22. When asked whether the proposed introduction of motorcycle parking charges would have a positive or negative impact on current permit holders, 18% respondents said that they felt it would have a positive impact and 58% said that they felt it would have a negative impact. A box was also provided for the responder to explain their reasoning for their choice.

Option	Total	Percent
Positive	229	18.02%
Negative	731	57.51%
Don't know	300	23.60%
Not Answered	11	0.87%

4.23. The next questions were asked to determine the opinion regarding whether respondents thought that the proposed introduction of motorcycle parking charges would have a positive or negative impact on the environment. Respondents were

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asked if they were concerned about air quality, and 52% respondents answered “Very concerned”, 31% respondents answered, “A little concerned” and 9% respondents answered, “Not concerned at all”.

Option	Total	Percent
Very concerned	655	51.53%
A little concerned	388	30.53%
Not concerned at all	116	9.13%
Don't know	9	0.71%
Not Answered	103	8.10%

- 4.24. The answer to this question shows that the majority of respondents feel concerned regarding air quality. However, the answers in the table below show that most respondents felt that the introduction of motorcycle parking charges would have a negative impact on the environment.

Option	Total	Percent
Positive	299	23.52%
Negative	709	55.78%
Don't know	247	19.43%
Not Answered	16	1.26%

- 4.25. A response box was provided to allow respondents to explain their reasoning for their choice.
- 4.26. The next section of the consultation explained who the protected characteristics groups are, in accordance with the Equality Act 2010, and in an effort to gather an idea regarding whether respondents thought that the introduction of motorcycle parking charges would affect protected characteristics groups, the following questions were asked: “Do you believe that the introduction of motorcycle parking charges will have a positive, negative or no impact on the above protected characteristic groups?”

Option	Total	Percent
Positive impact on 3 or more groups	124	9.76%
Positive impact on 1 or 2 groups	52	4.09%
Negative impact on 3 or more groups	280	22.03%
Negative impact on 1 or 2 groups	189	14.87%
No impact on any groups	570	44.85%
Not Answered	56	4.41%

- 4.27. A response box was provided to allow respondents to explain their reasoning for their choice.
- 4.28. After these questions were asked, the monitoring questions finished off the survey, so that the demographic of those who answered the survey would be clear to officers.

Consultation with motorcycle lobbyist groups

- 4.29. During the consultation period, the Council met with representatives from the motorcycle lobbyist groups Save London Motorcycling and the London branch of the Motorcycle Activist Group on several occasions. The first meeting was held on 21st October, and a follow-up meeting was held on 9th November.

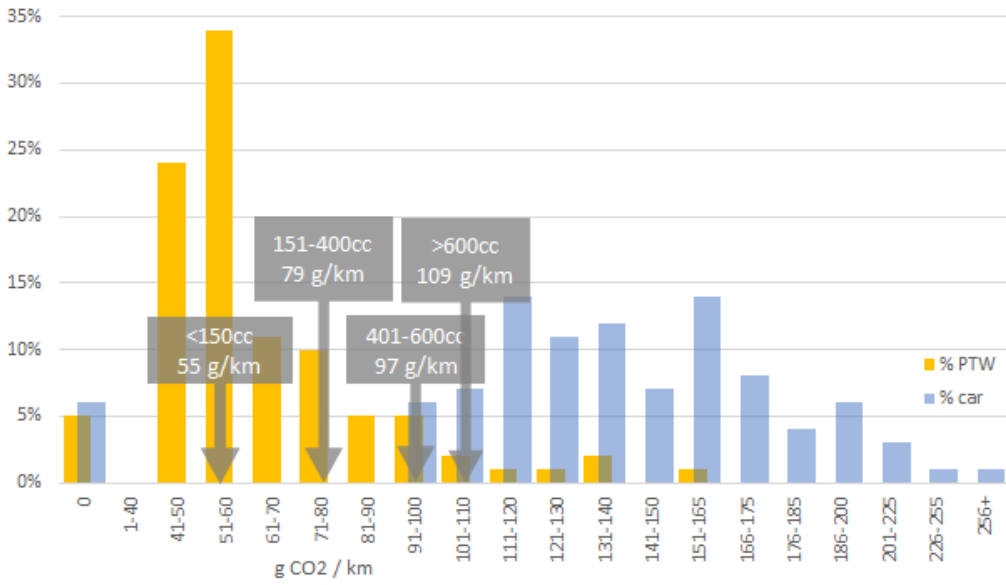
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- 4.30. The meetings were scheduled to discuss concerns that had arisen regarding the proposals to introduce motorcycle parking charges. These concerns included:
- motorcycles take up one-eighth the road space of cars, and therefore should be charged proportionately;
 - motorcycles emit less carbon dioxide than cars, and should be charged proportionately to their impact on the environment;
 - those who do not live in the borough but commute into Lewisham should be able to purchase an affordable daily or weekly pass, particularly as “hybrid-working” is becoming normal as a consequence of the pandemic;
 - the proposed pricing of business permits was too high, and there should be a daily/weekly pass to allow delivery riders especially to carry out deliveries across the borough (based on the Westminster Council model); and
 - motorcycling should be encouraged, as it is seen as a more sustainable form of transport.

4.31. The groups highlighted that one of their main concerns was that the previously proposed pricing model did not charge motorcycles proportionately to their impact on the environment. In the graph below, which was provided by the groups, the yellow bars show where most motorcycles fall in terms of emissions compared to cars (shown by the blue bars), based on primary research traffic surveys of Powered Two Wheelers in London:



- 4.32. This graph illustrates that most motorcycles fall between 0 and 100g/km of CO₂, and it was felt that this demonstrated the need to provide a different banding system for motorcycles than was originally proposed.
- 4.33. Representatives made it clear that their organisations’ policies remain that motorcycles should not be charged to park in Lewisham. However, they proposed a pricing model (which can be found in Appendix B) that they believe is fairer for motorcyclists than the initially proposed prices, and that they feel is more proportionate to motorcycles’ impacts on the environment.
- 4.34. The Council agreed to take into account all points raised by the motorcycle lobbyist

groups when moving forward with these proposals.

5. New proposals

A new proposed pricing structure

- 5.1. Taking into account the Council's aims to contribute to the wider climate change agenda and the concerns raised regarding proportionate pricing for motorcycles based on their environmental impact, this report is requesting approval for a new proposed pricing structure for motorcycle parking charges. The implementation of the new proposed pricing structure would be subject to statutory Traffic Management Order (TMO) consultation.
- 5.2. The initial pricing structure that was proposed and approved by Mayor and Cabinet on 14th July 2021 was based on the HMRC banding of cars, and can be found in Appendix C. The new proposed pricing structure has an amended banding system, which takes motorcycle emissions into account, and the new proposed pricing structure can be found in Appendix D.
- 5.3. As motorcyclists will be paying a proportion of the charge for larger vehicles within the new proposed pricing structure, they would still be required to park perpendicular to the kerb when parking on-street.

Motorcycle Resident Permits

- 5.4. With the previous proposals, motorcyclists that emitted between 0 and 100 g/km of CO₂ would have been expected to pay £75.00 per year for a Motorcycle Resident Permit. The table below shows the new banding for Motorcycle Resident Permits, and the prices that will be charged for 3-, 6- and 12-month Motorcycle Resident Permits.

Band	Engine (cc)	Emissions (g/km CO ₂)	Price (3 months)	Price (6 months)	Price (12 months)
N/A	Electric motorcycle		Free	Free	Free
1	Up to 150	Up to 70	£5.00	£10.00	£20.00
2	151-400	71-90	£7.50	£15.00	£30.00
3	401-600	91-100	£8.75	£17.50	£35.00
4	601+	101+	£10.50	£21.00	£42.00

- 5.5. Most motorcycles would fall into Band 1 or 2, and therefore would pay £20.00 or £30.00 per year for their Motorcycle Resident Permit. Electric motorcycles would need to obtain a resident parking permit in order to park their motorcycle on-street if they live within a Controlled Parking Zone (CPZ). However, this would be free of charge which it is hoped would incentivise movement towards the use of electric motorcycles.
- 5.6. Motorcycle Resident Permits would be valid for parking in Resident Permit Holder only and Shared Use bays. However, as a reminder, motorcycles would still be required to park perpendicular to the kerb when parking on-street.

Motorcycle Essential Health and Hospital Health Permits

- 5.7. Motorcycle Essential Health and Motorcycle Hospital Health Permits would cost the same as a Motorcycle Business Permit, and would allow the motorcyclist to park with

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the same permissions as those with regular Essential Health and Hospital Health Permits. However, motorcyclists must still park perpendicular to the kerb.

- 5.8. The prices for 3-, 6- and 12-month permits are the same as that for Motorcycle Business Permits.

Band	Engine (cc)	Emissions (g/km CO ₂)	Price (3 months)	Price (6 months)	Price (12 months)
N/A	Electric motorcycle		Free	Free	Free
1	Up to 150	Up to 70	£12.50	£25.00	£50.00
2	151-400	71-90	£18.75	£37.50	£75.00
3	401-600	91-100	£25.00	£50.00	£100.00
4	601+	101+	£31.25	£62.50	£125.00

Motorcycle Business Permits

- 5.9. With regards to Motorcycle Business Permits, two main points were raised during consultation that have now been taken into account:
- the price of a business permit was too expensive for delivery riders and businesses who utilise motorcycles; and
 - there should be a daily or weekly pass for commuters as working habits have changed since the pandemic.
- 5.10. The previously proposed structure stated that motorcycles that fell into the 0-100 g/km of CO₂ banding would pay £175.00 for an annual Business Permit for a specific zone and £325.00 for an annual all-zone Business Permit.
- 5.11. One of the main issues raised was that there was a lack of a daily or weekly commuter pass for motorcycles. It was thought that the Business Permit that was initially proposed was also too expensive for those who receive payment per job, and that a Business Permit should cover all areas of the borough, taking into account both the financial status of workers and those who may need to travel from place to place throughout the borough to complete their work, such as those completing blood donations, delivery drivers, and handypeople.
- 5.12. There have been consistent issues with illegal pavement parking in certain areas of the borough, and the Council recognises that the introduction of motorcycle parking charges may exacerbate this. There is an ongoing collaboration with TfL taking place, to ensure stronger enforcement of illegal pavement parking, particularly by motorcyclists on Rushey Green. The Council recognises that these motorcyclists do not reflect the motorcycling community as a whole. However, strong enforcement of all contravening motorcycles will continue to take place. Furthermore, in order to reduce illegal pavement parking when picking up food for deliveries, officers will look into installing specific dedicated motorcycle bays in areas that contain several shops.
- 5.13. Commuters who work in the London Borough of Lewisham and own a motorcycle will also be eligible for a daily or weekly business pass.
- 5.14. Although we understand that motorcycles do pollute, we also recognise that swapping out a car for a motorcycle is a stepping stone in the right direction in order to own a lesser polluting vehicle. Once electric motorcycles become more accessible, it is hoped that the movement will continue towards lesser polluting vehicles. It is hoped that the new proposed pricing structure, and the daily and weekly business passes, will aid those on lower incomes to continue their business throughout Lewisham.

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- 5.15. It is being proposed that all Motorcycle Business Permits would be all-zone permits, meaning that anyone who purchases one would be eligible to park in business permit holder or shared use bays throughout the borough for the period of their permit. The banding structure is the same as that for Motorcycle Resident Permits:

Band	Engine (cc)	Emissions (g/km CO ₂)	Price (3 months)	Price (6 months)	Price (12 months)	Daily Business Pass	Weekly Business Pass
N/A	Electric motorcycle		Free	Free	Free	Free	Free
1	Up to 150	Up to 70	£12.50	£25.00	£50.00	£2.00	£6.00
2	151-400	71-90	£18.75	£37.50	£75.00	£3.00	£7.00
3	401-600	91-100	£25.00	£50.00	£100.00	£4.00	£8.00
4	601+	101+	£31.25	£62.50	£125.00	£5.00	£9.00

- 5.16. Again, most motorcycles would fall into Band 1 or 2, meaning that most motorcyclists would pay £50.00 or £75.00 annually for a business permit that would allow them to park in any eligible bays across the borough. For commuters who only visit the borough once a week, or a few times a week, a daily pass would cost £2.00 for the least polluting motorcycles. This means that motorcyclists on lower incomes, or perhaps those who work in several different boroughs, could buy a daily pass for £2.00 and park in eligible bays across the borough. A weekly pass is also being proposed, for those who travel into the borough for a more extended period of time, such as handy people.
- 5.17. Motorcycles will still need to park perpendicular to the kerb when parking in on-street bays, so that they do not obstruct spaces for larger vehicles. The proportion that they would be paying to park in relation to larger vehicles within the new parking structure reflects this.

Motorcycle Resident Visitor Permits

- 5.18. Residents would be able to purchase Motorcycle Resident Visitor Permits for their visitors who own a motorcycle. These permits would allow visiting motorcyclists to park their vehicle in Resident Permit Holder Only bays within Controlled Parking Zones (CPZs).
- 5.19. The initial proposal was that motorcycles would pay half of the current standard rate that cars and vans pay for Visitor Permits. The Visitor Permit charges that were initially proposed can be found in Appendix C.
- 5.20. The pricing has been slightly amended, as seen in the table below:

Type	1-hour	Book of 10 1-hour vouchers	5-hour	1-day	1-week
Motorcycle Visitor	£0.80	£8.00	£1.60	£2.00	£7.50

- 5.21. There is also ongoing discussion with developers regarding how residents will be able to purchase both car and motorcycle Visitor Permits, as it is thought that for some, both

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of these will be required. How to do so will be communicated clearly to residents once the implementation process begins.

Motorcycle Short Stay Parking

- 5.22. For short stay parking, a flat rate for motorcycles would be inputted into the system. Motorcycles would have their own parking code.

Per 15 mins	Per hour	Per day
£0.20	£0.80	£2.00

- 5.23. The question was raised as to whether cars would be able to use the motorcycle code. The provider highlighted that there is a DVLA lookup for vehicles when using their cashless system. However, this lookup will not charge based on the vehicle type. Therefore, to combat misuse of the motorcycle parking codes, strong enforcement, both on-street and in car parks, will be necessary. This will deter users from inputting the incorrect details when paying for a parking session.
- 5.24. As with all policies, the pricing structure for motorcycle parking charges will be kept under constant review.

Lockable Bays

- 5.25. Officers will look into installing lockable bays in car parks and key locations where the uptake of motorcycles would be most prominent. Further investigation will take place regarding the need for on-street lockable bays.

6. Financial implications

- 6.1. This report is asking Mayor and Cabinet to approve the new proposed pricing structure for motorcycle parking permits and short stay parking. Any income generated through the implementation of this proposal will be accounted for in accordance with section 55 of the Traffic Regulation Act (1984). However, at this stage, without any accurate previous data, it is difficult to anticipate what that level of income will be.
- 6.2. The service aims to deliver the proposal in the financial year 2022/23. Production and delivery times may, as with most current procurement, be subject to delay due to Covid-19.

7. Legal implications

- 7.1. The Road Traffic Regulation Act 1984 (RTRA) sets out the legal framework for providing both on and off street parking, parking permits, traffic management orders and related financial controls.
- 7.2. Section 122 of the Act imposes a duty on the Council to exercise the functions conferred on them by the RTRA as (so far as practicable having regard to the matters specified in S122 (2) 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 set out in S122(2) are:

- (a) the desirability of securing and maintaining reasonable access to premises;

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- (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;
- (c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
- (d) 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
- (e) any other matters appearing to the local authority to be relevant

7.3. The Council may vary off-street and on-street parking charges by either making traffic management orders or by notices given pursuant to S35C and 46A. The procedures for making traffic management orders and the form that they should take are set out within the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. This includes a statutory duty to consult, which will be in addition to any consultation set out in the report.

7.4. The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 require that orders made under the RTRA include an exemption from waiting prohibitions in certain circumstances, and from charges and time-limits at places where vehicles may park or wait, in respect of vehicles displaying a disabled person's badge.

7.5. Section 55 RTRA provides for the establishment of a separate account into which monies raised through the operation of parking must be paid. The Act requires an enforcement authority (of which Lewisham is one) to keep an account of:

- their income and expenditure in respect of parking places;
- their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 2 of Schedule 7 to the 2004 Act (parking places); and
- their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 3 of that Schedule (other parking matters).

7.6. At the end of each financial year any deficit in the account shall be made good out of the general fund and any surplus must be either carried forward to the following year or applied for all or any of a number of specific purposes set out in that section. In London this includes the power to use it towards meeting all or any part of the cost of the doing by the authority in its area of anything which facilitates the implementation of the London transport strategy and which is for the time being specified in that strategy as a purpose for which a surplus may be applied. Case law has confirmed that these powers should not be used for the purpose of generating a surplus but as long as the authority sets its charges for a valid purpose having taken into account all relevant considerations the fact that those charges lead to a surplus would not render the charges unlawful.

7.7. The Traffic Management Act 2004 (TMA) is the primary legislation for the management of parking in England. It reinforces the legal duty under the RTRA to ensure the

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expeditious movement of traffic. Part 6 of the TMA affects parking and is accompanied by statutory and operational guidance documents. Councils are legally obliged to 'have regard to' the former, while the latter sets out the principles underlying good parking management and recommends how this can be achieved.

7.8. The main principles advocated in the TMA statutory guidance are:

- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty
- improving road safety
- improving the local environment
- improving the quality and accessibility of public transport
- meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car
- managing and reconciling the competing demands for kerb space.

7.9. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.10. In summary, the Council must, in the exercise of its function, have due regard to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
- (c) foster good relations between people who share a protected characteristic and persons who do not share it.

7.11. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.12. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found [here](#).

7.13. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

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1. The essential guide to the public equality sector duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 7.14. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available [here](#).

8. Equalities implications

- 8.1. All staff and officers are trained regarding the Equality Act 2010.
- 8.2. There are considerable risks that the actions proposed to limit carbon emissions could, in themselves, disadvantage low income and vulnerable individuals and communities.
- 8.3. The Equality Analysis Assessment can be found below in Appendix E. In this assessment, we consider the potential impact on motorcyclist groups, those with differing socioeconomic statuses, and those within the protected characteristics groups set out in the Equality Act 2010, as well as what was learnt during the public consultation.
- 8.4. The Equality Act 2010 states the protected characteristics groups as the following:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Race
 - Religion and belief
 - Sex
 - Sexual orientation
- 8.5. The Lewisham Corporate Equality Policy states that we refer to and monitor several of the above protected characteristic groups differently to the Equality Act.¹ The 'Marriage and civil partnership' characteristic is only protected in employment settings, and not used in resident consultation, so this characteristic will be removed. The terminology used by Lewisham Council is as follows:
- Age
 - Disability
 - Gender identity (rather than 'reassignment')
 - Pregnancy and maternity

¹ [Lewisham Council Corporate Equality Policy](#)

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- Ethnicity (rather than 'race')
 - Religion and belief
 - Gender (rather than 'sex')
 - Sexual orientation
- 8.6. The above stated terms will be used throughout the Equality Analysis Assessment and when any referral is made to the protected characteristic groups.
- 8.7. The Public Sector Equality Duty states that a public authority “must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (Equality Act 2010, Section 149.1.a, 149.1.b, 149.1.c)”
- 8.8. With regards to the introduction of motorcycle permits, there is a legal obligation to exempt Disabled Badge Holders. The Council must ensure no unconscious bias regarding motorcycle users, as they may hold a Disabled Badge, and exemptions from the proposed parking charges must be granted for these motorists.
- 8.9. As well as those who hold a Disabled Badge, people who use their motorcycle for business (for example, Deliveroo drivers), commuters who use a motorcycle, and resident motorcyclists must also be considered. The impact on these groups must be taken into consideration when moving forward with proposals to introduce motorcycle parking charges, as these are the most affected groups.
- 8.10. As well as those within the protected characteristics groups, people within the borough whose first language is not English must also be considered with the changes to parking. It must be clearly communicated that changes are taking place.

9. Climate change and environmental implications

- 9.1. The Council is legally required to work towards air quality objectives under the Environment Act 1995. Lewisham Council’s Air Quality Action Plan (2016-2021) outlines how the Council will implement these objectives, and the proposed changes align with the Council’s overall objectives.
- 9.2. Following the introduction of emission-based charging for parking permits, emission-based motorcycle parking charges harmonise permit charges throughout the borough. This also aligns with TfL’s wider policy, with the introduction of the ULEZ in October 2021.
- 9.3. Although they do emit harmful pollutants, motorcycles do not pollute as heavily as other vehicles, and they are a stepping stone in the right direction as they are less polluting than cars. The new proposed pricing structure reflects this and it is hoped that the reduced charges will still incentivise movement away from cars and towards motorcycles. As technology advances, it is hoped that both car/van and motorcycle owners will move towards electric vehicles.

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- 9.4. The proposed charges are expected to have a positive impact on the environment, as emissions will be monitored for all vehicles for the first time. Based on the need to meet the Council’s climate change agenda, it is recommended that the new proposed pricing structure is approved.

10. Crime and disorder implications

- 10.1. There are no direct crime and disorder implications arising from this report.

11. Health and wellbeing implications

- 11.1. These proposals aim to deliver a range of health and wellbeing benefits to residents. Improving air quality will in turn reduce the risk of cardiovascular diseases and lung cancer.
- 11.2. As well as this, the improvement of air quality will therefore reduce the pressure on the NHS, as the aim of these proposals is to improve the general health and wellbeing of residents in the borough.

12. Background papers

- 12.1. [Motion to Declare a Climate Emergency Action Plan – Cllr Anwar and Cllr Krupski – February 2019](#)
- 12.2. [Parking Policy Update – proposals for consultation – March 2019](#)
- 12.3. [Parking Policy Update – results of consultations and recommendations – January 2020](#)
- 12.4. [Mayor and Cabinet’s Climate Emergency Action Plan – March 2020](#)
- 12.5. [Climate Emergency Action Plan Update for the Sustainable Development Select Committee – Jan 2021](#)
- 12.6. [Climate Emergency Action Plan Update for the Mayor and the Cabinet – March 2021](#)

13. Glossary

- 13.1. The table below lists definitions of a number of terms used throughout the report that the reader may find useful.

Term	Definition
Carbon Dioxide (CO ₂)	The heavy, colourless gas that is formed when carbon is burned. Fossil fuels contain carbon, and when burned, produce carbon dioxide.
Carbon Neutral	The term “carbon neutral” is used in this report in line with the original declaration of a Climate Emergency in Lewisham. Carbon neutrality balances greenhouse gas emissions with carbon removals. As defined by the Committee on Climate Change, a net-zero or carbon neutral target requires “deep reductions in emissions, with any remaining sources offset by removals of CO ₂ from the atmosphere”. In the context of Lewisham’s target this means additional carbon removal and storage activity at the borough level or ‘carbon offsets’ funding an equivalent removal outside the borough.

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Term	Definition
Climate	Climate is usually defined as the average weather, or more rigorously, as a statistical description in terms of the mean and variability of relevant quantities over a period of time ranging from months to thousands or millions of years. The relevant quantities are most often surface variables such as temperature, precipitation, and wind.
Climate Change	Climate change, as used by the United Nations International Panel on Climate Change, refers to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer.
Emission-based charging	A charge that depends on the amount of carbon dioxide, nitrogen dioxide, or particulate matter that a vehicle emits. The more harmful substances a vehicle emits, the higher the charge would be to park their vehicle.
Nitrogen Dioxide (NO ₂)	Reddish-brown poisonous gas that occurs commonly as an air pollutant. It is formed when fossil fuels such as coal, oil, gas or diesel are burned at high temperatures.
Short stay parking bays	Any Pay & Display bay, whereby the vehicle owner pays for parking based on the amount of time parked in the location. This parking is short stay either by using PayByPhone or a parking meter. "Short stay parking bays" and "Pay & Display bays" are used interchangeably in the report.
Particulate Matter (PM)	The sum of all solid and liquid particles suspended in the air, many of which are hazardous. It is made up of a number of components, including acids (such as nitrates and sulphates), organic chemicals, metals, and soil or dust particles.

14. Report author(s) and contact

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15. Comments for and on behalf of the Executive Director for Corporate Resources

- 15.1. [xx]

16. Comments for and on behalf of the Director of Law, Governance and HR

- 16.1. [xx]

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17. Appendices

- 17.1. Appendix A – Motorcycle Parking Charge Consultation Report
- 17.2. Appendix B – Charging Structure Proposed by Motorcycle Lobbyist Groups
- 17.3. Appendix C – Charging Structure Initially Approved by Mayor and Cabinet
- 17.4. Appendix D – New Proposed Pricing Structure for Motorcycle Parking Charges
- 17.5. Appendix E – Motorcycle Parking Charge Equality Analysis Assessment

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