

SCRUTINY BOARD (ENVIRONMENT, HOUSING AND COMMUNITIES)

WEDNESDAY, 31ST JULY, 2024

PRESENT: Councillor S Golton in the Chair

Councillors B Anderson, A Maloney,
A Hannan, A McCluskey, L Cunningham,
L Farley, K Haigh, Z Hussain, S Firth,
R Jones and A Rontree

25 Appeals Against Refusal of Inspection of Documents

There were no appeals.

26 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

27 Late Items

There were no late items.

28 Declaration of Interests

There were no declarations.

29 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillors S Ali and M Iqbal. Councillors R Jones and A Rontree were in attendance as substitutes.

Apologies were also submitted on behalf of Councillor N Harrington who was in attendance as lead signatory to the Call In. Councillor S Firth was in attendance as substitute.

30 Call In Briefing Paper

The Head of Democratic Services submitted a report advising the Scrutiny Board on the procedural aspects of Calling In the decision.

Members were advised that the Call In is specific to the key decision in question, and issues outside of the decision, including other related decisions, were not to be considered as part of the Board's decision regarding the outcome of the Call In.

Members were also advised that the options available to the Scrutiny Board in respect of this particular called in decision were as follows:

Option 1- Release the decision for implementation

Having reviewed this decision, the Scrutiny Board may decide to release it for implementation. If the Scrutiny Board chooses this option, the decision will be immediately released for implementation and the decision may not be called in again.

Option 2 - Recommend that the decision be reconsidered

The Scrutiny Board may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board chooses this option a report will be submitted to the decision maker.

In the case of this officer decision, the report of the Scrutiny Board will be prepared within three working days of the Scrutiny Board meeting and submitted to the relevant Director.

In reconsidering the decision and associated Scrutiny Board report, the Director may vary the decision or confirm the original decision. In either case, this will form the basis of the final decision and will not be subject to any further Call In.

Failure to agree one of the above options

If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to Call In.

RESOLVED – That the report outlining the Call In procedures be noted.

31 Car Park Charges - Golden Acre Park, Middleton Park, Roundhay Park, Otley Chevin and Temple Newsam

The Head of Democratic Services submitted a report that presented background papers to a key decision made by the Director of Communities, Housing and Environment, which had been Called-In in accordance with the Council's Constitution.

The decision had been called in for review by Councillors N Harrington, L Buckley, W Dixon, M Dobson, C Anderson, W Kidger, S Lay, O Newton and M Robinson

The Scrutiny Board considered the following written information:

- Copy of the completed Call In request form.
- Copy of the Delegated Decision Notice of the Director of Communities, Environment and Housing - 'Car Park Charges – Golden Acre Park,

Middleton Park, Roundhay Park, Otley Chevin and Temple Newsam' – dated 11th July 2024

- Copy of the report of Head of Commercial and Estates to Chief Officer Climate, Energy and Green Spaces; Chief Officer (Highways and Transportation) and Chief Officer, Elections and Regulatory – Car Park Charges – Golden Acre Park, Middleton Park, Roundhay Park, Otley Chevin and Temple Newsam dated 14th May 2024 associated with the key decision.

The following were in attendance:

- Councillor N Harrington – Lead signatory to the call in
- Councillor C Anderson – witness accompanying Councillor Harrington
- Mr Dean Hardy – witness accompanying Councillor Harrington
- Councillor M Rafique – Executive Member for Climate, Energy, Environment & Green Space
- James Rogers – Director of Communities, Housing and Environment
- Polly Cook – Chief Officer, Climate, Energy and Green Spaces
- Gary Bartlett – Chief Officer, Highways and Transportation
- Chris Way – Principal Traffic Engineer
- Jason Singh – Head of Regulatory and City Centre Services
- Mark Jefford, Senior Manager, Environmental Services
- Nikki Deol – Head of Service, Legal Services

Councillor Harrington addressed the Board as lead signatory to the call in to set out the reasons for calling in the decision. Concerns highlighted by Councillor Harrington included the following:

- The public consultation undertaken in autumn/winter 2023/24 revealed overwhelming opposition to the proposals. , Given the scale of public opposition to the plans, it was questioned whether due regard had been given to the consultation as part of the decision-making process.
- It was also questioned whether the responses to the consultation had been consistently applied given that proposals relating to Middleton Park had been modified as a result of feedback received and yet others remained the same.
- It was considered unclear which groups connected with the parks had been consulted and whether there had there been any face to face meetings held too.
- There needs to be more consideration of the potential impacts on those businesses that operate in the parks.
- There is a lack of a good public transport alternative for reaching many of the parks.
- Older visitors in particular would be discouraged due to the lack of a cash option to pay on site at the parks.
- There would be problems with parking on surrounding streets, which has happened elsewhere when parking fees have been introduced. There is insufficient detail as to how this might be mitigated. It was recognised that the proposals were due to the wider budget position

but there was a lack of detail regarding other options that could have been considered to maintain and improve these car parks.

Councillor C Anderson also addressed the Board and raised the following concerns:

- Paying for parking could be the final straw for some people as to whether they would use these parks and others may simply decide to offset this cost by not making purchases at cafes or other businesses operating in the parks.
- There are clear health benefits for people using parks including improved mental health, aerobic benefits and reduced blood pressure. Parks also offer opportunities for social gatherings/interactions.
- Lots of older people do not have smart phones and find paying electronically complicated. Phone signals are not always good in parks which can also lead to frustration.
- There was no evident business case for implementing parking charges, and factors such as the cost of implementing traffic regulation orders, collection of charges, enforcement work and any potential loss of revenue to cafes and businesses remain unclear.
- people who regularly use these parks are likely to have better health outcomes and a reduced need to access medical treatment to manage ill-health. This should be a considered factor too.
- This decision went against the findings of the 'Ageing Well: Our Lives in Leeds' Director of Public Health Annual Report which was recently presented to the Health and Wellbeing Board. It is unclear whether the Leeds Age Friendly Board had been consulted or what its views had been.
- There are either no bus services or limited and unreliable bus services to the parks concerned.

Mr Hardy then addressed the Board on behalf of Temple Newsam Golf Club and raised the following points:

- Temple Newsam Golf Club is managed independently and pays fees to Leeds City Council for the use of the course.
- The main source of income for the Golf Club was from the bar. This included social members, many of whom were elderly. People would be put off from using the facility if parking charges were introduced.
- Users of Leeds City Council leisure centres did not have to park.
- Should golf course users have to pay for parking this would put their overall fees to a level that was similar to that of a private golf club.
- It is unclear whether the parking charges will be applied to those living at the golf club premises too. Having already invested in improving the park's cycling facilities and café, people may now feel discouraged from using them if car parking charges are introduced.
- While the existing car park is sub-standard, earlier proposals to tarmac the car park had been met with concerns around potential flood risk

issues and therefore existing plans are likely to be met with similar concerns.

As Executive Member for Climate, Energy, Environment & Green Spaces, Councillor Rafique responded to the reasons for the call in. In doing so, reference was made to the Council's unprecedented financial challenges, with a forecast overspend of £19.9 million in the current financial year. With local government finances in a critical state nationally, it was explained that the decision to introduce modest parking charges has not been taken lightly. Parks and Green Spaces had seen a cut in funding in recent years and this has remained the only viable option to help maintain parks and open spaces so that people could continue to enjoy and benefit from them.

Polly Cook - Chief Officer, Climate Emergency and Green Spaces also provided a response which included the following key points:

- Parking charges would be applied between the hours of 8.00 a.m. and 8.00 p.m. and would be £1 for up to 2 hours, £2.50 for up to 4 hours and £4 all day. There would be options to purchase a monthly or annual season ticket, with the annual ticket being the equivalent of £1.50 per week. Blue Badge holders would continue to be allowed to park for free.
- The income from car parking charges would be ringfenced for spending on the improvement of the sites, including improving disabled access and cycle facilities.
- The consultation was undertaken at the formative stage of proposals and so feedback had helped shape the proposals. How many objected is not of itself a reason not to proceed with a proposal. Professional advice had also been sought from colleagues in legal, finance, highways and equalities.
- Within the consultation, there was a question asking for alternative proposals to fund the car park maintenance work required and within the responses received, there were no options that were considered viable.
- Without a viable alternative, the only other option left to the council would be to close the car parks when they become unusable. This would have a worse outcome for accessibility and use of green spaces.
- Due regard had been given to the consultation. There had been amendments including the exclusion of the Middleton Park car park near to the visitor centre and the proposed charges had also been changed to reflect consultation feedback.
- The proposals supported health and wellbeing in a number of ways. Without the charges, the car parks would eventually be unusable and access to the sites would be limited. There would also be the encouragement for people to walk and cycle with enhanced cycle facilities available. There would also be the potential to reduce local air pollution.
- Where reference had been made to the availability and use of public transport to these parks, it was highlighted that the proposed price for a 2 hour stay would be less than a single bus ticket.

- Due to the high risk of vandalism and theft, it was not viable to install cash machines but there was the option to pay by card. A recent local study showed that only 15% of users choose to pay with cash and there would be the opportunity to pay for a pre-paid card with cash.
- An analysis of data showed that those classed as the most deprived were less likely to have the use of a motor vehicle and therefore would more likely be less impacted by the proposals.
- The highways department is currently surveying areas where displacement of parking could cause concern. This would also be monitored after the implementation to consider any measures that may need to be taken. The re-design of the car parks would maximise capacity available.
- There had not been a noticeable drop in footfall when similar schemes had been implemented in other core cities.
- The proposals would contribute to the Council's challenging budget position. The service covers two thirds of its budget by income generation. However, any additional revenue raised from non-parking activities will have to support the budget gap for the service and cannot be used for car park repairs.
- In response to questions from the speakers, it was reported that consultation had included 'Friends of' groups, volunteer groups and businesses. Where meetings had been requested these had taken place. There had also not been any concerns expressed about the proposals from the Director of Public Health. With regard to improvements to the car park at Temple Newsam, it was explained that alternatives to tarmac could be explored to prevent flood risk.

Further to questions and comments from the Board, discussion included the following:

- It was not unreasonable to assume that the overwhelming majority of people with a car would be able to pay by card.
- There would be multiple machines at each car park to cover any machines that were out of order.
- Pre-paid tickets would be able to be purchased from various locations and this would be widely communicated before the scheme was operational.
- The business case had been prepared on a blended approach taking account of the number of spaces available at each park and the likely usage.
- Evidence from other core cities had shown that these types of schemes provided income with minimal issues.
- Detailed business modelling from core cities had not been received or used in developing the proposals as it was important to consider each site on its own merits and local issues/challenges arising.
- There was not currently a specific car park maintenance budget.
- The consultation responses had been objectively processed and the process was considered to be reasonable.

- Concern that these additional charges were being introduced at a time when people were already suffering from the cost of living crisis and so may result in a fall of usage in these parks .
- Feedback from the consultation had helped to inform the proposals.
- There would be health benefits for people who chose to walk or cycle instead of using a car to access parks.
- There would be multiple locations where pre-paid tickets could be purchased.
- Difficulties accessing parks and their attractions by public transport due to distance.
- The consideration of potential discounts for park attractions. This would still be considered as part of the statutory consultation process.
- Members attention was brought to the fact that information relating to the consultation was referenced in the Executive Board report as part of the background papers and was therefore taken into consideration when the key decision was made.
- Concern that not all parties were consulted at the budget stage and other options explored in light of the consultation.
- Concern that it may deter people from using Temple Newsam Golf Course due to the extra cost of parking charges, resulting in the Council losing revenue.
- Enforcement would be self financing as income could be retained within the service. The service generated a surplus amount of money and had recently been used to employed five more staff.
- The parks were accessible by public transport although this may include some walking.
- Parking was still free for blue badge holders and the cost of a bus ticket would generally also cost more than a two hour parking ticket.
- The money collected would be ringfenced to the parks service within the proposal.
- All objections would be responded to as part of the statutory consultation process. There would also be a report summarising the objections made.
- The consultation had shaped the proposals and though there was a high number of objections, it was to be expected as few people were likely to agree to the implementation of parking charges.
- There had been multiple and in-depth conversations with community groups and they had been asked to set out their objections in full during the statutory consultation.
- There was confidence in the terms of modelling that revenue generated would meet expectations.
- Previous proposals to introduce parking at parks were much broader and included community parks. This decision focussed on key parks across the city. Further to a question of whether there had been consideration to make access free to people who lived locally to the parks, it was felt that they would ordinarily access the parks by walking.
- The proposals had been devised on the needs of the service and the need to maintain green spaces and meet health and safety obligations.

- There had been some analysis on the impact on golf courses and season ticket costs had remained competitive. There would be more analysis as part of the statutory consultation.
- Recent information on the number of people using the parks concerned was not available due to the difficulty in reliably collecting this information. However, numbers could be provided for the visitor attractions in the parks.
- A minimal surplus was made from golf club fees. However, it was felt that this proposal would undermine the future of Temple Newsam Golf Club and if costs kept increasing people may opt to use private facilities which would reduce revenue for the council.

James Rogers, Director of Communities, Housing and Environment was invited to make a closing statement. He thanked Members for their questions and reiterated the scale of the challenge due to unprecedented financial pressures and the need for savings and income generation. It was acknowledged that introducing any kind of charges would not be popular but it was felt this decision would have the least impact and help protect parks and green spaces into the future. The consultation responses had been carefully considered and had also led to some changes. Charges would be modest and there would be options for monthly and annual tickets. Many other authorities had introduced similar charges without any major issues. The next stage of the process would involve further statutory consultation.

Councillor Harrington was invited to make a closing statement. She thanked Members and officers for the in-depth discussion but felt there were still unanswered questions and differences of opinion. It was felt that the consultation was not as broad as it should have been and that volunteer and community groups should have had more involvement and have been able to provide proposals of their own. It was requested that the decision be referred back to the decision maker for further consideration.

RESOLVED – That the contents of the report, along with comments from Members, be noted.

32 **Outcome of the Call In**

The Scrutiny Board considered whether or not to release the decision for implementation. A vote was subsequently held and the Scrutiny Board agreed (by majority decision) that the decision be released.

RESOLVED – That the decision be released for implementation.

33 **Date and Time of Next Meeting**

Thursday, 19 September at 10.30 a.m. There will be a pre-meeting for Board Members at 10.00 a.m.