



Full Council Report

ISLE OF WIGHT COUNCIL

Meeting	FULL COUNCIL
Date	20 MARCH 2024
Title	STAFF AND MEMBER CAR PARKING
Report of	CABINET MEMBER FOR CHILDREN'S SERVICES, EDUCATION AND CORPORATE FUNCTIONS

Executive Summary

1. The staff parking policy falls within the council's vision priority to keep the council solvent and take all the measures it can to improve its financial position. This paper will look briefly at the following and make recommendations back to full council:
 - Whether there should be an amendment to the policy to allow 24/7 parking in long stay council car parks?
 - Clarity of parking with pool cars.
 - Whether any amendments should be made to the enforcement elements of the policy with policy misuse.
 - Whether any changes are required to Blue Badge parking for council staff.
 - What further options could be proposed?

Recommendation

That Full Council approve the proposed change to the staff and member car parking policy, to agree to amend the car parking policy to allow for free parking at County Hall and Westridge for staff and members who have Blue Badges

Background

2. A motion at full council in September 2023 requested consideration and review of the current staff and councillor parking arrangements. The motion sought to provide for 24/7 parking in long stay car parks for staff and councillors. A discussion at the council's joint consultative meeting subsequently considered this and other options and the outcome of that discussion is detailed within this paper. The current policy in relation to staff parking was first introduced in July 2006 and as with all employment related policies, this was subject to consultation with the council's recognised trade unions, cabinet member with portfolio responsibility for human resources and the

Employment Committee in place at that point in time. Matters of employment, including the appointment, dismissal and their terms and conditions upon which they are appointed is a non-executive function (as set out in [PART 4D - Officer Employment Rules.pdf \(moderngov.co.uk\)](#) of the council's constitution and Section 4 of the [Local Government and Housing Act 1989 \(legislation.gov.uk\)](#). As such it is within the remit of the chief executive to determine.

3. It is not unusual for a local authority to have such a policy and where an employer provides car parking facilities for its staff, they are under no obligation to make it available free of charge.
4. Our current policy is to charge for parking where parking regulations are in place. The charge applied is at a reduced (not discounted) rate from all Island car parking permit in recognition that it does not provide staff with the full range of parking facilities. The charge is made for the purposes of leaving a personal vehicle during all or parts of the day, at the place of work. This applies where that workplace falls within the current parking order to allow the council to apply such charges. There is no obligation for a member of staff to purchase a parking permit and they can choose to park elsewhere in the vicinity if they so wish. With the introduction of agile working and post the period of the pandemic where many staff now work from wherever is most suitable to conduct their work (including at home), there is also now the facility to purchase a daily permit to allow flexibility.

Proposed amendments to the policy

5. **24/7 parking** The Full Council motion was that staff and councillors should be able to use long stay car parks anywhere on the island. Tax advice on this was taken from our tax advisors, PSTAX. They confirmed that if the permit were to allow the employees to park at any of the long stay car parks when not working for the Council, there would only be a taxable benefit if the usual car park used, when working, was not 'at or near' the normal workplace. This is the HMRC guidance on the definition of 'at or near' the place of work: *'The words 'at or near' are not defined in the act. A rigid approach is not required. Apply the exemption in any case where parking facilities can be said to be within a reasonable distance from the place of work having regard to the nature of the locality. Do not deny the exemption simply because there is a car park nearer to the place of work.'*
6. If the long stay car parks are close to their normal place of work i.e., a reasonable distance from the place of work, that would still satisfy the tax exemption for car parking costs. If the permit, potentially, allows the employee to park at any of the long stay car parks when not working for the Council, there would only be a taxable benefit if the usual car park used, when working, was not 'at or near' the normal workplace.
7. It should be noted that extending the level of benefit to be received by staff and councillors may give rise to public criticism especially when members of the public are paying full price and less likely to find a parking space as a result of those who have a reduced rate. It will also have an impact on the council's income collection levels from parking in general which is already key requirement of the council's budget strategy. An alternative would be to allow 24/7 parking at all long stay car parks but to increase the charge of the permit whilst remaining at a reduced (not discounted) rate.

8. There are no accurate figures to show exactly how often staff park their cars on street/in car parks and pay at weekends. An alternative would be to allow staff to park on Sundays in addition to working days or allow them to use the lesser used car parks such as Seaclose carpark in Newport at weekends. It is believed however that it may not be appropriate for Council staff and Councillors to be seen to getting something that other members of the public are not. If it is deemed inappropriate for Council staff to be getting something that other members of the public are not, then consideration should be given to scrapping the reduced (not discounted) staff permit entirely. This would link with the Councils biosphere objective in reducing emissions and prompting staff to reconsider their choice of transport.
9. **Parking and pool cars-** Staff who work in the community and are required to collect a pool car for the purposes of conducting their daily work, are able to park their own vehicle for the duration of their shift without charge and are provided with a permit free of charge and there are no current plans to change this arrangement. There is an ongoing concern is that there may be a move at some point to reinstate charging for pool car users when they come to collect their pool cars from the County Hall car park. This payment was set aside at the start of Covid and they were told some time ago that it could be reinstated. Unison believes that this group of low paid staff shouldn't have to pay given that they have to come to County Hall car park to pick up a car and simply replace one car with another so effectively no space is lost to the public. Clarity is required regarding these arrangements.
It should be noted that County Hall and Westridge are for staff permit holders only, and therefore vehicle parking would not be taking a space from the public.
10. A counter argument is that it is inconsistent to charge some staff to bring their cars to work and not others, regardless of whether they then take a pool vehicle. They are still choosing to take their car to that location to begin with.
11. It should be noted that permits are already separated by income for those on higher/lower incomes. Staff/Councillors who are paid at or below Grade 4 (currently £23,893), or through the tax year would expect to earn less than £23,893 before deductions, would only need to pay £10 per month, or 70p each day. Such an arrangement does not exist for members of public who purchase an All Island permit for our long stay car parks at the cost of £60 per month or pay £12.50 each day.
12. **Permit misuse-** misuse of parking permits has been reviewed and if it is decided that staff permits should continue to be issued for work purposes only, it is suggested that any unusual parking activity should be reported immediately to the Civil Enforcement Officers Supervisor who would investigate and confirm whether the vehicle is being used legitimately. If it is not, the Civil Enforcement Officer will be instructed to issue a Penalty Charge Notice. Misuse of staff permits would be logged and if a pattern was seen, it would be escalated to the manager in the first instance but then onto HR for potential disciplinary action.
13. **Blue badge parking-** historically Blue Badge holding members of staff were able to park in disabled parking bays and use their Blue Badge without having to pay for parking or a permit. This changed a few years ago and now members of staff who are Blue Badge holders pay to park or they can choose to park for free on the road. Unison argue that disabled staff often have greater expenses (due to adaptations or having to charge equipment etc) and should be allowed to park in disabled parking

bays at County Hall and Westridge during their working hours and use their Blue Badge without having to pay for parking or a permit.

14. It should be noted that some badge holders get Motability vehicles which may be free or discounted and Badge holders using their own vehicles may be on higher salaries than other staff members that are required to pay for a staff permit. Disabled badge/related parking concessions is intended to allow access to facilities/premises but there is no requirement for such facilities to be free.

Corporate Priorities and Strategic Context

15. Central government's transparency agenda sets out clear expectations of local authorities to demonstrate their accountability to the local community. The car parking policy falls within the council's vision priority to keep the council solvent and take all the measures we can to improve its financial position.
16. Within the [Corporate Plan 2021 – 2025](#) there are key areas of activity that will be our main areas of focus for the lifetime of this plan which will need to be central to everything we do as a council.

Responding to climate change and enhancing the biosphere

17. In respect of the Climate and Environment Strategy, the car parking policy supports reducing the number of unnecessary work journeys by car and paying to park at work bases which encourages active travel alternatives (walking and cycling) and the use of public transport. There is a positive impact on disability discrimination as shown below.

Socio-economic Outer Ring	Scores
No Poverty	3
Zero Hunger	3
Good health and wellbeing	3
Quality Education	3
Gender Equality	3
Clean Water and Sanitation	3
Affordable and clean energy	3
Decent work and economic growth	3
Industry, Innovation and Infrastructure	3
Reduced inequalities	5
Sustainable cities and communities	3
Responsible consumption and production	3
Climate Action	3
Life below water	3
Life on land	3
Peace, justice and strong institutions	3
Partnerships for the Goals	3

Environment Inner Ring	Scores
Transport	3
Energy	3
Housing	3
Environment	3
Offset	3
Adaptation	3



Economic Recovery and Reducing Poverty

18. Most council employees are also island residents and the car parking policy ensures clarity of cost for staff.

Impact on Young People and Future Generations

19. The decisions the Council makes now not only affect current residents, but may have long term impacts, both positive and negative, on young people and future generations. These impacts may not immediately be apparent or may not emerge for a number of years or decades. Impacts will be interrelated across the various domains of young people's lives from housing, employment or training, health and the environment. The decision set now will have a positive impact on employees of the future.

Corporate Aims

20. This aligns with the Council's corporate plan priority to keep the Island solvent and take all the measures we can to improve the financial position of the council as set out in the key strategic planning document [Corporate Plan 2021 - 2025](#).

Consultation

21. There have been extensive discussions with the council's recognised trade unions in relation to the council's staff and member car parking policy including a detailed discussion at the joint consultative meeting.

Financial / Budget Implications

22. If the recommendation is agreed, there will be a small loss of income from staff and councilors with Blue Badges who currently pay for their parking permits. It is difficult to quantify this as this information is not currently required or collated.

Legal Implications

23. There are no legal implications other than as detailed below in relation to the Equality Act 2010.

Equality and Diversity

24. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

25. Under the Equality Act 2010 we are required to have due regard to our equality duties when making decisions, reviewing services, undertaking projects, developing and reviewing policies. The recommendation in this report provides a positive impact on staff with disabilities that are blue badge holders by providing them with free parking.

26. There are no property implications for this report.

Options

Option 1: To agree to amend the car parking policy to allow for free parking at County Hall and Westridge for staff and members who have Blue Badges as proposed.

Option 2: Reject the proposal and refer back for further consideration.

Risk Management

27. There has and continues to be much media interest in council spending and there is the potential for considerable reputational damage should it not be possible for the council to justify its decision-making processes with regards to aspects of staff remuneration. This is also within the context of the council's commitment to public accountability and

transparency in which it is considered that such a policy approach serves to improve confidence in the council's governance arrangements.

Evaluation

28. The proposed amendment to the staff and councillor car parking policy can be adopted as drafted or rejected. There are no significant changes proposed to the current version. At the Joint consultative meeting in January 2024 and subsequently agreed by the corporate management team in February 2024, the only change that it was thought necessary to amend was the proposed amendment to allow staff and members with blue badge permits to park in council car park for free during working hours. None of the other proposed amendments in this paper were considered necessary or appropriate. Car parks other than County Hall and Westridge allow limited blue badge parking as part of the Parking Order, so this amendment is only necessary for staff parking for blue badge holders at County Hall and Westridge.

29. It was thought that the parking and pool car arrangements should continue as detailed above at paragraph 9 and the permit misuse process should continue to be followed as detailed above at paragraph 13.

Appendices Attached

Appendix 1- current staff and councillor car parking policy

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