

Cabinet (Special) AGENDA

DATE: Monday 18 November 2013

TIME: 7.00 pm

VENUE: Committee Rooms 1 & 2,
Harrow Civic Centre

MEMBERSHIP

Chairman: Councillor Susan Hall (Leader of the Council and Portfolio Holder for Community Safety and Environment)

Portfolio Holders:

Councillor Kamaljit Chana	Business and Enterprise
Councillor Tony Ferrari	Finance
Councillor Stephen Greek	Planning, Development and Regeneration
Councillor Manji Kara	Community and Culture
Councillor Barry Macleod-Cullinane	Deputy Leader, Adults and Housing
Councillor Janet Mote	Children and Schools
Councillor Paul Osborn	Communications, Performance and Resources
Councillor Simon Williams	Health and Wellbeing
Councillor Stephen Wright	Property and Major Contracts

Non Executive Cabinet Members (non voting):

Councillor Thaya Idaikkadar	Leader of the Independent Labour Group
Councillor David Perry	Leader of the Labour Group
Councillor Graham Henson	Labour Group

(Quorum 3, including the Leader and/or Deputy Leader)

Contact: Daksha Ghelani, Senior Democratic Services Officer
Tel: 020 8424 1881 E-mail: daksha.ghelani@harrow.gov.uk

AGENDA - PART I

1. APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests arising from business to be transacted at this meeting from:

- (a) all Members of the Cabinet; and
- (b) all other Members present.

ENVIRONMENT AND ENTERPRISE

KEY 3. PARKING REVIEW: 20 MINUTES FREE PARKING INITIATIVE - REFERRAL BY CALL-IN SUB-COMMITTEE (Pages 1 - 40)

Report of the Director of Legal and Governance Services.

AGENDA - PART II - NIL

In accordance with the Local Government (Access to Information) Act 1985, this meeting is being called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Under Committee Procedure Rule 46.9 a meeting of the Executive must be held within 10 clear working days of that referral. This meeting therefore had to be arranged at very short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting.

Publication of decisions	Tuesday 19 November 2013
Deadline for Call in Call-in does not apply if original decision of Cabinet on 17 October 2013 is confirmed unchanged. However, if original decision is amended Call-in will apply.	5.00 pm on 26 November 2013
Decisions implemented if not Called-in	19 November 2013 (if original decision is confirmed) 27 November 2013 (if original decision is amended and the decision is not Called-in)

REPORT FOR: CABINET

Date of Meeting:	18 November 2013
Subject:	Parking Review: 20 Minutes Free Parking Initiative – Referral by Call-In Sub-Committee
Key Decision:	Yes (this is a re-consideration of the key decision made by Cabinet on 17 October 2013)
Responsible Officer:	Hugh Peart, Director of Legal and Governance Services
Portfolio Holder:	Councillor Susan Hall – Leader of the Council
Exempt:	No
Decision subject to Call-in:	No/Yes (please see end of report)
Enclosures:	Appendix 1 – Call-In Notice by 6 Members of Council Appendix 2 – Minutes of the Call-In Sub Committee – 5 November 2013 Appendix 3 – Cabinet Minute Extract – 17 October 2013 Appendix 4 – Cabinet Report

Section 1 – Summary and Recommendations

This report sets out the decision of the Call-In Sub-Committee held on 5 November 2013 following the receipt and consideration of a Call-In notice in relation to the Cabinet decision of 17 October 2013 on Parking Review: 20 Minutes Free Parking Initiative.

Recommendations: That

- (1) in accordance with Committee Procedure Rule 46.8.3, the decision of Cabinet on 17 October 2013, as set out in Appendix 3, in relation to Parking Review: 20 Minutes Free Parking Initiative be re-considered as result of the decision of the Call-In Sub-Committee;**
- (2) the original Cabinet decision of 17 October 2013 be confirmed or amended in light of the Call-In Sub-Committee's comments.**

Reason (For recommendation): In accordance with Committee Procedure Rule 46.8.3, Cabinet must reconsider its decision within 10 clear working days of a referral by the Call-In Sub-Committee.

Section 2 – Report

On 17 October 2013, Cabinet agreed that the review of the Rayners Lane free parking trial, as set out in the report, be noted; and that, having considered the implications of on-street free parking borough-wide and reviewed the options available, the preferred option be agreed, namely: do not implement 20 minutes free parking in the borough and remove the Rayners Lane trial of 20 minutes free parking. The report considered by Cabinet is attached at Appendix 4.

On 25 October 2013, a Call-In Notice signed by 6 Members of Council (5 Labour and 1 Independent Labour) was received citing the grounds of (a) inadequate consultation with stakeholders prior to the decision; (b) the absence of adequate evidence on which to base the decision; (c) the decision was contrary to the policy framework, or not wholly in accordance with the budget framework; (d) the action was not proportionate to the desired outcome; (e) a potential human rights challenge; and (f) insufficient consideration of legal and financial advice. The Call-In Notice is attached at Appendix 1. Grounds (a), (b), (d) and (f) having been validated, a meeting of the Call-In Sub-Committee was held on 5 November 2013 to consider the Call-In notice. The subsequent reference arising from the Sub-Committee meeting is attached at Appendix 2 for Cabinet Members' consideration.

The Sub-Committee agreed that the call-in on ground (a) be upheld as the business community and ward councillors had not been consulted. They also agreed that the remaining grounds for call-in, (b), (d) and (f) be upheld for the following reasons:

- detailed financial information was provided in the report;
- financial viability was a main driver in determining the decision;
- it was not appropriate to consider money received from penalty charge notices as parking income and this money should not have been taken into account in reaching the decision.

In accordance with Committee Procedure Rule 46.8.3, Cabinet must reconsider its original decision within 10 clear working days of a referral by the Call-In Sub-Committee. Cabinet is requested to either confirm or amend its decision of 17 October in relation to this matter.

Options considered

Cabinet are requested to either confirm or amend the decision of 17 October 2013 having considered the referral by the Call-In Sub-Committee.

Legal Implications

As set out in the Cabinet report.

Financial Implications

As set out in the Cabinet report.

Performance Issues

As set out in the Cabinet report.

Environmental Impact

As set out in the Cabinet report.

Risk Management Implications

As set out in the Cabinet report.

Equalities implications

As set out in the Cabinet report.

Corporate Priorities

To deliver a cleaner, safer and fairer Harrow

Section 3 - Statutory Officer Clearance

Name: Simon George Chief Financial Officer

Date: 12 November 2013

Name: Matthew Adams on behalf of the
Monitoring Officer

Date: 12 November 2013

Section 4 – Performance Officer Clearance

Name: David Harrington on behalf of the
Divisional Director
Strategic Commissioning

Date: 12 November 2013

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker Head of Climate Change

Date: 12 November 2013

Section 6 - Contact Details and Background Papers

Contact:

Una Sullivan

Democratic and Electoral Services Officer

Tel: 020 8424 1785

Email: una.sullivan@harrow.gov.uk

Background Papers:

Minutes of the Call-In Sub-Committee – 5 November 2013

<http://www.harrow.gov.uk/www2/documents/g62285/Printed%20minutes%20Tuesday%2005-Nov-2013%2018.30%20Call-In%20Sub-Committee.pdf?T=1>

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

**Call-in does not apply if
original decision of
Cabinet on 17 October
2013 is confirmed
unchanged.**

**However, if original
decision is amended
Call-in will apply.**

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In accordance with Committee Procedure Rule 46.2, we the undersigned, hereby give notice that we wish to call-in the Executive decision – Parking Review – 20 minutes Free Parking Initiative made on Thursday 17th October 2013 by Cabinet.

In accordance with Committee Procedure Rule 46.5, we the undersigned, hereby give notice that we wish to call-in the Executive decision with the following reasons.

1. Inadequate consultation with stakeholders prior to the decision;

- a) The report was published on Monday 14th October, clearly stating that no discussion or consultation had taken place with anyone regarding the outcome of the trial.
- b) A press statement issued on the 15th October makes it clear the Leader of the Council took the decision to stop free parking 2 days prior to the meeting of cabinet. Therefore, cabinet was just rubber stamping a decision already made.
- c) Introducing a loss of PCN income at this late stage is a cynical attempt to move the goal posts and to construct a report to undermine the trial results.
- d) A number of petitions had previously been presented to Council around parking indicating local residents and businesses are strong advocates of free periods of parking. This clearly shows that the decision makers have ignored the voices of residents and local businesses.
- e) Carers - free parking will have a direct impact on Carers in the Borough, who may be financially disadvantaged by re-introducing parking charges in Rayners Lane, and by the scheme not being extending to the wider Borough. This is an important element of the community whose views must be taken into account to discharge the Councils PSED.
- f) Lack of adequate consultation with local businesses. The actual pilot was put in place to support local businesses. At no point in the Cabinet papers does it refer to the feedback from local businesses in the Rayners Lane area during the period the pilot took place, and whether they support or oppose the wider role out. The report also does not consider, or ask for feedback on, whether local businesses had an income boost during the free parking trial. The PH for business Cllr. Kam Chana stated at the meeting that consultation took place, but this information is nowhere to be seen. This information may have had an impact on the views of his Cabinet colleagues.
- g) The cabinet report ignores and does not take into account the COMPACT agreement with the voluntary and community sector regarding consultation. The business sector e.g. Harrow in Business and North West London Chamber of Commerce, would certainly have a view on this policy. Also the wider voluntary groups would have a view because their 'users' may benefit from the wider role out of a short period of free parking. The COMPACT document has clearly not been taken into account when making the decision
- h) This dictatorial style of decision making of not listening to the views of stakeholders undermines the role and duty of the local authority to consult and support their local residents.

- i) The way the decision was made contradicts the Nolan Principles; in particular, openness and personal judgement. For example the decision had already been made prior to the meeting of Cabinet and therefore ignored any views made at the meeting.

2. The absence of adequate evidence on which to base a decision;

Page 18 of the supplementary gives evidence of fewer PCNs being issued; this is flawed evidence. It compares July/August, with August/ September, therefore giving no controls for seasonal variations. In 2012, there was a downward trend in income between July, August and September. In July 2012 income was 605K, in August 2012 it was 580K and September 2012 it was 551K.

It is also the case that there have been 3500 more PCNs issued across the borough in the first 6 months of this year, compared to last year. This has resulted in an increase of income for the council. Therefore the cost of the 20 min free parking will be in line with the budget.

The Local Government Minister has openly said that car drivers should be able to stop on yellow lines for up to 30 minutes in order to boost local businesses. This was not considered within the report.

In a recent debate in the House of Commons the Conservative MP for Harrow East, Bob Blackman, has himself come out in support of free periods of parking. This, like the views of other elected representatives, and local residents was not considered within the report.

3. The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;

The decision contradicts Council agreed policies that ensure there is a joined-up, cross-sector approach to agreeing the delivery of local priorities.

4. The action is not proportionate to the desired outcome;

There is no mention within the report as to how the decision is proportionate to achieving the Councils agreed vision and priorities.

We fervently believe that PCNs should not be used to raise money and that the council should welcome the fact that fewer PCNs being issued means that motorists are complying with the rules.

By law PCNs should be used to enhance road safety and traffic flow and not increase the income of councils. Indeed a decrease in the number PCNs is to be welcomed as it shows that road users are obeying road signage and so increasing road safety and traffic flow. This point has been emphasized by the Local Government Minister, Eric Pickles, particularly in regard to CCTV.

5. A potential human rights challenge;

As part of their PSED, cabinet need to take due regard of equality implications. The report clearly states that the EQiA had not been reviewed (para 2.50) following the trial,

meaning the decision makers would be unaware if any equality implications had arisen, either from the trial or from not extending the trial.

Furthermore, the decision does not reflect the wider sector and the delivery of services, which may contribute to greater inequality and poorer outcomes.

6. Insufficient consideration of financial advice.

Within the report it states quite clearly that the effect on parking income would be broadly in line with the financial assessments in preparation of the MTFs and agreement of the budget. However, it also clearly states that it anticipates fewer PCNs to be issued, suggesting a “loss of income” circa £310K.

The loss of monies received from PCNs should not be used when making a decision; otherwise it suggests that the council is targeting the use of PCNs to generate income for the council. The decision to cancel free parking, based on the use of income from PCNs, would lead residents to believe that the council thinks it’s a good thing to make money from issuing parking fines.

In view of the reasons outlined above, and due to recent changes within the political administration of the Council, we would like the committee to consider referring the decision to Full Council in accordance with the powers and duties given to the Call-In Sub-Committee as stated within the Constitution

Hard copy signed by:

Councillors David Perry, Graham Henson, Thaya Idaikkadar, Margaret Davine, Krishna Suresh and Phillip O’Dell

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CALL-IN SUB-COMMITTEE MINUTES

5 NOVEMBER 2013

Chairman: * Councillor Chris Mote

Councillors: * Sue Anderson * Jerry Miles
* Mano Dharmarajah * Yogesh Teli (1)

* Denotes Member present
(1) Denotes category of Reserve Member

59. Appointment of Chairman

RESOLVED: That Councillor Chris Mote be appointed Chair for the meeting.

60. Attendance by Reserve Members

RESOLVED: To note the attendance of the following duly constituted Reserve Members:

Ordinary Member

Reserve Member

Councillor Anthony Seymour

Councillor Yogesh Teli

61. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

62. Minutes

RESOLVED: That the minutes of the meeting held on 1 October 2013, be taken as read and signed as a correct record.

RESOLVED ITEMS

63. Protocol for the Operation of the Call-In Sub-Committee

The Chair drew attention to the document 'Protocol for the Operation of the Call-In Sub-Committee' and outlined the procedure to be followed at the meeting. He indicated that, with the Sub-Committee's agreement, he would permit those member signatories who wished to speak on the issue to do so, within the timeframe allowed. He further informed the sub-committee that Councillor Chris Noyce had stated his intention to backbench, and had also requested to speak on the called-in item.

In accordance with Committee Procedure Rule 46.5, a notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:-

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision;
- (c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- (d) the action is not proportionate to the desired outcome;
- (e) a potential human rights challenge;
- (f) insufficient consideration of legal and financial advice.

He informed the Sub-Committee that the grounds (a) - (f) had been cited on the Call In notice, of which grounds (a), (b), (d) and (f) had been deemed to be valid for the purposes of Call-In.

RESOLVED: That the Call-In would be determined on the basis of the following grounds:

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision;
- (d) the action was not proportionate to the desired outcome;
- (f) insufficient consideration of legal and financial advice.

64. Call-In of Cabinet Decision (17 October 2013) - Parking Review: 20 Minutes Free Parking Initiative

The Sub-Committee received the papers in respect of the call-in notice submitted by 6 Members of Council in relation to the decision made by Cabinet on Parking Review: 20 Minutes Free Parking Initiative.

The Chair advised the Sub-Committee on the suggested order of proceedings and reminded Members of the timings allowed for submissions and questions. The Sub-Committee agreed that Councillor Chris Noyce, backbenching, should be allowed to speak and participate in the meeting.

The Chair invited the lead representative of the signatories, Councillor David Perry, to present the reasons for the call in of the decision to the Sub-Committee.

Councillor Perry stated that the main ground for call-in was the lack of consultation. No feedback had been provided from local businesses as to the success of the initiative, and no interested groups – such as the Traffic and Road Safety Advisory Panel (TARSAP) and Chamber of Commerce had been approached for comment. There was no reference to the Compact agreement with the voluntary sector, and the interest of pedestrians had not been addressed. He queried the statistics provided in relation to increased parking and footfall in the area, and whether they could be interpreted to show an increase in trade. He believed that reference to PCNs was a cynical attempt to show the initiative in a negative light. He added that the Leader of the Council appeared to have pre-determined the issue according to comments quoted in the media.

In respect of ground (b), the absence of adequate evidence on which to base a decision, he stated that no account had been taken of seasonal variations in traffic and parking, and as the period included the school summer holiday, this was a significant omission.

In respect of ground (d), the action is not proportionate to the desired outcome, he considered that the presentation of information, and in particular the inclusion of statistics relating to PCNs, was irrelevant and potentially inappropriate.

In respect of ground (f), insufficient consideration of legal and financial advice, he considered that the same reasons as for ground (d) applied, in addition to reference to the Medium Term Financial Strategy (MTFS).

In conclusion, Councillor Perry stated that this Cabinet decision had not met the expected high standards of decision making in that local residents' and businesses' views had been ignored.

Councillor Krishna Suresh, signatory to the call-in notice, outlined his concerns as a ward councillor for Rayners Lane, which he believed needed successful initiatives in order to compete with neighbouring high street shopping centres. He informed the Sub-Committee that local traders had expressed a preference for free parking over a sum of investment in the area. He was in regular contact with all 140 local traders, and the consensus was that they all benefitted from the free parking.

Councillor Idaikkadar, signatory to the call-in notice, stated that Cabinet had been profoundly wrong in their decision to remove the free parking. He reiterated the views in respect of seasonal variations and the inclusion of PCNs in financial assessments. He believed that the figures had been

tailored to show a negative picture, and disagreed that a 2% increase in footfall was a negligible amount. No attempt had been made to canvass the views of traders, and it would have been a simple matter to establish if turnover had increased. A lack of free parking would also result in nuisance to local residents as a result of displacement. He did not consider that there had been sufficient analysis of the data before reaching a conclusion.

The Leader of the Council acknowledged the views of signatory representatives, and shared their view that borough-wide free parking was an admirable aspiration. However, she was firmly of the view that this could only be achieved if it was viable and affordable in the light of the current economic climate, and with the benefit of advanced and fit-for-purpose technology to support a scheme that would be fair and could be enforced satisfactorily.

She pointed out that if the scheme were rolled out borough-wide, then any advantage enjoyed by Rayners Lane over neighbouring areas would be lost, and it was also possible that any increase in trade in Rayners Lane could result from a loss in trade in other areas of Harrow.

She confirmed that no consultation had been undertaken; the scheme had been a pilot to determine its economic viability and the desirability of rolling out such a scheme borough-wide. Examination of the figures demonstrated conclusively that the scheme in its current form was not financially viable or fit-for-purpose, and there had therefore been little point in consulting on a project that would not go ahead. She considered that that would have been an unnecessary waste of money. Furthermore, Cabinet had been acting within the parameters of a report drafted under a previous administration, which had not required that consultation be undertaken, merely that a 'yes' or 'no' decision be taken on whether or not to proceed with the scheme and borough-wide roll out. She reminded Members that no consultation had been taken at the outset of the scheme as to which location should be selected for the trial.

She was adamant that any scheme proposed must be economically viable, sustainable, and fair. She was aware of instances of abuse of the current scheme, where 20 minute tickets were used repeatedly for lengthy parking periods, which was entirely against the spirit of the scheme. This was evidenced by a distinct increase in the number of tickets issued against a 2% increase in footfall. She stated that PCN income had not been a driver in the decision as they were intended as a measure to ensure safe and efficient traffic flow.

She reminded Members that she was a local trader herself, and that while she represented local business, she also represented local tax-payers and was committed to delivering value for money. To that end, she would be happy to work with all parties to achieve a good result for residents.

In response to a query, an officer explained that video evidence had been used to calculate the amount of footfall in the area. The Corporate Director, Environment and Enterprise, stressed that the same level of parking enforcement had taken place before and during the trial to ensure a sound base for assessment.

A Member observed that Rayners Lane was mainly disadvantaged by the free parking available in Eastcote, which was in the neighbouring borough of Hillingdon, but no more than a mile away. Members discussed the quality and operation of the free parking scheme in Hillingdon, and noted the cost of the initial investment. Some Members expressed their concern that ward councillors had not been informed of the decision prior to its announcement, or involved in any discussions.

(The Sub-Committee then adjourned from 8.35 pm until 8.50 pm to receive legal advice.)

The Chair announced the decision of the Sub-Committee and it was

RESOLVED: That

- (1) the call-in on ground (a) – inadequate consultation with stakeholders prior to the decision – be upheld as the business community and ward councillors had not been consulted;
- (2) the following grounds for call-in:
 - i. ground (b) – the absence of adequate evidence on which to base a decision;
 - ii. ground (d) – the action was not proportionate to the desired outcome;
 - iii. ground (f) – insufficient consideration of legal and financial advice;all be upheld for the following reasons:
 - detailed financial information was provided in the report;
 - financial viability was a main driver in determining the decision;
 - it was not appropriate to consider money received from penalty charge notices as parking income and this money should not have been taken into account in reaching the decision.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.55 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman

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DRAFT MINUTE EXTRACT

**CABINET
MINUTES**

17 OCTOBER 2013

Chairman: * Councillor Susan Hall

Councillors: * Kam Chana * Janet Mote
* Tony Ferrari * Paul Osborn
* Stephen Greek * Simon Williams
* Manji Kara * Stephen Wright
* Barry Macleod-Cullinane

**Non Executive
Non Voting
Councillors:** * Graham Henson * David Perry
* Thaya Idaikkadar

**In attendance:
(Councillors)** Mano Dharmarajah Minute 698
Asad Omar Minute 698
William Stoodley Minute 698

* Denotes Member present

RESOLVED ITEMS

710. Key Decision - Parking Review - 20 Minutes Free Parking Initiative

The Leader of the Council and Portfolio Holder for Community Safety and Environment introduced the report, which set out the background to the Rayners Lane 20 minutes free parking trial and provided options for Cabinet's consideration on the future use of free parking periods in the borough.

The Portfolio Holder invited questions from Members and, having been asked that her administration was unlikely to expand the trial borough-wide, responded as follows:

- that the expansion of the businesses in North Harrow had been as a result of the excellent work carried out by the Head of Economic Development and Research (Minute 706 refers);
- the majority of shoppers required more than 20 minutes to do their shopping. The trial in Rayners Lane had increased the footfall by a small amount only and that unlike the previous administration, it was important that her administration did not rush into implementing a scheme which had not been fully researched;
- her administration would be looking to implement a fully researched scheme and she cited the example of a scheme that had been implemented in Hillingdon which had taken up to two years to implement. The Hillingdon Scheme had been linked to the Oyster Card and allowed a driver to park for one 20 minute session unlike the one in Rayners Lane. She explained that the trial in Rayners Lane had been open to abuse, as the same driver had been able to use the free parking by printing out a ticket at 20 minute intervals. The cost of the scheme, £1m, was considerable and unsustainable.

A non-voting non-Executive Cabinet Member referred to the contradictions within the report and asked what consultations had been carried out prior to formulating the report. He was of the view that free parking had brought economic viability for businesses. The Portfolio Holder reiterated that the 1-hour free parking in North Harrow had not revitalised the businesses which had declined in numbers and that it had been the splendid work carried out by the Head of Economic Development and Research that had helped to rejuvenate this area. A number of measures needed to be explored to bring about vitality to an area and free parking in itself was not an attraction.

In relation to the consultation, the Portfolio Holder replied that specific consultation had not been carried out but that the trial had provided sufficient information that this scheme was not right for implementation borough-wide bearing in mind that it would have unacceptable cost implications. She reiterated that her administration supported free parking scheme(s) but this scheme was not the right one for the borough.

The same non-voting non-Executive Member was of the view that the arguments used for non implementation of the scheme had been based on the reduction of income from the issue of Penalty Charge Notices (PCNs).

The Portfolio Holder refuted this as chart 7 of the report did not support this argument, as it showed a variable result week-on-week and it was difficult to gauge a pattern. She added that the negligible impact of the scheme on footfall, as well as the cost of implementation and subsequent maintenance, including the implications for local taxpayers, were the key reasons for her administration's lack of support for this particular scheme being rolled-out borough-wide.

In response to questions about the risk register, comparisons with previous years issue of PCNs, lack of available parking spaces during the 20 minutes trial in Rayners Lane, the cost to the trader in loss of revenue, the Portfolio Holder remarked that a Risk Register ought to have been prepared by the previous administration prior to the trial, that there were issues with the entire scheme and not with the PCNs issued and that the administration would not be rushed in to a scheme that did not provide best value for residents and which required capital investment.

Another non-voting non-Executive Member referred to the public sector equality duty and questioned if a decision could be taken in the light of the lack of an Equality Impact Assessment (EqIA). In response, the Corporate Director of Environment and Enterprise stated that paragraph 2.50 of the report made reference to the rollout of a borough-wide scheme which would require a Traffic Order to be made. However, if the decision was against a rollout, no statutory process was required. The same non-voting non-Executive Member said the EqIAs ought to be updated in light of the comments made. The Portfolio Holder stated that it was important to understand why this particular scheme would not work for Harrow.

The non-voting non-Executive Members were of the view that the administration was not listening to the business community and the people of Harrow. One of them mentioned the work done by Mary Portas, a retail expert, in which she had highlighted the importance of free parking for town and district centres. Moreover, Eric Pickles, Secretary of State for Communities and Local Government, had suggested that parking on double yellow lines for 15 minutes ought to be allowed in the quest to revitalise town centres/ businesses. The Portfolio Holder vehemently denied that residents and businesses were being ignored and re-iterated that it was essential that an efficient scheme was implemented as the proposed one was costly.

The Deputy Leader of the Council clarified that PCNs were not issued to generate revenue. It was important that the borough's roads were safe to drive through. Parking on double-yellow lines would put other drivers and pedestrians at risk. He cited the example of the Westfield Shopping Centre in West London which charged shoppers to park and that it was the variety of shops available that attracted shoppers. An effective and fair scheme was needed for Harrow, as the proposal did not achieve its stated purpose. Moreover businesses would go elsewhere if Harrow did not have the right model. With the current scheme, a violation of 20 minute free parking was difficult to measure.

The Portfolio Holder for Communications, Performance and Resources stated that the surveys carried out in 2012 under the Labour administration had

shown that free parking was not a key driver for both businesses and residents. It was also important to note that the petition for free parking in Pinner was not supportive of this proposal. A poor scheme would have serious implications. In addition, it was important that the Section 151 Officer set out the financial implications of any decision whether it be a material factor or not in any decision taken.

The Portfolio Holder for Planning, Development and Regeneration that agreeing a scheme that was unsustainable financially would reduce the finances available for other service areas. The Portfolio Holder for Business and Enterprise reported that a 'shadow' survey in Rayners Lane had shown that free parking was not a key priority for the businesses. They had cited cleaner streets/pavements, safer areas and traffic as their priorities. A non-voting non-Executive Member referred to the previously received petition on the removal of free parking in North Harrow (Cambridge Road car park), arising from the 2011 to 2013 Parking Review, that had been signed by more than 2,000 people, and drew attention to the mentions of PCN income in the report, questioning the focus of the administration.

The Leader of the Council and Portfolio Holder for Community Safety and Environment stressed that her administration was not against free parking but it could not support a scheme that was not working as intended and was financially untenable. The administration could only support a scheme that was cost effective, efficient and properly supportive of local businesses.

RESOLVED: That

- (1) the review of the Rayners Lane free parking trial, as set out in the report, be noted;
- (2) having considered the implications of on-street free parking borough-wide and reviewed the options available, the following preferred option be agreed: Do not implement 20 minutes free parking in the borough and remove the Rayners Lane trial of 20 minutes free parking.

Reason for Decision: To ensure that a consistent parking charges policy was implemented.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

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REPORT FOR: CABINET

Date of Meeting:	17 October 2013
Subject:	Parking Review - 20 minutes free parking initiative
Key Decision:	Yes
Responsible Officer:	Caroline Bruce, Corporate Director of Environment and Enterprise
Portfolio Holder:	Councillor Susan Hall, Leader of the Council and Portfolio Holder for Community Safety and Environment
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix A: Trial location plan Appendix B: Trial monitoring data Appendix C: North Harrow regeneration

Section 1 – Summary and Recommendations

This report sets out the background to the Rayners Lane 20 minutes free parking trial and provides options for member's consideration on the future use of free parking periods in the borough.

Cabinet is requested to consider the following recommendations:

1. Note the review of the Rayners Lane free parking trial as set out in the report,
2. Consider the implications of on-street free parking borough wide, reviewing the options available and agree a preferred option:
 - a) Implement 20 minutes free parking in all on-street pay and display parking places borough wide,

- b) Do not implement 20 minutes free parking in the borough and remove the Rayners Lane trial of 20 minutes free parking.

Reason: (For recommendation)

To ensure that a consistent parking charges policy is implemented.

Section 2 – Report

Introduction

- 2.1 In accordance with the Council's Transport Local Implementation Plan a simpler and more transparent system of charging was proposed as a part of a parking charges review undertaken in 2011. This proposed standardising the on-street and off-street parking charges to a simpler tiered schedule of charges relative to the four types of economic centre classified in the Local Development Framework. This aimed to support local businesses by making charges relevant to the economic status of an area and was approved at Cabinet in October 2011.
- 2.2 The then administration requested that officers develop a proposal for free parking which was included in the MTFs with a financial provision of £261k in 2013/14 and £307k in 2014/15 (£568k full year effect).
- 2.3 In June 2013 Cabinet agreed that the proposed parking charges be subject to a statutory consultation and that the Portfolio Holder be delegated responsibility to agree the final scheme. In addition Cabinet agreed that a trial of 20 minutes free parking be undertaken in Rayners Lane and the results be reported back to Cabinet in October 2013 for a decision on the future of borough wide free parking. This report provides an assessment of the free parking trial.

Options considered

- 2.4 There is a popular view that providing a free parking period will encourage trade for local businesses and improve the local economy. However, there is no conclusive evidence to support this. Therefore, Cabinet in June 2013 agreed to undertake a trial of 20 minutes free parking in Rayners Lane to review the merits of such a proposal.
- 2.5 This report evaluates the outcome of the trial and provides important information on financial and operational performance to support members with making a decision on the implementation of a borough wide free parking period.

Rayners Lane trial

Background

- 2.6 Rayners Lane district centre provides an appropriate location to evaluate a free parking trial because the existing charging time periods are already 20 minutes and the existing charge is 40p/20mins which is close to the proposed 30p/20mins set out in the parking charges review for this location. This area is quite typical of district centres across the borough and represents an average level of parking activity. Appendix A provides details of the pay and display parking places included in the trial.
- 2.7 The trial commenced on 12th August following the distribution of information leaflets to local people, briefings with ward councillors and the Portfolio Holder, a press release and information notices which were displayed on site. A significant effort was made to publicise the trial and explain how the new system would work.
- 2.8 All of the pay and display machines in Rayners Lane have modems installed so that accurate and detailed information about ticket issue was able to be downloaded remotely and allowed a detailed assessment of parking income to be undertaken. Also traffic surveys were commissioned both before and during the trial to monitor parking occupancy levels, the duration of stay in parking places and also the level of pedestrian activity in the area. These surveys were compared to establish what changes had occurred.
- 2.9 Approximately 5 weeks of data was collected prior to the trial commencing and another 5 weeks of data during the trial. A significant part of the monitoring period was during the summer holiday period, however, there were also periods outside of the summer holiday period that could be used to check for any variations and ensure that the results were representative. Appendix B provides a full summary of the information collected before and during the trial.

Financial impact

- 2.10 The information about tickets issued and payments made were downloaded regularly from the pay and display machines via wireless connections and is very accurate. There was no missing data reported during the period. The data has also been adjusted for any transactions made using the cashless parking system. Appendix B, charts 1 and 2, give information about the tickets issued and the parking income received before and during the trial.
- 2.11 Parking income reduced steadily week on week from the commencement of the trial. The reduction in income was approximately 45% at the end of the monitoring period. Applied borough wide this would equate to an estimated loss of parking income of approximately £541k. This is comparable with the financial assessment undertaken for the Commissioning Panel and the growth figure included in the MTFS of £568k. However, it must be noted that the trial by its nature was in one location only and patterns of behaviour could be different in other locations in the borough.

Operational impact

- 2.12 The number of tickets issued increased significantly by 92% by the end of the monitoring period. The increase is accounted for by a greater number of people using free 20 minute tickets with a reduction in longer duration stay tickets as shown in Appendix B, chart 6. In addition a larger proportion of parking places were occupied. In appendix B, comparing charts 4 & 5, it can be seen that the average amount of available vacant parking places has now reduced from 29% to 21%.
- 2.13 It is clear from the surveys that the average occupancy levels do vary widely within the trial area between about 50% - 90%, however, the average occupancy levels have increased from 71% to 79% and a detailed assessment of the surveys shows that parking places are still available at all periods of the day throughout the trial area. London Councils have advised that Boroughs should aim to achieve occupancy levels in pay and display parking places that do not exceed an average of 85% and the trial is currently operating within this tolerance.
- 2.14 The increase in tickets issued, however, would significantly increase the maintenance and servicing costs of the pay and display machines. The increased usage would result in more regular mechanical problems needing repairs and a larger number of tickets to be replaced. When applied borough wide this would equate to an additional maintenance cost of about £25k which is not currently factored into the financial assessments and therefore there is no budget allocation. An additional member of staff would also be required to oversee this considerable increase in activity. The cost of an additional technician would be £35k making the total additional funding required £60k.
- 2.15 Another consequence of the free parking scheme is that it will not be possible to achieve future possible savings by reducing the current stock of 220 pay and display machines. The introduction of cashless parking (pay by phone) was intended to provide an alternative means of payment and, subject to take up, to reduce ticket issue from pay and display machines. This would potentially have allowed up to 30% of machines to be decommissioned reducing the associated maintenance and servicing costs. However, free tickets can only be obtained from pay and display machines and with the projected increase in usage it would not be possible to reduce the number of machines.
- 2.16 The procurement of the cashless parking system has also factored in a predicted level of usage and income based upon a transaction charge, current trends and the cost of the supplier. The introduction of free parking will affect this calculation as fewer tickets would be purchased by phone, generating less income. The level of losses is difficult to predict at this stage as the system only commenced operation in August 2013.

Pedestrian movement

- 2.17 Pedestrian movement was monitored in two locations in the Rayners Lane area, Rayners Lane North and Alexandra Avenue, to see if the trial would generate additional footfall. The locations are shown in Appendix 1. Only a

small increase in pedestrian movement was observed from the surveys and the results can be seen in Appendix B, chart 3.

Enforcement

- 2.18 A review of the number of penalty charge notices (PCNs) issued for parking offences can be seen in Appendix B, chart 7. There is an element of variability in this data but a general decline in the number of PCNs issued is observed during the trial when compared with the before data.
- 2.19 The decline is caused by more free tickets and less paid tickets being issued. It is easier to undertake enforcement on paid tickets because there is a charge involved which makes it easier for an enforcement officer to establish if an offence has been committed straight away. However, enforcing compliance with free tickets and checking for unlawful free ticket issue is much more difficult because the enforcement officer needs to make a log of all vehicle registration numbers on site over successive visits with cross referencing in order to establish if there is a contravention (e.g. a successive free ticket issued within 4 hours of the first free ticket). The parking occupancy surveys have indicated that there is an element of unlawful free ticket issue occurring that equates to about 15% of all free tickets issued.
- 2.20 Unlawful ticket issue can be prevented by installing keypads and modems into pay and display machines so that free ticket issue can be regulated. This would allow all free tickets requested to be logged in a central database and linked to a vehicle registration number so that tickets are only issued within the permitted time scales. This would require all pay and display machines in the borough to be upgraded at considerable cost. The likely cost of such a measure would be in the region of £200k - £300k.
- 2.21 Appendix B, chart 7 indicates the impact on PCNs issued and indicates a 45% reduction in PCNs since the trial started. A reduction in revenue of approximately £4300 over the 5 week period of the trial in Rayners Lane has been monitored so far. When considering that PCNs issued for ticket offences borough wide average about £730k annually this level of reduction scaled up would equate to approximately £310k per annum.
- 2.22 It should be noted that in Appendix B, charts 4 and 5, approximately 25% of vehicles are parked without a ticket and this trend has not changed since the introduction of the trial. The option of having a free ticket has not changed attitudes with this particular group of customers.

Summary

2.23 The impacts can be summarised as follows:

- The loss of parking income from tickets is in line with the projection in the commissioning panel financial assessment (approximately £541k per annum),
- The availability of parking space is in accordance with London Councils guidance and no operational problems have been reported,
- Servicing and maintenance costs of pay and display machines borough wide would increase by approximately £60k per annum,
- Charges from PCNs borough wide would reduce by approximately £310k per annum,
- Parking charges from the cashless parking system would be reduced,
- It would not be possible to realise the £30k savings per annum already included in the MTFs by reducing the number of pay and display machines borough wide.

2.24 In total the 20 minutes free parking proposal would cost approximately £941k of which only £568k is budgeted for giving a shortfall of £373k.

Economic impact of free parking

2.25 The Rayners Lane free parking trial has not been in operation long enough to gauge what the economic impact of the scheme is in this area. However, there is a similar scheme in operation in North Harrow which has had a free parking period of one hour since 2004. Appendix C provides the background to the North Harrow Centre and provides an opportunity to compare the economic vitality of a centre where free parking is available

2.26 Whilst the objective of these measures in North Harrow was to help local businesses and support the local economy, no material impact on the quantity or turnover of parking was evident in surveys undertaken in the Cambridge Road car park or on-street. Through the mid to later years of the last decade shop vacancy rates actually increased to a peak of 23.09% in 2009/10 despite free parking being available and so this does not seem to have been a significant factor in preventing the centre's economic decline.

2.27 As a consequence of the centre exhibiting the highest vacancy rates in the Borough, a programme of measures was implemented led by the Council's Economic Development team, as shown in Appendix C, which gives details of the vacancy rates and the action plan implemented. The effect of the programme has been to reduce vacancy rates to a level that is broadly consistent with observed vacancy rates for other centres of this type elsewhere in the borough. This demonstrates that a more proactive and

versatile regeneration initiative is required in order to improve economic activity in district centres.

- 2.28 While parking is clearly an important issue for all shopping areas in the borough, it should be noted that in 2011, Transport for London produced a customer service report called Travel and Spend in London's Town Centres. The results of this research showed that people who walk or use the bus to get to a town centre spend more per head per month than other mode users. While their spend per visit is lower, this higher monthly spend is due to the higher frequency of visits by bus and on foot.
- 2.29 On this basis it appears unlikely that the free parking initiative will have a significant impact on the local economy in Rayners Lane.

Legal implications

- 2.30 Parking charges can be amended by advertising a 21 day statutory notice period in advance of the changes being implemented. As long as there is no change to the charging time period there is no statutory consultation required.
- 2.31 If any changes to charges also require a change in the related charging time periods then the traffic regulation orders affected need to be amended and this is subject to statutory consultation requirements, which the council needs to comply with. The council has powers to change charging time periods for pay and display bays under the Road Traffic Regulation Act 1984 and The Local Authorities Traffic Orders (Procedure) (England and Wales) 1996.
- 2.32 Cabinet in June 2013 authorised a statutory consultation on the proposed tiered parking charges and the related charging time periods. The amended traffic regulation orders need to be confirmed and operational before a borough wide 20 minute free period could subsequently be introduced by statutory notice. This is because the 20 minutes period needs to be reflected in all the traffic regulation orders for on-street pay and display parking places.

Financial Implications

- 2.33 The paper presented to Cabinet in June 2013 already reported that the proposal to introduce a free parking period for the first 20 minutes of parking would result in a reduction of approximately £522K from on-street parking bays. A review of the Rayners Lane free parking trial has indicated that there would be an annual reduction of approximately £541k if the losses in the trial were scaled up borough wide. This is broadly in line with the original financial assessment prepared for the commissioning panel and the resultant growth budget included in 2013/14 MTFS (£261K in 13/14 and £307K in 14/15, giving a full year effect of £568K).
- 2.34 The review of the trial also reveals that there would be an additional cost for maintenance and servicing of pay and display machines of approximately

£60k due to the large increase in tickets that would be issued. This cost is not currently budgeted for.

- 2.35 There has been a reduction of 45% in the level of penalty charge notices issued before and during the trial. This has resulted from the reduction in paid tickets and also in the significantly increased difficulty for enforcement officers to monitor free tickets as this requires a greater level of resource which cannot be easily provided. The impact of this reduction on penalty charge notices borough wide would be a loss of £310K. This potential shortfall is much greater than anticipated. At the time of carrying out the original financial assessment, it was difficult to provide any reliable prediction of the impact of 20 minutes free parking on PCN charges and therefore this element did not form part of the growth budget detailed in paragraph 2.33.
- 2.36 Should the 20 minutes free on-street parking be implemented borough wide, there would be a potential part-year financial implication of £338K for 2013/14 (a reduction of P&D and PCN income of £320K and an additional cost of £18K).
- 2.37 Parking income from the cashless parking system would be reduced and the balance between costs and income would need to be monitored to ensure that the scheme does not become loss making.
- 2.38 There is also a saving assumption of £30K included in the 2013/14 MTFS for reduced maintenance on parking equipment following the introduction of the cashless parking system. The free parking trial has suggested that a large number of tickets are being issued from P&D machines which would make it difficult to reduce the number of pay and display machines as intended and also lead to an increase in maintenance cost compromising the assumed saving associated with the cashless parking system.
- 2.39 In summary, the budgetary position resulting from the implementation of 20 minutes free on street parking borough wide is presented below. Should this be implemented, there would be an on-going budget pressure of £373K for the Council. This is after taking into consideration the growth budget already provided in the MTFS.

	2013/14 (part year)	2014/15 (full year)
Growth budget in MTFS	£261K	£568K
Financial impact of the 20 minutes free parking:		
Loss of P&D income (estimate)	£210K	£541K
Loss of PCN income (estimate)	£110K	£310K
Additional maintenance costs	£18K	£60K
13/14 MTFS potentially not achieved (parking equipment)	£30K	£30K
Total	£368K	£941K
Net budget pressure	£107K	£373K

Performance Issues

- 2.40 There are no specific performance measures identified.
- 2.41 The advice from London Councils is that the setting of parking charges is principally aimed at managing parking demand such that the occupation of parking bays does not exceed an average of 85%. The occupation of bays has been monitored by undertaking parking occupancy surveys
- 2.42 The occupancy levels at the end of the monitoring period are approximately 79% and therefore currently within the tolerances required. However, the trial has only been operating for a short duration and would need to be closely monitored to ensure this is maintained below 85%.

Environmental Impact

- 2.43 The implementation of differential parking charges is included in the council's LIP policies. Whilst a free parking initiative can fit within a differential parking charges strategy the free element has a significant impact on driver behaviour because for this initial short period of time (20 minutes) demand is not being managed. The results of the trial have shown a large increase in the number of free tickets being issued and an increase in parking occupancy levels. This indicates that there is a larger turnover of vehicles which could have detrimental impacts on air quality, modal shift (less cycling / walking / public transport use), traffic congestion and travel journey times (more traffic on the network) and also on people's health through greater inactivity and sedentary lifestyles.

Risk Management Implications

- 2.44 Risk included on Directorate risk register? No. Is there a separate risk register in place? No.
- 2.45 The main risks identified with the free parking proposal are:
- Greater loss of parking charges from pay and display machines, cashless parking (pay by phone) and penalty charge notices,
 - Increased running costs from greater machines maintenance and servicing
 - A reduction in the availability of short term parking space, this will disproportionately affect mobility impaired people
- 2.46 The MTFs has allowed for £568k of losses from parking charges but the losses are expected to be larger than currently evaluated based on the results of the free parking trial.

Equalities implications

- 2.47 Was an Equality Impact Assessment carried out? Yes.
- 2.48 A full equality impact assessment was undertaken as a part of developing the original charging proposals and was submitted to Cabinet in October 2011 with a report on the parking review public consultation. No adverse impact on any equality groups was identified at that stage.
- 2.49 It is not considered that the proposals set out in the current report have any additional equality impacts because the basic principle of the proposal remains the same.
- 2.50 Consideration of the equalities implications is a continuing duty and so the EqIA will be reviewed and, if necessary, updated in light of any relevant responses from the statutory consultation prior to any final decision of the Deputy Leader and Portfolio Holder for Environment and Community Safety.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 14 October 2013		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 14 October 2013		

Section 4 – Performance Officer Clearance

Name: Martin Randall	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 14 October 2013		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker



on behalf of the
Divisional Director
Environmental Services

Date: 14 October 2013

Section 6 - Contact Details and Background Papers

Contact:

David Eaglesham
Service Manager – Traffic & Highway Network Management
020 8424 1500
david.eaglesham@harrow.gov.uk

Background Papers:

Cabinet report – October 2011 – Parking charges review
<http://www.harrow.gov.uk/www2/documents/s92398/Parking%20-%20cover%20reportR.pdf>

Cabinet report – June 2013 – Parking charges review
implementation
<http://www.harrow.gov.uk/www2/documents/s108207/Parking%20Review%20Implementation.pdf>

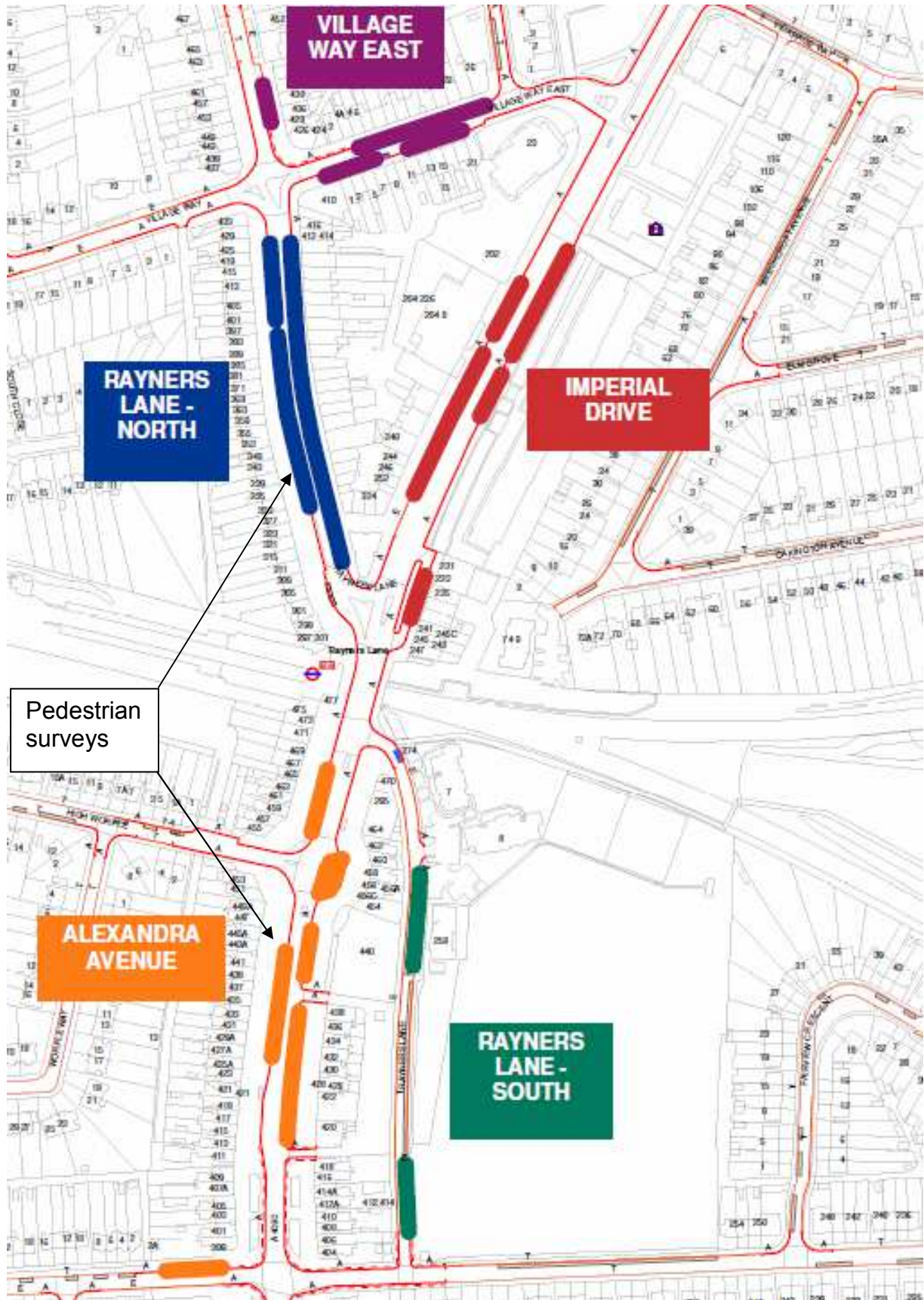
**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]

APPENDIX A

Rayners Lane trial - location of pay and display bays



APPENDIX B

Rayners Lane trial – monitoring data

Chart 1 - Parking tickets issued

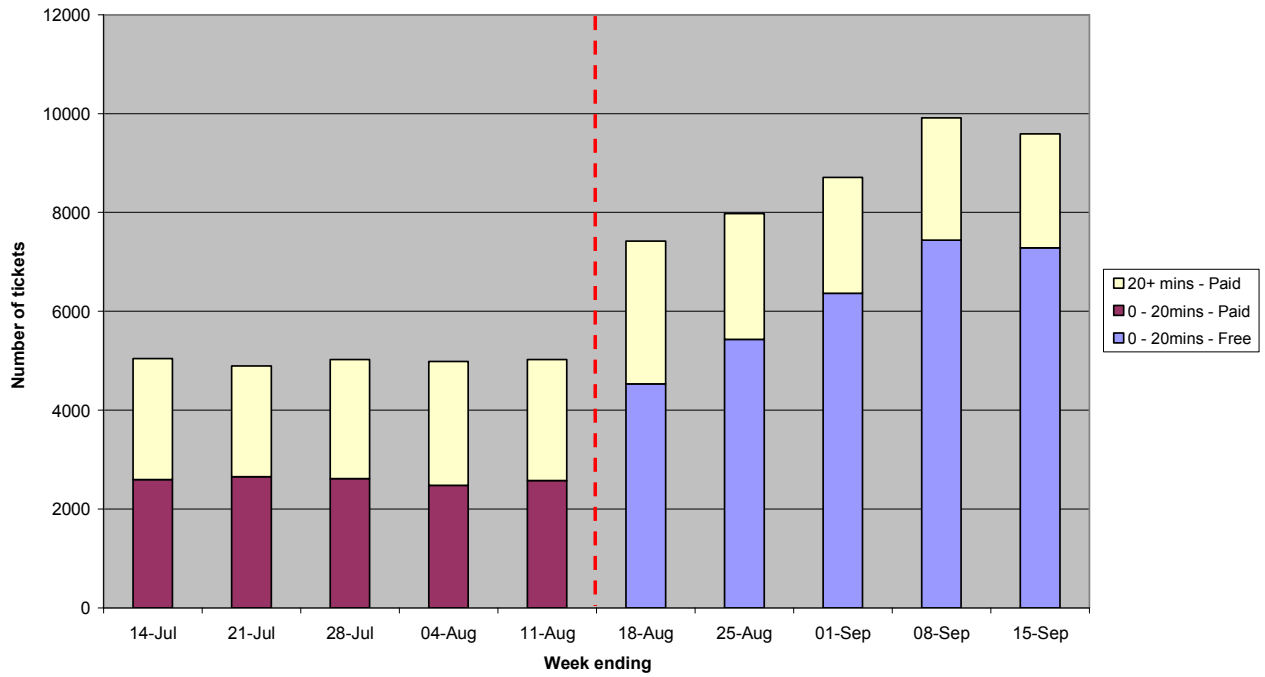


Chart 2 - Parking income

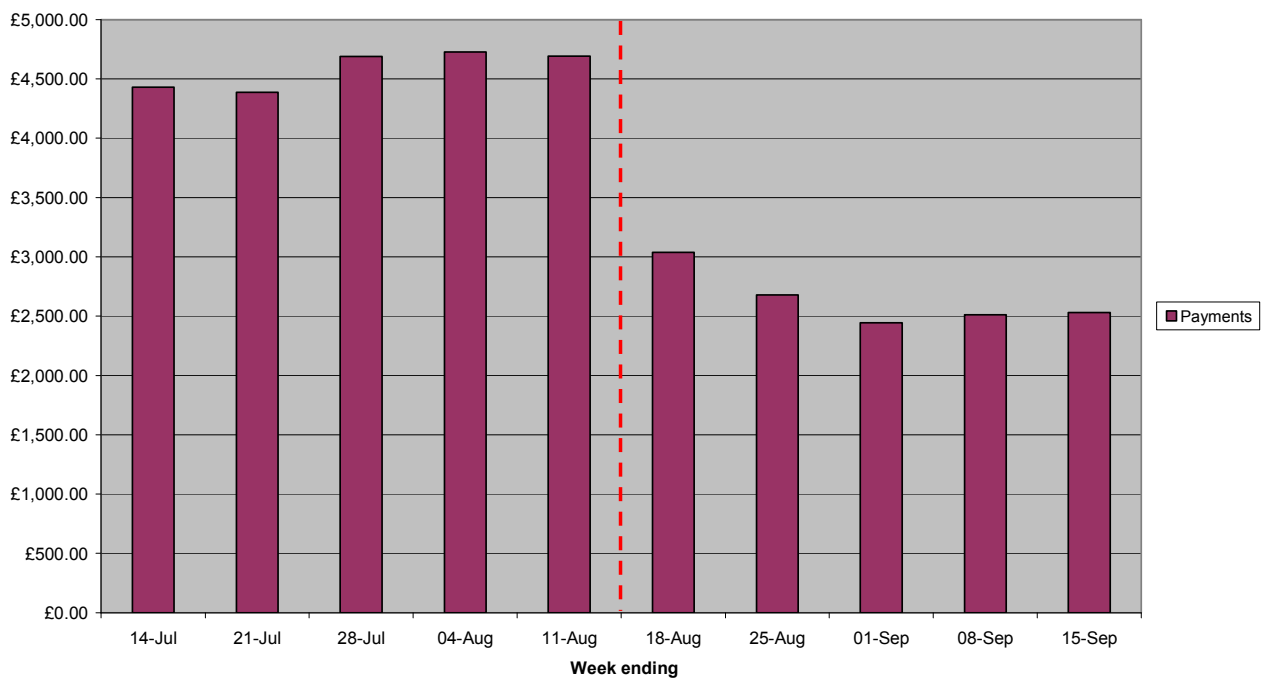


Chart 3 - Pedestrian surveys

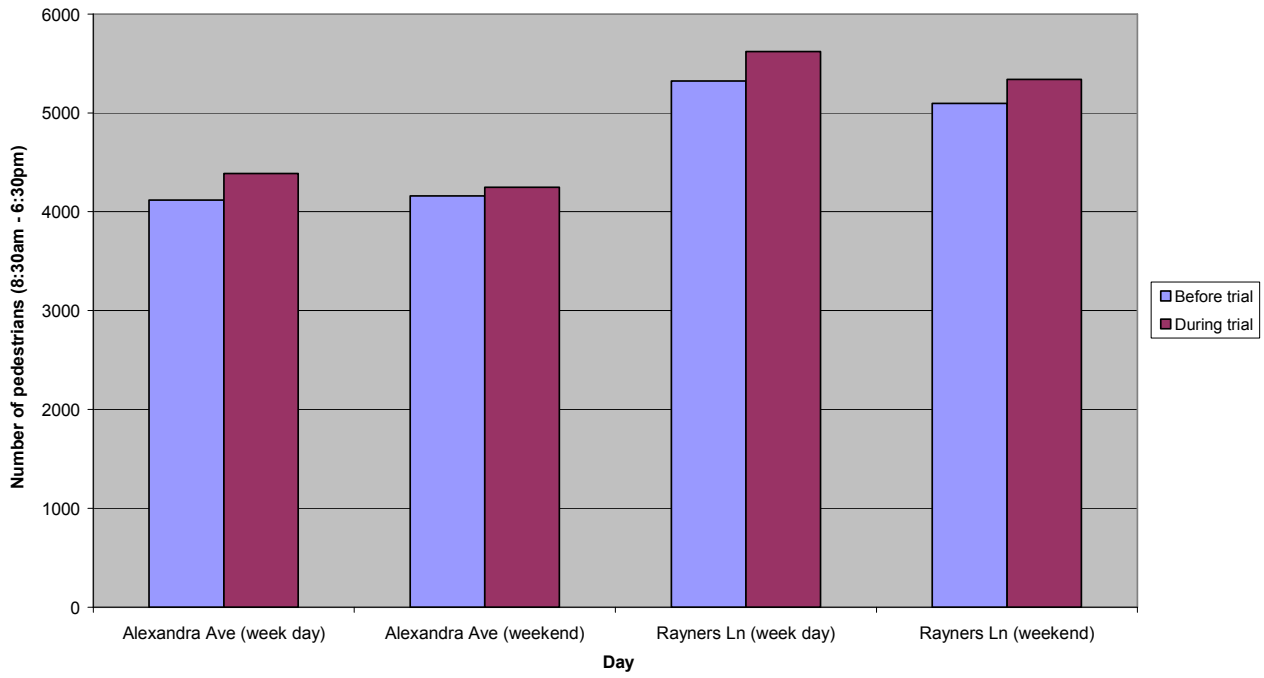


Chart 4 - Parking places occupancy before trial

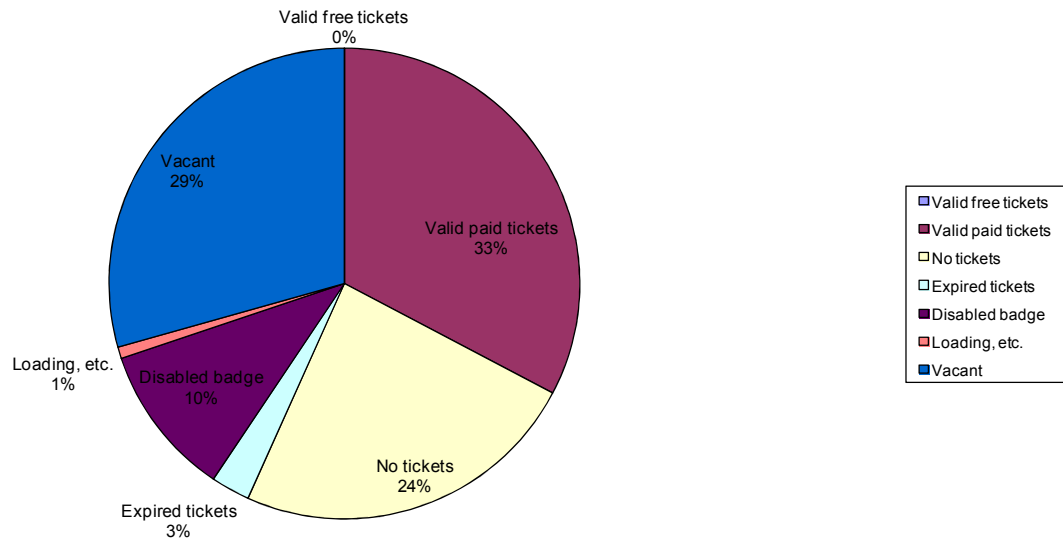


Chart 5 - Parking places occupancy during trial

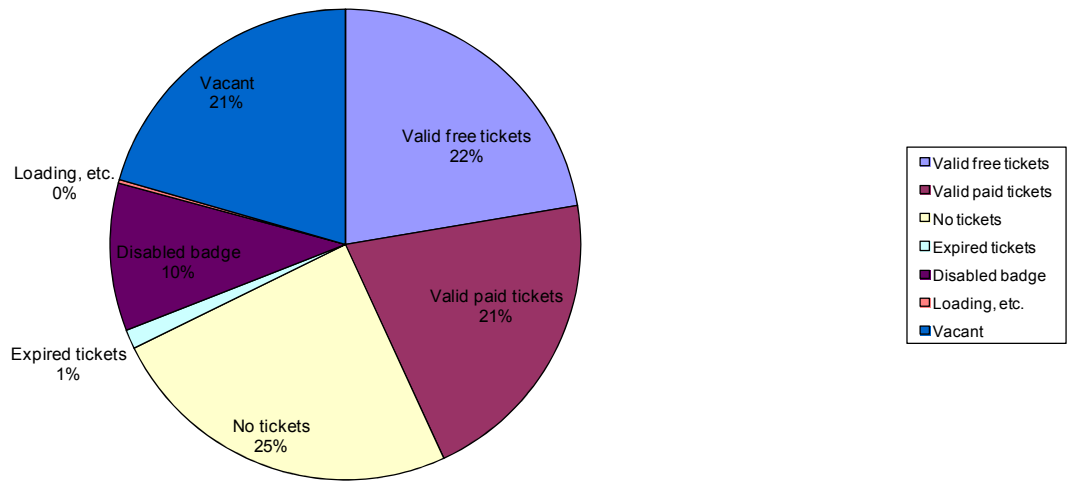


Chart 6 - Parked vehicles - duration of stay

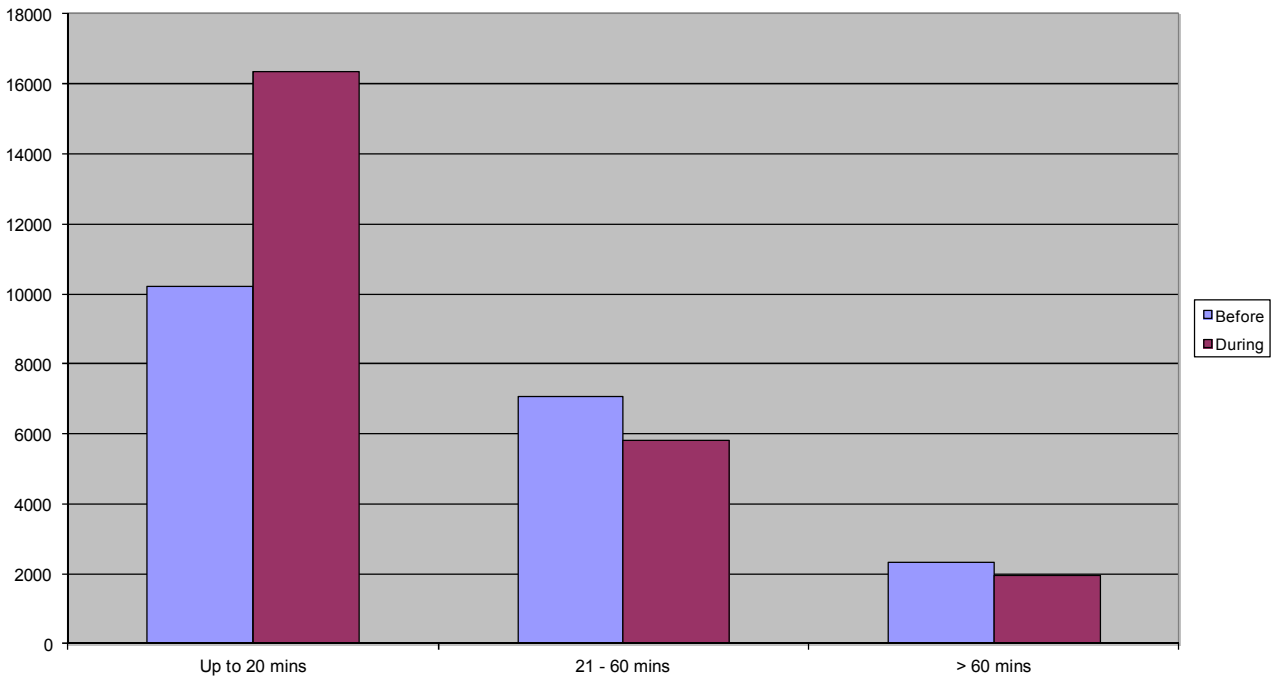
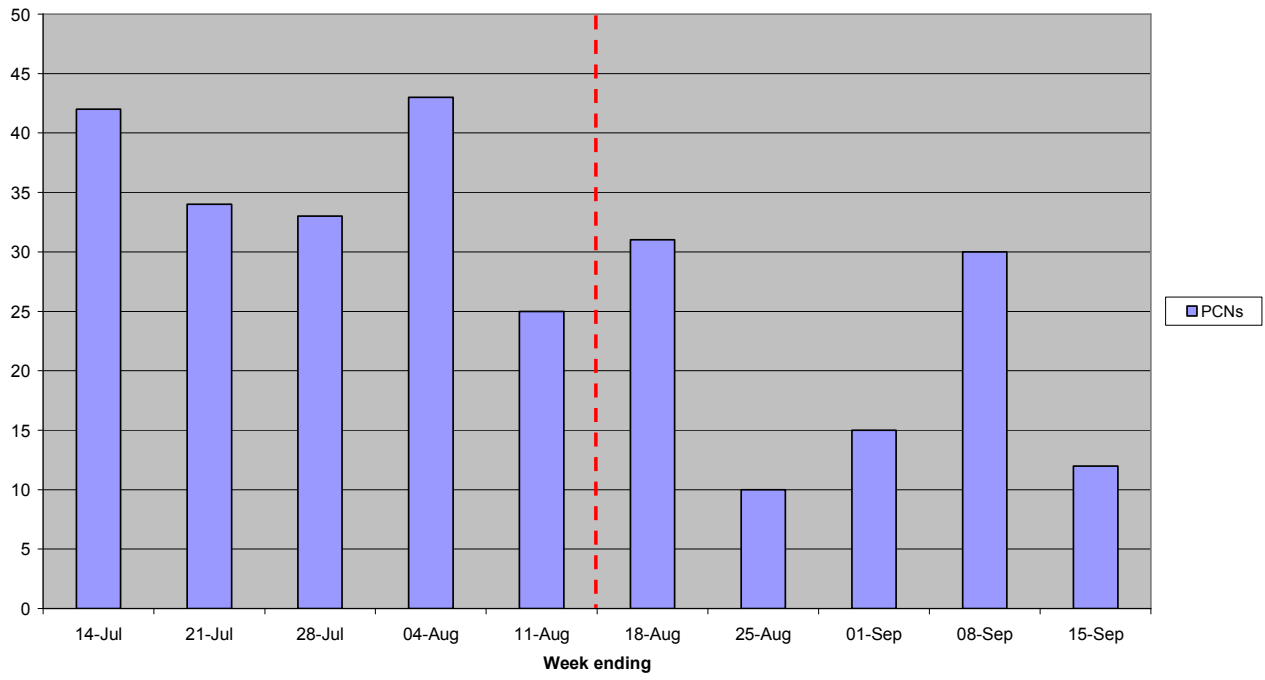


Chart 7 - On street penalty charge notices issued



APPENDIX C

North Harrow regeneration

In 2003, prior to the closure of the Safeway supermarket, the total vacant frontage in North Harrow was 1.46%. The supermarket accounted for 6.39% of frontage. In 2005/6 the vacancy rate had grown to 11.98% and this peaked at 23.09% in 2009/10. The table below shows North Harrow's vacancy rates in the context of Harrow's other district centres

Town Centre	% Frontage Vacant	% Frontage Vacant	% Frontage Vacant	% Frontage Vacant	% Frontage Vacant
	2008/09	2009/10	2010/11	2011/12	2012/13
Harrow	5.62	7.77	6.41	8.95	9.49
Burnt Oak (part)	6.28	8.21	3.49	1.84	0.00
Edgware (part)	6.70	7.33	7.41	14.58	7.88
Kenton (part)	1.59	8.29	6.59	6.18	0.00
Kingsbury (part)	3.92	0.00	3.92	3.92	0.00
North Harrow	15.52	23.09	21.03	13.77	6.47
Pinner	3.58	3.63	2.99	3.55	4.80
Rayners Lane	10.34	11.83	9.87	10.66	10.54
South Harrow	4.49	4.34	1.49	3.08	3.65
Stanmore	1.65	0.80	4.95	0.00	0.80
Wealdstone	9.75	10.44	9.15	7.92	9.35
Belmont	11.04	12.66	10.01	6.60	3.33
Harrow Weald	3.21	3.21	3.98	8.35	10.52
Hatch End	3.17	7.13	6.66	4.06	3.11
Queensbury	5.58	5.06	9.08	7.50	9.68
Sudbury Hill (part)	0.00	6.27	3.27	3.27	0.00

North Harrow was chosen for specific attention because of the high vacancy rate. In 2010 and 2011 stakeholder meetings were held with traders, ward councillors, community groups and the police to review the issues. This resulted in an action plan for North Harrow. In the summer of 2011 the council secured funding from the Mayor's Outer London Fund (OLF). This led to the appointment of a Town Centre Manager and the delivery of a number of projects generated from the action plan. The OLF programme aimed to help develop a North Harrow Partnership, market and promote the centre, improve its infrastructure and provide greater flexibility in planning policy through the introduction of a Local Development Order.

Initiatives to market North Harrow included Autumn, Winter and Spring events, the launch of a North Harrow web site, production and distribution of a Business Directory, installation of new notice boards and planters, the purchase and installation of Festive Lights and a Visual Merchandising training programme for local traders. The local infrastructure was improved by partial resurfacing of Cambridge Road Car Park, and the installation of 9 new on-street parking bays. The introduction of a Local Development Order in July 2012 provided greater flexibility in planning policy and may have had an impact in attracting the Gym Group to North Harrow. The vacancy rate fell to 13.77% by June 2012, and the occupation of the former supermarket site by the Gym Group, helped North Harrow reach a low of 6.47% in 2013. The cumulative impact of investment and activity in North Harrow secured new businesses into the area, reduced the number of empty shops and created a new positive community image of the area.

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