

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD3328

### London Councils request for approval to increase parking and traffic enforcement penalty charges; and delegation of future borough requests to change penalty charge band

#### Executive summary

In 2023, London Councils undertook a review, on behalf of the London boroughs and the City of London (hereafter 'the London boroughs'), of borough parking and traffic enforcement penalty charges. The proposals resulting from that review, informed by a public consultation carried out from July to October 2023, were approved by London Councils' Transport and Environment Committee (TEC). Under the provisions set out in the Traffic Management Act 2004 ("TMA 2004"), TEC must submit its proposals for approval by the Mayor. On 6 December 2024, London Councils submitted TEC's proposals to increase:

- parking penalty charge levels for Bands A and B charging regimes, for the higher and lower-level contraventions which are only applicable to on and off-street parking contraventions:
  - Band A: higher level, from £130 to £160; and lower level, from £80 to £110
  - Band B: higher level, from £110 to £140; and lower level, from £60 to £90
- bus lane and moving traffic penalties: from £130 to £160
- charges for vehicle removal, clamping, storage and disposal:
  - release fee from wheel clamp: from £70 to £100
  - release fee from car pound: from £200 to £280
  - daily storage fee: from £40 to £55 per day
  - disposal fee: from £70 to £100.

If the Mayor approves the proposals, he is required to notify the Secretary of State for Transport, who has up to one month to raise any objections.

This decision also proposes that future decisions regarding individual London boroughs' applications to change their parking contravention charging regime, from Band B to Band A, or from Band A to Band B, are delegated to the Executive Director for Good Growth, to consider in consultation with the Deputy Mayor for Transport. The Deputy Mayor may request that any decisions about novel, contentious or repercussive proposals are made by the Mayor.

#### Decision:

That the Mayor:

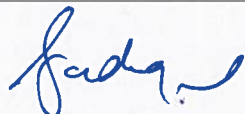
- approves the proposed changes to parking and traffic enforcement penalty charges, requested by London Councils' Transport and Environment Committee; and notifies the Secretary of State for Transport, in writing, of the proposed changes
- delegates authority to the Executive Director for Good Growth, in consultation with the Deputy Mayor for Transport, to consider and, if satisfied, approve, under Schedule 9, Part 2, paragraph 3(1) of the TMA 2004, a request by any individual London borough to change its penalty charging regime for on and off-street parking contraventions from Band B to Band A or from Band A to Band B.

#### Mayor of London

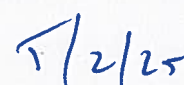
I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:



## PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

### Decision required – supporting report

#### 1. Introduction and background

- 1.1. As noted in the London Plan, parking policy can have significant effects in influencing transport choices and addressing congestion. Parking enforcement is required to ensure that the objectives of local parking policies are being achieved.
- 1.2. Further to a delegation from London boroughs, London Councils' Transport and Environment Committee (TEC) is responsible (subject to approval by the Mayor, and subject to certain reserve powers of veto available to the Secretary of State) for setting additional parking charges on borough roads. These additional parking charges include those relating to:

- penalties for contraventions of parking regulations, including any surcharges or discounts
- release of a vehicle from a wheel clamp
- removal of a vehicle from the street
- vehicle storage charges and disposal fees.

- 1.3. The current on and off-street parking penalty charges for Greater London constitute a two-tier charging regime. The charging levels are as follows:

Penalty levels	Higher level	Lower level
Band A	£130	£80
Band B	£110	£60

- 1.4. Band A areas have traditionally been concentrated in Central London and urban centres, where the pressures on parking and congestion are often greatest. Band B areas have historically been concentrated in outer London, where pressures on parking tend to be less significant.
- 1.5. Higher-band penalties apply to contraventions that are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower-band penalties apply generally where parking is permitted but the parking controls are contravened, such as overstaying on a pay-and-display bay.
- 1.6. Due to issues with non-compliance, some outer London authorities with higher-density parking and significant controlled parking zones have become Band A areas. These include the London Borough of Brent and the London Borough of Hounslow. Some London authorities have limited Band A areas within the borough, with the remaining areas being Band B.
- 1.7. Across the London boroughs, penalties for bus lane contraventions (as defined in the London Local Authorities Act 1996) and moving traffic penalties (as defined in the London Local Authorities and Transport for London Act (LLA and TfL Act 2003)) and for the London Lorry Control Scheme, are currently enforced at £130.
- 1.8. London boroughs can take additional enforcement action to clamp and/or remove a vehicle parked in contravention of parking controls. Vehicle clamping is relatively uncommon; and vehicle removal depends on whether the borough has access to a vehicle pound. Additional parking fees related to these actions are currently charged at the following:
- release from wheel clamp: £70
  - release from car pound: £200
  - storage fee: £40 per day

- disposal fee: £70.

1.9. Pursuant to a report dated 4 December 2024 (included at Appendix 1), TEC approved a proposal to increase all the above-listed charges as follows:

- on and off-street parking penalty charges for Greater London:

Penalty levels	Higher level	Lower level
Band A	£160	£110
Band B	£140	£90

- bus lane and moving traffic penalties (equivalent to the higher-level Band A amount): £160
- additional parking fees as follows:
  - release of vehicle from a wheel clamp: £100
  - release of vehicle from a car pound: £280
  - vehicle storage fee: £55 per day
  - vehicle disposal fee: £100.

1.10. The discount rate (applied to all penalties if they are paid within 14 days of the relevant penalty charge notice (PCN) being issued) was approved by TEC to remain 50 per cent. The level of surcharge for parking contraventions only (applied to all penalties that remain unpaid in full at the end of the relevant period) was approved by TEC to be set at 50 per cent.

1.11. London Councils has now requested that these proposed increases are presented to the Mayor inviting his approval (see Appendix 1). To support the Mayor's decision, TEC has submitted a report regarding its proposal, which includes a consultation analysis, background information provided to respondents, a stakeholder engagement list and London Councils' Equality Impact Assessment, including a post-consultation update to the Equality Impact Assessment. The report is attached at Appendix 2 and the updated Equality Impact Assessment at Appendix 3.

1.12. If the Mayor approves the proposed increases, paragraph 4 of Schedule 9 of the TMA 2004 provides that he must notify the Secretary of State of the levels of charges so approved. The revised charges shall not come into force until at least one month after the notification date, or earlier if the Secretary of State so allows. The Secretary of State may, before the end of that period, give notice to the Mayor that they object to the charge levels because some or all of them are excessive. In this instance, those charge levels shall not come into force unless and until the objection has been withdrawn. If the Secretary of State thinks the level is excessive, they may make regulations setting the charge levels at any time before those charges have come into force. A draft of the letter to be sent to the Secretary of State, should the Mayor approve TEC's request, is included at Appendix 4.

Delegation of future borough requests to change from a Band B charging regime to Band A or from a Band A charging regime to Band B.

1.13. The GLA deals with requests from London boroughs including to change from a Band B charging regime to Band A, or to apply Band A universally across the borough where both Band A and Band B charges apply in different areas. These are generally considered a high priority by the requesting authority. To expedite the process by which these are considered, and to accelerate decision-making, it is proposed that the Mayor should delegate future decisions on such applications to change Band to the Executive Director for Good Growth. The proposed delegation would require the Executive Director to consult the Deputy Mayor for Transport before making any such decisions and for any proposals that are approved, notifying the Secretary of State. The Deputy Mayor for Transport can request that any particularly novel, contentious or repercussive proposals are brought to the Mayor for decision if considered appropriate.

- 1.14. The delegation does not include the approval of any other changes to the levels of charges (as defined in the TMA 2004 Schedule 9, Part 1, paragraph 1). It does not include the obligation conferred on the Mayor in Schedule 9, part 2, paragraph 3(2) to set charge levels by order in certain circumstances.

## 2. Objectives and expected outcomes

- 2.1. The TEC report notes that London Councils has tended to undertake a public consultation to review parking and traffic enforcement charges every four years. This ceased in 2010, following statements from the then Secretary of State that they would not support any increase in parking and traffic enforcement charges.
- 2.2. As such, it has been 13 years since the boroughs' penalty charges in London were last reviewed. Boroughs are of the view that, given the time that has passed, the deterrent effect of penalty charges is no longer sufficient. London Councils notes that the number of people receiving penalty charges has increased by 50 per cent over the last 12 years. In that time, the cost of enforcement has also increased, and boroughs are concerned the penalty charge regime is not sufficiently recovering costs. Transport for London (TfL) has, however, increased the amount of its PCNs in that period, and the changes proposed by London Councils would be in line with TfL's charges and bring consistency across London. The evidence presented by London Councils is principally contained in the TEC report and is summarised further below.
- 2.3. The TEC report identifies that any form of enforcement that involves penalty charges is meant to act as a deterrent; encourage positive behaviour change in drivers; and increase compliance. TEC sets out the following rationale for seeking to change penalty charge levels:
- **Effectiveness of deterrent:** There is evidence of a correlation between an increase in non-compliance and the perception that PCNs are not set at sufficient levels to be viewed as a 'financial' deterrent by some motorists (para. 71 of London Councils' report). Current PCN levels have not been reviewed since 2010; and London Councils notes that, since then, parking and traffic contraventions have increased (data provided below). London Councils argues the current 'value' of boroughs' higher-level penalty charge is 43.6 per cent less than it would be if it had been adjusted to keep pace with inflation since the last change in 2011. Non-compliance has increased since 2011, as evidenced in TEC's report, and the majority of boroughs that responded to the consultation felt an increase in the level of penalty charge would encourage greater compliance.

	<b>All band A/B higher/lower-level parking PCNs</b>	<b>Bus lane PCNs</b>	<b>Moving traffic PCNs</b>	<b>Total PCNs issued</b>	<b>Year-on-year increase/decrease</b>
<b>2010-11</b>	4,022,476	216,495	571,190	4,810,561	N/A
<b>2011-12</b>	4,131,738	233,201	564,028	4,928,967	+118,406
<b>2012-13</b>	4,041,423	242,541	608,156	4,892,120	-887,544
<b>2013-14</b>	4,079,702	254,677	650,207	4,984,586	+92,466
<b>2014-15</b>	3,816,696	266,210	657,882	4,740,788	-243,798
<b>2015-16</b>	3,348,951	330,279	980,058	4,659,288	-81,500
<b>2016-17</b>	3,539,432	351,174	1,235,679	5,126,285	+466,997
<b>2017-18</b>	3,665,727	348,998	1,596,639	5,611,364	+485,079
<b>2018-19</b>	3,804,343	378,016	1,769,884	5,952,243	+340,879
<b>2019-20</b>	3,952,118	400,973	1,829,348	6,182,439	+230,196
<b>2020-21</b>	2,903,979*	289,265*	2,091,631*	5,284,875*	-897,564*
<b>2021-22</b>	3,879,990	336,917	3,250,890	7,467,797	+2,182,922
<b>2022-23</b>	4,100,177	313,351	3,182,003	7,595,531	+127,734
<b>2023-24</b>	4,560,690	319,357	3,453,439	8,333,486	+737,955

\*There was an overall reduction in PCNs throughout London in 2020-21. This was due to national lockdown restrictions and reduced enforcement during the COVID-19 pandemic.

- London Councils notes that some freight and logistic operators are prepared to absorb PCN costs as an operating cost, rather than comply with the restrictions (paras. 69 and 70 of London Councils' report). Some boroughs are also concerned that motorists are willing to risk getting a PCN rather than opting to pay for parking for a whole day, because it can be cheaper to pay a PCN at the discounted rate than to pay for parking (paras. 73-85 of London Councils' report). These factors are considered by London Councils as "a strong indication that the PCNs are not set at a high enough level to deter poor behaviours amongst all motorists" (para. 71 of London Councils' report).
- **Impact of poor parking:** Boroughs continue to see complaints relating to anti-social and obstructive parking increasing (paras. 68 and 89 of London Councils' report). London Councils notes that dangerous/inconsiderate parking behaviours, and accessibility of the road network for vulnerable groups, were concerns raised in the consultation. Fifty per cent of respondents were concerned about the level of dangerous and inconsiderate parking. The largest single group of responses highlighted parking on pavements as an issue.
- **Costs of enforcement:** London Councils also notes that the costs associated with managing enforcement services – such as back-office processing, outsourced contracts, staffing and postal services – have increased significantly (para. 87 of London Councils' report). The London Borough of Hackney's consultation response indicated that their costs have increased by 57.9 per cent between 2011 and 2023 for the enforcement contract alone.
- **Consistency across London:** TEC also has a policy that parking, bus lane and moving traffic penalty charges that are enforced under the same powers should be set in a way that makes policy more consistent across London (para. 7 of London Councils' report). Charges currently imposed by TfL for contraventions on the TfL Road Network (TLRN) increased in December 2021, from £130 (the current highest level applied by London's boroughs) to £160. London's borough charges were not changed at that time, so these charges are now set at a lower level than on the TLRN. TEC notes that this undermines its 'consistency' policy objective (para. 12 of London Councils' report). The increase to £160 would address this.

- 2.4. In part 1 of its consultation, London Councils invited views on whether to retain a two-tier charging regime (Bands A and B) or to replace it with a single London-wide parking band.
- 2.5. Part 2 of the consultation asked for views on whether there should be a bigger or smaller difference between higher-level and lower-level penalty charges; or whether they should stay the same.
- 2.6. In part 3 of the consultation, London Councils considered several options in relation to the level of PCNs for parking, bus lane and moving traffic contraventions which were as follows:
  - Option 1: Stay the same (i.e., no change).
  - Option 2: Increase Band A (higher-level penalty charges to align with charges in place on the TLRN) and increase all other charges by the same percentage amount (23 per cent).
  - Option 3: Increase all charges in line with inflationary increases between 2011 and 2024 (43.6 per cent higher-level inflationary figure).
- 2.7. Responses to the consultation showed that 743 of the 1,639 respondents did not want any change to the current borough PCN levels. Most responses cited the financial burden that this would have on their cost of living, and on those on lower incomes. This is recognised by London Councils; but in its report, officers note that "a PCN is meant to act as a deterrent and increase compliance levels" with the intention of improving safety and experience for all road users (para. 63 of London Councils' report). Parking enforcement helps to safeguard some of the more vulnerable motorists, such as Blue Badge holders, so that they can get easier access to disabled bays. It also supports the freight sector

by ensuring there is sufficient space for loading and unloading.

- 2.8. In response to concerns that PCNs are a “money-making scheme”, London Councils notes that income is used to cover the cost of enforcement. Any net revenues from contraventions must be used for relevant transport and environmental purposes in London – for example, making improvements to transport infrastructure and paying for the Freedom Pass (part 11.5 of consultation report). London Councils also notes that penalties can be avoided by complying with parking and traffic regulations; and that the increase will only impact drivers that contravene the rules for parking on borough roads. It states: “Contrary to some respondents’ assertions, it is not a ‘tax’ or charge on every motorist in London.”
- 2.9. London Councils concludes that making no changes to boroughs’ penalty charge level is inconsistent with the policy objective of successfully managing road traffic in London; and that the current levels are too low. Officers also conclude that, though an increase of 43.6 per cent would be in line with inflation (option three), it would exceed the penalty level on the TLRN and would undermine consistency across London. It also notes it “could have a greater detrimental impact on payment and recovery rates” than the final proposed level (option two). Taking these factors into account, London Councils is of the view that the proposed level (option two) achieves best compliance with the Statutory Guidance for Local Authorities in England on Civil Enforcement of Parking Contraventions (updated October 2022) that “enforcement authorities should adopt the lowest charge level consistent with a high level of public acceptability and compliance.”
- 2.10. London Councils’ officers did not recommend either a uniform charging system for the whole of London, or changing the difference between higher-level and lower-level penalty charges.
- 2.11. In respect of changing the charging levels in relation to PCNs for parking, bus lane and moving traffic contraventions, London Councils officers recommended proceeding with option two. This recommendation was approved by TEC, and is presented to the Mayor for approval.

### **3. Equality comments**

- 3.1. Under section 149 of the Equality Act 2010 (the Equality Act), the Mayor must have due regard, when making a decision, to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited by or under that Act; and to advance equality of opportunity, and foster good relations, between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 3.2. In order to comply with the obligation in section 149 of the Equality Act, the Mayor should take into account the Equalities Analysis and information provided by London Councils. It undertook an Equality Impact Assessment (EIA) (Appendix 2: appended at 3), with a further assessment undertaken after the consultation (Appendix 3) to respond to issues raised.
- 3.3. Its EIA found no adverse impact on those with protected characteristics. It also noted that improved safety and air quality is likely to promote the health and wellbeing of all demographics and found notable positive impacts for older people, younger people, and people with disabilities, who would particularly benefit from greater compliance with restrictions:
- Age: Any PCN increase will positively impact those of an age which may make them more vulnerable by reducing the number of safety issues associated with inconsiderate or dangerous traffic and parking behaviours; reducing accessibility problems; and improving reliability of public transport. Improved safety and air quality is likely to promote the health and wellbeing of all demographics. The EIA notes that children and older people are most likely to be affected by health inequalities.



- **Disability:** Any change to the PCN value is likely to have a positive impact on motorists with a disability, as parking and traffic compliance will improve and deter inconsiderate and dangerous parking and driving behaviours. This will reinforce the correct use of disabled parking bays; those with mobility difficulties will benefit from a reduction in footway parking contraventions. There is no evidence to suggest that Blue Badge holders are less able to abide by restrictions than non-disabled drivers. Improved safety and air quality is likely to promote the health and wellbeing of all demographics. The EIA notes that disabled people are more likely to be affected by health inequalities.
- **Ethnicity:** Improved safety and air quality is likely to promote the health and wellbeing of all demographics. The EIA notes that those from Black, Asian and Minority Ethnic backgrounds are more likely to be affected by health inequalities.

- 3.4. London Councils notes in its EIA that PCNs are only issued to motorists who contravene the regulations. No evidence has been presented during the consultation that suggests certain groups are more likely than the general population to receive a PCN. London Councils' analysis of the responses did not find that consultees feel there is a disproportionate impact for people with protected characteristics.
- 3.5. The EIA notes that motorists are responsible for understanding and complying with traffic and parking rules and regulations and that London boroughs ensure that signage and road markings clearly communicate what a motorist can and cannot do.
- 3.6. The EIA notes that 'income' is not a protected characteristic, but that age, disability and race are strongly linked to having lower incomes. It identifies that for those motorists with protected characteristics from socio-economically deprived communities that do contravene the rules and regulations, the introduction of an increased PCN value and increased additional parking related fees is mitigated by the following: a PCN is only issued to motorists that have failed to follow the parking regulations and will be reduced by 50% if paid within 14 days; and a motorist also has the right to appeal a PCN to an independent adjudicator if they feel it was unfairly issued.
- 3.7. While not raised in the EIA or the consultation, it is possible that people with some protected characteristics may be more likely to incur penalty charges than others. For example, older people are more likely to have cognitive impairments from diseases such as dementia or Alzheimers, so be more likely to make a mistake that incurs a penalty charge. The same is potentially true of disabled people with learning disabilities or autism; and of ethnic groups whose first language is not English. Older people and some other protected groups may also be more likely to experience difficulty, and incur a penalty charge at any locations where it is only possible to pay by mobile devices or apps. It is considered that these potential issues can be suitably mitigated, and points raised by London Councils that may help to address these issues include the 50 per cent discount for early payment; the ability to make representations to the issuing authority to cancel PCNs that have been improperly issued; and, ultimately, recourse to a tribunal to appeal the decision and have the opportunity for the charge to be cancelled. These mitigations mirror arrangements in place for penalties currently issued by TfL, ensuring consistency across London.
- 3.8. The EIA concludes that there is no direct adverse impact for people with protected characteristics and any indirect impact will be for the relatively small proportion of individuals who receive penalty notices. These indirect impacts are outweighed by the positive impact of improved parking behaviours, including for those with protected characteristics as noted in paragraph 3.3 above.

## **4. Other considerations**

### Key risks and issues

- 4.1. Officers reviewed the original proposal provided by London Councils. This included a full analysis of the consultation responses; its responses to the issues raised; and an EIA (all included at Appendices 2

and 3).

#### Links to Mayoral strategies and priorities

- 4.2. As noted in the London Plan, parking policy can have significant effects in influencing transport choices and addressing congestion. Parking enforcement is required to ensure that the objectives of local parking policies are being achieved. The Mayor's Transport Strategy seeks to discourage unnecessary car journeys. Parking policy changes may help to discourage car use.

#### Impact assessments and consultations

- 4.3. London Councils conducted a public consultation between 31 July 2023 and 23 October 2023. The consultation was open to responses from individuals, as well as the boroughs, businesses, charities and any other groups who wished to respond in an 'official' capacity. The total number of responses to the consultation was 2,034 (including easy-read submissions).
- A total of 1,657 responses answered a question on whether inconsiderate/illegal parking was a concern to them. Of these, 813 agreed that there is an issue with dangerous and inconsiderate parking in London, and that this issue concerns them; however, 725 thought the opposite. Of those respondents who addressed whether the levels of inconsiderate/illegal parking had changed, 646 suggested they have noticed an issue; 830 thought the opposite, and had not noticed any changes.
  - A total of 1,639 responses were received regarding the level of charges. A large number (743) indicated that they wanted the parking penalty charges to stay the same; 500 supported one of the proposed increases; and 369 wanted to see the penalty charges change by different amounts. The most common response by those who wanted to see the charges change by a different amount, was in support of keeping the charges at a reduced rate.
  - A total of 1,233 respondents informed London Councils about the impact they would feel from any increase in the penalty charges for parking. The most common response was that there would be no impact, with the second most common response that they follow parking/driving rules and therefore would not receive a PCN. However, 151 respondents were concerned that charges would be unaffordable; and a further 144 suggested it was a bad time to raise charges, given the cost-of-living crisis and high inflation. In contrast, 104 expressed support for raising charges, as it would increase the level of deterrence and compliance.
  - Regarding proposed changes to additional parking fees, 761 respondents believed the fees should all stay the same; 491 said they should increase in line with the rate of inflation; and 349 thought each fee should be set at different amounts to the proposed amounts. The most common response supported the need to have additional parking fees in place, but did not support any increase to these – instead suggesting that they should be decreased.
- 4.4. Should the Mayor approve the application by TEC, he is required to notify the Secretary of State of the charge levels (a draft letter is included as Appendix 4).
- 4.5. Officers involved in drafting this decision are subject to penalty charges should they fail to comply with restrictions, in the same way as anyone else driving and parking in London. No officer involved in the drafting or clearing of this Mayoral Decision has any other interests to declare.

## **5. Financial comments**

- 5.1. There are no direct financial consequences for the GLA arising from this decision.

## **6. Legal comments**



- 6.1. Under the provisions set out in Regulation 24 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, the functions of London local authorities in relation to parking contraventions (as set out in TMA 2004, Part 2, Schedule 9) are to be exercised by those authorities jointly by means of a single joint committee, namely London Councils' TEC. TEC is responsible for setting enforcement charges on borough roads only.
- 6.2. TEC also has the responsibility for:
- setting penalty levels in respect of bus lane contraventions (under the London Local Authorities Act (LLA Act) 1996)
  - setting penalty levels in respect of moving traffic contraventions; one-way streets; banned turns and yellow box junctions, etc (under the LLA Act 1996 and LLA and TfL Act 2003)
  - setting penalty levels in respect of the London Lorry Control Scheme (under the LLA Act 1996 and the LLA and TfL Act 2003)
  - setting the discount rate that applies to the early payment of all penalties within 14 days of issue and the rate of surcharge for parking contraventions (under the TMA 2004) that applies to the late payment of penalties.
  - charges imposed by authorities under the Road Traffic Regulation Act 1984, Section 102, for the removal, storage and disposal of vehicles found in civil enforcement areas for parking contraventions, and charges for the release of vehicles from an immobilisation device (e.g. clamp) under the Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007.
- 6.3. Proposals to change the levels of charges (as identified in TMA 2004, Part 1, Schedule 9) are subject to approval by the Mayor as per TMA 2004, Part 2, Schedule 9, paragraph 3. If approved, the Mayor must notify the Secretary of State in writing of the proposals (TMA 2004, Part 2, Schedule 9, Paragraph 4). The Secretary of State has up to one month to raise any objections to the proposal.
- 6.4. If the Mayor does not approve the level of proposed charges he is required to set the level of charges by order.
- 6.5. The levels of charges shall not come into force until after the expiration of one month after the notification date, or such shorter period as the Secretary of State may allow. The Secretary of State may, before the end of that period, give notice to the Mayor that they object to the charge levels on the grounds that some or all of them are excessive. In this instance, those charge levels shall not come into force unless and until the objection has been withdrawn. If the Secretary of State thinks the level is excessive, they may make regulations setting the level of charges at any time before the charges come into force.
- 6.6. The Mayor should take into account the justification provided by London Councils for the proposals and the consultation outcome, having read all the documents provided with this report; and must comply with the Public Sector Equality Duty, when considering this proposal. To that end, the Mayor is invited to consider section 3 above and London Councils' EIA found in Appendix 2 – appended at 3 to that report – and the updated EIA at Appendix 3 to this report.
- 6.7. It is also proposed that the Mayor delegates authority to the Executive Director for Good Growth, in consultation with the Deputy Mayor for Transport, to consider and approve applications made by a London Borough requesting that they change from a Band B penalty charging regime to Band A, or from Band A to Band B, as per the functions conferred on the Mayor under the TMA 2004, Schedule 9, Part 2, Section 3(1) to approve proposed changes to the level of parking penalty charges. The Mayor has the power, under section 38 of the Greater London Authority Act, to authorise any member of GLA staff to exercise functions that are exercisable on behalf of the Authority by the Mayor, to the extent that the Mayor so authorises, whether generally or specially, and subject to any conditions he may impose.

## 7. Planned delivery approach and next steps

7.1. This work will be carried out according to the following timetable:

Activity	Timeline
TEC recommendation considered by the Mayor	January 2025
Mayoral letter to Secretary of State, if TEC proposal is approved	By 7 February 2025
Secretary of State for Transport review period	One month from the date of the Mayor's letter
Three-week advertising period to notify drivers of changes	Three weeks' from end of Secretary of State review period
Implementation begins, subject to approval	Proposed: April 2025
Delegation to the Executive Director for Good Growth, if approved, for future borough penalty charge band change requests	With effect from the date of this decision, if approved.

### Appendices and supporting papers:

- Appendix 1: Letter from London Councils to the Mayor requesting approval for proposed increases to parking and traffic enforcement penalty charges
- Appendix 2: TEC report regarding proposal, including consultation analysis report, background information provided to respondents, stakeholder engagement list and London Councils' EIA
- Appendix 3: Updated EIA post-consultation
- Appendix 4: Draft letter to the Secretary of State

### Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after it has been approved or on the defer date.

### Part 1 – Deferral

**Is the publication of Part 1 of this approval to be deferred? NO**

### Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form? NO**

### ORIGINATING OFFICER DECLARATION:

Drafting officer to  
confirm the  
following (✓)

**Drafting officer:**

Claire Hamilton has drafted this report in accordance with GLA procedures and confirms the following:

**Sponsoring Director:**

Phil Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

**Mayoral Adviser:**

Seb Dance has been consulted about the proposal and agrees the recommendations.

**Advice:**

The Finance and Legal teams have commented on this proposal.

**Mayoral Delivery Board**

This decision was agreed by the Mayoral Delivery Board on 3 February 2025.

✓

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### CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature:**

*Fay Hammond*

**Date:**

04/02/2025

### CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

**Signature:**

*D. Bellamy*

**Date:**

03/02/2025

