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Web Site: www.dft.gov.uk
Yr ref PJA/vh/WPL Order

31 July 2009

Dear Sir

The City of Nottingham Workplace Parking Levy Order 2008

1. I am directed by the Secretary of State for Transport to write to Nottingham City Council (“the Council”) in response to the Council’s letter of 15 July 2008, enclosing the City of Nottingham Workplace Parking Levy Order made by the Council on 15 May 2008. The Scheme Order has been considered in conjunction with the responses to the Department’s recent consultation on draft regulations for workplace parking levy (“WPL”) schemes, and the resulting regulations made on 28 July 2009 as well as with reference to other relevant statutory provisions (and taking account of amendments to the Transport Act 2000 that have been made by the Local Transport Act 2008). The Secretary of State confirms the City of Nottingham Workplace Parking Levy Order 2008 with the modifications set out in the Annex to this letter, for the reasons explained below:

Role of the Secretary of State in confirming a/the Scheme Order

2. As the Council pointed out in its letter of application, the Secretary of State for Transport is the appropriate national authority, by virtue of section 198(1)(a) of the Transport Act 2000, for confirming orders for licensing schemes made by local traffic authorities in England under section 183 of that Act and submitted for confirmation under section 184(1). It therefore falls to the Secretary of State to consider whether to confirm the scheme order submitted by the Council on 15 July 2008, with or without modifications, under section 184 of the Transport Act 2000, or whether to exercise the powers conferred by section 185(3) and (4) of the Act to carry out further consultation (or require the Council to carry out further consultation) or to cause an inquiry to be held.

Issues taken into consideration in deciding whether to exercise powers under section 185(3) and (4):

Relevant statutory requirements concerning consultation and representations

3. The Transport Act 2000 does not specify procedures for publishing WPL scheme orders or for the making and consideration of objections to such proposals. Section 183(3) provides that the national authority may make regulations about such procedures but no such regulations were in place when the Council prepared its scheme order and no procedures for these purposes have been specified in the national regulations made on 28 July 2009.

4. There are no specific requirements in the Transport Act 2000 for public consultation on WPL schemes. Nevertheless, the Secretary of State has had regard to the requirements of Section 138 of the Local Government and Public Involvement in Health Act 2007 (LGPIH), which applies to the exercise of functions by local authorities generally, and which imposes a duty on local authorities from 1 April 2009 to involve representatives of local persons in the exercise of any of their functions as the local authority considers appropriate. The term "local persons" refers to anyone (including individuals, businesses, etc) who is likely to be affected by, or interested in, the making of a scheme - not just those who happen to live within the bounds of the scheme.

5. The consultation on the Council's scheme was carried out before the scheme order was submitted for confirmation and before the LGPIH duty came into force. The Secretary of State is, however, satisfied that the arrangements made by the Council for consulting on their scheme and the arrangements proposed for continuing to engage with stakeholders during the implementation of the scheme comply with the principles and statutory requirements of LGPIH.

6. The Secretary of State has noted the arrangements that were made by the Council, and described in paragraphs 2-25 of the Council's 15 July letter, for carrying out public consultation on both the principle and the detailed content of the Council's WPL scheme. In particular the Secretary of State has taken account of the report of the Inspector who chaired the Public Examination of the proposals in October 2007, and the Council's response to the recommendations made by the Inspector.

7. The Secretary of State has also taken into account the representations received directly and those forwarded by the Council about the scheme, and the response published by the Council in respect of the points made in the representations received by the Council. This includes the representation that the terms of reference for the Public Examination were too limited to allow a proper examination of the WPL proposals and that a Public Inquiry is needed to examine their wider impacts. Also the request that the Secretary of State should require the holding of a referendum on the scheme by all councils in

Nottinghamshire, and in which businesses and the Chamber of Commerce would be able to vote as well as residents.

8. There is no statutory requirement to hold a referendum, nor does the Secretary of State have a power under the Transport Act 2000 to hold a binding referendum or to require that a local referendum or vote be held by the authority making the scheme or by authorities in other areas affected by the scheme. But the Secretary of State has considered the extent to which the Council has taken account of the impacts of its scheme on people living outside (as well as inside) the Council's area. The Secretary of State does not believe that a Public Inquiry would be justified or that it would add significantly to the arguments for or against the introduction of a WPL scheme.

9. Having taken into account all the representations made to the Council after the notice of making the WPL Order was published, and to the Secretary of State, the Secretary of State agrees with the Council that no new issues have been raised that require further consultation or inquiry.

10. The terms of reference (ToR) for the Public Examination stated that the Examiner was to assess whether the WPL scheme could achieve its stated objectives, identify any risks and weaknesses associated with the scheme and make recommendations accordingly.

11. The Public Examiner's ToR were specifically framed to enable a conclusion to be reached on the ability of WPL to deliver its intended benefits within the timescale laid out for delivering the proposed tramway extensions, NET Phase 2. But none of the participants was in any way prohibited from putting forward comments which were not within the ToR. The Examiner on his part addressed all of the issues raised, which included for example the consideration of alternative options for generating the revenue required for implementing the public transport measures.

12. In addition, the Examiner was to make recommendations resulting from any identified risks and weaknesses relating to the scheme. These recommendations were considered by the Council, and the large majority of them have been incorporated within the Council's plans and / or subsequent amendments to the WPL Order.

13. The Secretary of State has concluded that the Council has responded adequately to the recommendations in the Inspector's report.

Issues taken into consideration in deciding whether to confirm order as made or with modifications:

Compliance with legislation and general law

Primary legislation

14. The relevant primary legislation is principally Part III and Schedule 12 of the Transport Act 2000 (as amended by the Local Transport Act 2008) which specify that

a local licensing scheme may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of the licensing authority's local transport policies [*amended from "local transport plan"*] (section 179(2));

a scheme is made by order, which must cover certain matters (area covered by scheme, days on which, and hours during which, licences are required, level of charges payable on licences (expressed as a specified sum of money for each licensed unit), duration of scheme, if not specified to remain in force indefinitely); and a scheme may cover other matters (different charges for different cases, provision in connection with the making of an application for a licence, the grant of a licence, the issue of a licence, the variation or revocation of a licence);

a scheme must include a general plan relating to, and detailed plan for, the application of net proceeds during the opening five year period of the scheme

A local licensing scheme may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of the licensing authority's local transport policies

15. The Secretary of State takes the view that it is primarily for the authority making the licensing scheme to decide whether it appears desirable for the purpose of directly or indirectly facilitating the achievement of the authority's local transport policies. It is for the Secretary of State to decide whether he agrees that the scheme appears desirable and whether the local authority has acted reasonably and proportionately in developing a WPL licensing scheme to achieve them.

16. The Business Case submitted with the Council's application sets out (on pages 18-26) how the WPL licensing scheme will contribute to the achievement of the Council's local transport plan and policies, and explains (on pages 76-85) the reasons for developing a WPL scheme rather than alternative options. The Secretary of State agrees that this is a reasonable approach and does not believe that he would be justified in arriving at a different conclusion. The Secretary of State concurs with the reasons put forward by the Council for proceeding with a Workplace Parking Levy Scheme rather than other options, (for example a Road User Charging Scheme or supplementary business rate), to fund a local contribution to the proposed tramway extensions.

17. The Secretary of State's assessment largely supports the Council's conclusions – the key findings from the Secretary of State's assessment are:

The planned revenue and overall scheme costs look reasonable. The scheme is expected to generate a surplus of £91.7 million (financial net present value, NPV) over 22 years. This falls to £84.5 million if the scheme (costs and revenue) started two years later with 2012 levy prices. The financial revenues have been tested against a range of sensitivities all of which, including a two year delay, leave the financial NPV above £80 million. There would need to be a cut of 31% of the total eligible parking spaces – more than 11,000 parking spaces – before the Council would be unable to meet its contribution to NET2 from the WPL (this is assuming that 10% of levies would still be uncollectable).

The decongestion impact of the WPL is expected to be small but positive, although the impact would depend on the number of car-driving employees who shift to other forms of transport as a result of workplace travel plans associated with the levy.

Businesses and employers will naturally be affected by the cost of the levy. However, the levy is estimated to be less than 1.5% of salary costs for an employee commuting by car. This would, however, be lower when all labour costs are taken into account (pensions, NI contributions etc) and lower still when it is considered as part of the overall costs of the firm. With fewer than half of Nottingham employees travelling to work by car, the levy is likely to be less than 0.4% of total costs to an average firm. Therefore, it is not expected to have a significant impact on activity or location decisions.

The administrative burden of the levy is also expected to be very small – the smallest of businesses (with fewer than 50 parking spaces) will only pay £200 per annum in direct levy administration costs.

Firms with 10 or fewer parking spaces will be eligible for a 100% discount on the annual WPL charge, so most small businesses will be unaffected by the cost of the levy. Overall, only 15% of businesses in Nottingham will be paying the levy, and they will have the option of reducing the number of parking spaces they provide.

The Council has provided a theoretical VfM analysis of the WPL in isolation (using a model designed for the package as a whole), with a positive NPV of £28 million. In general, revenue-generating schemes are not usually expected to offer a positive vfm as there are costs to raising public funds. Therefore the fact there is a small positive NPV makes the WPL promising.

More significantly the WPL is a key funding element within the Council's local transport package, with NET2 tram extension and the Hub and Link buses. The BCR of the package is estimated to be 2.67, which is high value for money. Without the WPL, the package, and particularly the new tram, could not proceed as planned.

The business community will benefit as a whole from the wider package. They are forecast to receive net benefits of £358 million (2002 prices and values) over the 60 year life of NET2 even after the costs of WPL are taken into account. These benefits mainly arise from the decongestion impacts of the tram.

These benefits will not be spread evenly among the business community and it may be the case that in some instances these will be insufficient to offset the increased costs introduced by the scheme. However, even if some businesses get no benefit from enhanced public transports the costs of the levy will be fairly small (see above).

A scheme is made by order, which must cover certain matters and may cover certain others

18. Provision has been made in The City of Nottingham Workplace Parking Levy Order 2008 to cover the items specified in section 186(1) of the Transport Act 2000 as follows:

a) Paragraph 2 of the Schedule (introduced by Article 2(1)) designates the City of Nottingham as the area to which the Scheme applies. (Section 179(1) of the Transport Act 2000 provides that a licensing scheme may cover the whole or any part of the area of the licensing authority, while section 186(2) provides that the boundaries of the licensing area shall be such as the licensing authority determines – unless modified by the Secretary of State under section 184.)

b) Paragraph 3(1) of the Schedule specifies that a licence is required for each licensing day (as defined in paragraph 1 of the Schedule) on which a workplace parking place is provided.

c) Paragraphs 1(2) and 4 of the Schedule specify the amount of charge for each licensed unit.

d) Paragraph 12 of the Schedule specifies that the Scheme shall remain in force indefinitely.

19. As regards the provisions that may be included by virtue of section 186 of the Transport Act 2000, paragraph 4 of the Schedule specifies how charges are to be applied for different types of premises. Paragraph 5 of the Schedule specifies provisions in connection with applications for licences and paragraph 6 deals with the grant of licences. Paragraph 7 deals with variation of licences.

20. The Secretary of State is satisfied that the requirements of primary legislation as described above have been met. But he considers that some modifications of the Council's Order are needed for the following reasons:

21. The Council's Order includes a definition of "occupier" which has not been included in the primary legislation – the Transport Act 2000 - nor in the regulations made under section 178 of that Act. The Secretary of State does not consider it appropriate to include a definition in the Order; it will ultimately be for a court to determine who is the occupier for the purposes of a particular case.

22. The definition of "charge payer" in paragraph 1(1),(3) and (4) of the Schedule is not compatible with the Transport Act 2000 or the regulations that have been made under section 178(2)(b), so the Secretary of State has modified the Order to bring it into line with the relevant legislation.

A scheme must include a general plan relating to, and detailed plan for, the application of net proceeds

23. Annex 1 to the Scheme Order sets out the Council's general plan for the opening ten years, while Annex 2 sets out the detailed programme.

Secondary legislation

24. Apart from the definitions of occupier and charge payer dealt with above the provisions of the Council's Scheme Order comply with the regulations made on 28 July 2009.

General law

25. Compliance with the general law is essential. The Secretary of State could not confirm a scheme which was held to be unfair or arbitrary in its application to a particular sector for example. The Secretary of State has modified paragraph 4(3)(c) of the Schedule to the Order so that the exemption from charging for workplace parking places provided at fire and rescue service premises, police force premises and qualifying NHS premises applies only where the charge payer is the fire and rescue service, the police force or the NHS and not to parking places provided for employees of other organisations located within the premises.

Other modifications

26. The Secretary of State has considered the representations put forward both in response to the Council's Scheme Order and to the consultation on national regulations that the implementation of a Workplace Parking Levy charge in Nottingham in 2010 will impose additional burdens on businesses in times of particular economic difficulty. The Secretary of State has decided, firstly, that the date of the Order's coming into force should be deferred for at least a year, until April 2011, and secondly that collection of the charge should not begin before 1 April 2012. This phased implementation will give businesses, as well as the Council, more time to plan for the introduction of the licensing scheme and charges. The rates of charge from 1 April 2012

onwards will, however, be the same as if the date of the Order's coming into effect had not been deferred.

27. Other modifications have been made, at the Council's request:

to paragraph 1(6)(b) of the Schedule, to clarify the definition of persons who are "associated" (for the purposes of the exemption specified in paragraph 4(7)) in circumstances where the legal structure of the organisation is otherwise than as a company (eg unincorporated bodies);

to paragraph 5(4) of the Schedule to the Order to specify that where the Council provides for payment of the licence charge to be made by instalments the only permitted method of payment shall be direct debit; and

to paragraph 7 of the Schedule to clarify the amount of charge payable if the maximum number of workplaces to be covered by a licence rises above 10 (so that a charge becomes payable) or falls below 11 (and becomes eligible for a discount).

Yours faithfully

Jeremy Rolstone

Head of Road Demand Management Strategy Division

Authorised by the Secretary of State for Transport to sign in that behalf

TRANSPORT ACT 2000

In exercise of the powers conferred by section 184(1) and (4) of the Transport Act 2000, the Secretary of State confirms the City of Nottingham Workplace Parking Levy Order 2008 of 15th May 2008 (“the Order”) subject to the following modifications—

THE ORDER**Workplace Parking Levy Scheme**

1. In article 2 after paragraph (2) insert—

“(2A) The day appointed in relation to the paragraphs of the Scheme mentioned in paragraph (2)(a) may not be earlier than 1 April 2011.”

THE SCHEDULE**Interpretation**

2.—(1) In paragraph 1(1)—

(a) after “sub-paragraphs (3) and (4)” insert “and shall include a person who would have been liable to pay a licence charge but for paragraph 4(3)”;

(b) omit the definition of the expression “occupier”.

(2) For paragraph 1(2) substitute—

“(2) In this Scheme “the annual charge” means, in relation to each of the licensing years mentioned in the following table, the amount arrived at by increasing the charge listed in the right hand column of the table opposite that year by the same percentage as the percentage increase between the retail prices index for November 2007 and the retail prices index for the November immediately preceding the commencement of that year, and rounding the resulting figure to the nearest one pound.

<i>Licensing Year</i>	<i>Annual Charge (at April 2008 prices)</i>
The licensing year commencing 1 April 2011	£0
The licensing year commencing 1 April 2012	£253
The licensing year commencing 1 April 2013	£285
The licensing year commencing 1 April 2014	£301
The licensing year commencing 1 April 2015 and any subsequent licensing year	£306

”.

(3) In paragraph 1(3)—

(a) omit sub-paragraphs (3)(a) and (3)(b); and

(b) after “shall be” insert “the occupier for the time being responsible for providing the workplace parking place”.

(4) For paragraph 1(4) substitute—

“(4) Where the occupier of any premises has—

(a) entered into arrangements with another person (P) for the provision by P of a parking place at those premises (whether or not for P’s own use); and

(b) provided the licensing authority with such evidence of those arrangements as the authority may reasonably require,

the charge payer shall be P.”.

(5) Omit paragraph 1(5).

(6) For paragraph 1(6)(b) substitute—

“(b) except as is provided for in paragraph 3(4A), any two persons are associated if—

(i) one is directly or indirectly controlled by the other; or

(ii) both are directly or indirectly controlled by a third person.”.

Licences for workplace parking places

3.—(1) For paragraph 3(2) substitute—

“(2) The obligation to have a licence for each licensing day on which a workplace parking place is provided at any premises within the licensing area lies with the charge payer, and a separate licence is required—

(a) in respect of any premises, for each charge payer occupying those premises; and

(b) in respect of any one charge payer, for each premises within the licensing area at which a workplace parking place is provided by the charge payer.”.

(2) After paragraph 3(4) insert—

“(4A) For the purposes of sub-paragraph (4)(c) any two persons are associated if and only if—

(a) one is a company of which the other (directly or indirectly) has control; or

(b) both are companies of which a third person (directly or indirectly) has control.”.

Charges for licences

4.—(1) For paragraph 4(3) substitute—

“(3) No licence charge shall be payable in respect of any workplace parking place where the Council is satisfied on the information available to it that—

(a) the workplace parking place is provided at fire and rescue service premises, police premises, Serious Organised Crime Agency premises or qualifying NHS premises; and

(b) the charge payer in respect of the workplace parking place is a fire and rescue service, a police force, the Serious Organised Crime Agency or an NHS

body within the meaning of the National Health Service Act 2006(a), as the case may be,

but this sub-paragraph shall not apply to a workplace parking place provided at fire and rescue service premises, police premises, Serious Organised Crime Agency premises or qualifying NHS premises in respect of which the fire and rescue service, the police force, the Serious Organised Crime Agency or the NHS body (as the case may be) has entered into arrangements with another person (P) for the provision by P of that workplace parking place at those premises (whether or not for P's own use).".

(2) In paragraph 4(4)—

(a) for "sub-paragraph (3)(b)" substitute "sub-paragraph (3)(a)";

(b) in sub-paragraph (4)(c) after "premises that are" omit "primarily".

Applications for licences

5.—(1) For paragraph 5(2) substitute—

"(2) The application shall be made by completing the form specified by the Council for the purpose and in doing so the charge payer shall—

(a) for each premises within the licensing area at which a workplace parking place is provided by the charge payer, give details of—

(i) the maximum number of workplace parking places the charge payer wishes to provide at the premises at any one time during the period of the licence;

(ii) the location and nature of those workplace parking places;

(iii) the commencement date for the licence for the premises, which may be a date earlier than the date on which the licence is applied for; and

(iv) such other information and supporting details as the Council may require; and

(b) give such information and supporting details as the Council may require about persons associated with the charge payer who are providing workplace parking places within the licensing area.".

(2) In paragraph 5(3) after "by agreement with the Council and" insert "subject to sub-paragraph (4A)".

(3) In paragraph 5(3)—

(a) in paragraph (a) for "the licence charge" substitute "any licence charge payable"; and

(b) in paragraph (b) for the first reference to "the licence charge" substitute "any licence charge payable".

(4) In paragraph 5(4) —

(a) in paragraph (a) after “by a cheque in payment of that charge” insert a comma;

(b) for paragraph (d) substitute—

“(d) an application is submitted in any other manner by agreement with the Council if it is submitted, and enables payment of any charge required to be paid by sub-paragraph (3), by such means as the charge payer and the Council may agree between them;”.

(c) in paragraph (e)—

(i) for “the licence charge” substitute “any licence charge payable”;

(ii) after “determined by the Council” omit the comma; and

(iii) after “by direct debit” omit “or standing order”.

(5) After paragraph 5(4) insert—

“(4A) Where the Council permits all or part of the licence charge to be paid after the application is submitted, payment of the outstanding sum must be made by the date and in the manner specified in an invoice provided by the Council.”.

Grant of licences

6.—(1) In paragraph 6(1) after “validly made” omit “and the licence charge payable, or any instalment of it (as the case may be), has been paid”.

(2) In paragraph 6(2)(e) for “the licence charge” substitute “any licence charge payable”.

(3) In paragraph 6(3) for “paragraph 5(2)(c)” substitute “paragraph 5(2)(a)(iii)”.

(4) For paragraph 6(5) substitute—

“(5) Where the Council grants a licence in respect of which payment due is not subsequently received in the time and in the manner required by the Council, the licence may be treated by the Council as void.”.

Variation of licences

7.—(1) In paragraph 7(3) —

(a) after “sub-paragraph (8)” omit the comma; and

(b) after “the application must” insert “, subject to sub-paragraph (4A),”.

(2) After paragraph 7(4) insert—

“(4A) Where the Council permits all or part of the additional charge to be paid after the application under sub-paragraph (1) is submitted, payment of the outstanding sum must be made by the date and in the manner specified in an invoice provided by the Council.”.

(3) In paragraph 7(5) after “validly made” omit “and any additional charge payable under sub-paragraph (8) has been paid”.

(4) For paragraph 7(7) substitute—

“(7) Where the Council grants a licence variation under sub-paragraph (5) in respect of which payment due is not subsequently received in the time and in the manner required by the Council, the licence may be treated by the Council as not having been varied.”.

(5) In paragraph 7(8) for paragraph (a) substitute—

“(a) multiplying the annual charge by—

(i) the additional number of workplace parking places that may be provided at the premises at any one time during the period of the licence; or

(ii) the revised total number of workplace parking places that may be provided at the premises at any one time during the period of the licence, where the result of the application made under sub-paragraph (1)(a) is that paragraph 4(7) no longer applies to the charge payer; and”.

(6) In paragraph 7(10)—

(a) in paragraphs (a) and (b) after “licence charge” insert “(and any previous additional charge)”;

(b) in paragraph (b) after “sub-paragraph (12)” insert “; or”; and

(c) after paragraph (b) insert—

“(c) where the licence charge (and any previous additional charge) is being paid by instalments, and the result of the application made under sub-paragraph (1)(b) is that paragraph 4(7) now applies to the charge payer, cancel payment of any instalments due after the date of commencement of the variation and issue to the charge payer a refund (if any) of the amount specified in sub-paragraph (12A).”.

(7) For paragraph 7(11) substitute—

“(11) The amount referred to in sub-paragraph (10)(a) shall be calculated by—

“(a) multiplying the annual charge by—

(i) the number of workplace parking places removed from the scope of the licence on its variation; or

(ii) the total number of workplace parking places covered by the licence prior to the application under sub-paragraph (1)(b), where the result of the application made under sub-paragraph (1)(b) is that paragraph 4(7) now applies to the charge payer; and

(b) reducing the amount arrived at in accordance with paragraph (a) by a percentage, which is the same as the percentage of the original period of validity of the licence that has expired at the date of commencement of the variation.”.

(8) In paragraph 7(12)—

(a) after paragraph (a) insert—

“(ab) such proportion of any previous additional charge payable at the date of commencement of such variation;”;

(b) for paragraph (b) substitute—

“(b) the amount calculated by—

(i) multiplying the annual charge by the revised number of workplace parking places that may be provided at any one time during the period of the licence on its variation; and

(ii) reducing the amount arrived at in accordance with sub-paragraph (i) by a percentage, which is the same as the percentage of the original period of validity of the licence that has expired at the date of commencement of the variation; and”;

(c) after “less such proportion of the licence charge” insert “and any previous additional charge”.

(9) After paragraph 7(12) insert—

“(12A) The amount referred to in sub-paragraph (10)(c) shall be such proportion of the licence charge and any previous additional charge that has already been paid at the date of commencement of the variation less—

(a) the licence charge, reduced by a percentage, which is the same as the percentage of the period of validity of the licence that remains at the date of commencement of the variation;

(b) such proportion of any previous additional charge payable at the date of commencement of the variation; and

(c) the administration charge.”.

ANNEX 1 TO THE SCHEME

8.—(1) In paragraph 1—

(a) for “April 2010” substitute “October 2011, with charging commencing in April 2012”;

(b) for “may only have been operating for one year, or may” substitute “will”;

(c) for the words from “Assuming” to “March 2016” substitute “The third LTP (“LTP3”) will begin in April 2011 and run to March 2016”;

(d) omit “LTP3 will have to be submitted to the Secretary of State for Transport for approval in summer 2010 and that”; and

(e) after “Government objectives” insert “for LTP3”.

(2) In paragraph 2 after “towards” for the colon substitute a dash.

ANNEX 2 TO THE SCHEME

9.—(1) In the heading to the Annex, for “EXISTING LOCAL TRANSPORT PLAN” substitute “OPENING FIVE YEAR”.

(2) For paragraphs 1 to 4 substitute—

“1. It is proposed that the Scheme will start in October 2011, with charging commencing in April 2012. During the opening five year period referred to in paragraph 10(1)(b) of Schedule 12 to the Transport Act 2000, the expenditure plans for workplace parking levy receipts will complement the Local Transport Plan programme. The third Local Transport Plan (“LTP3”) will begin in April 2011 and run to March 2016. Therefore the opening five year period of the scheme will include the period covered by LTP3.

2. It is expected that both Local Transport Plan and Government objectives for LTP3 will remain broadly similar to those currently in use for the current Local Transport Plan (“LTP2”). It is likely that LTP3 will maintain progress on maintenance and integrated transport measures in LTP2 but also support initiatives to accommodate future growth in the conurbation, including the Housing Growth Point proposals and the development required by the emerging Regional Spatial Strategy. During the period of LTP3 it is expected that a number of the workplace parking levy- funded schemes will become operable. Priorities for the workplace parking levy revenue expenditure in the opening five year period of the scheme are—

(a) **Nottingham Express Transit (“NET”) Phase Two** — a local contribution to the financial package to develop and build network extensions to Chilwell/Beeston and Clifton as authorised by The Nottingham Express Transit System Order 2009, including interchanges and joint ticketing, and development costs for further lines;

(b) **‘Link’ buses** — to pump-prime, enhance and provide continued support to the network of ‘Link’ bus services and routes serving major out-of-town employment sites, education sites, health and retail facilities and network of local neighbourhood services to enhance local accessibility through connecting areas into the main bus network;

(c) **Integrated major schemes** — contribution to enhancements to Nottingham Station to provide a 21st century facility worthy of a major European city, including enhancing local interchange, improving passenger facilities and driving regeneration in the surrounding Southside development area; and

(d) **Smarter choices and travel plans** — to provide enhanced assistance in developing ‘smarter travel choices’, company travel plans and on and off-street parking management schemes.

3. The expenditure plans for workplace parking levy receipts during the opening five year period of the scheme will contribute towards meeting the following Local Transport Plan and Government objectives—

- (a) better manage and where possible reduce the problems of congestion;
- (b) improve accessibility and social inclusion (by increasing rail, bus and tram use and improving interchange between modes);
- (c) improve road safety;
- (d) better air quality and protection of the environment;
- (e) support regeneration and neighbourhood renewal; and
- (f) enhance people's quality of life.

4. The programme for the LTP2 period (2006/7–2010/11), which is likely to inform the programme for the LTP3 period includes the following elements—

- (a) **Maintenance** — of carriageways, bridges and footways, with an emphasis on maximising the life of key highway assets;
- (b) **Integrated Transport Measures** — including bus service development and priority measures, information, ticketing, fares and interchanges; walking and cycling improvements; Park and Ride and other elements of the City's parking strategy; road safety and traffic management schemes; transport demand management; marketing and monitoring; and
- (c) **Integrated Transport Major Schemes** — including NET Phase Two and the Ring Road Major Scheme. Schemes will be subject to the necessary Government approvals. Other proposals may emerge to accommodate future growth, linked in with wider development proposals with regeneration areas and new Growth Point Commitments.”