

EXECUTIVE - 18 JANUARY 2018

PARKING FOR THE FAITH COMMUNITY AND COMMUNITY GROUPS

Executive Summary

This report recommends that there should be no material change to the Council's Policy Statement for Parking Charges for Members of the Faith Community and Community Groups (the only changes will be (i) to record that the Policy Statement was affirmed by the Executive on 18 January 2018 and (ii) provide for a review in January 2023).

Reasons for Decision

The Policy Statement was due to be reviewed in July 2017.

Recommendations

The Executive is requested to:

RESOLVE That

there be no change in the Council's Policy Statement for Parking Charges for Members of the Faith Community and Community Groups (save for (i) recording that the Policy Statement was affirmed by the Executive on 18 January 2018 and (ii) providing for a review in January 2023).

The Executive has authority to determine the above recommendations.

Background Papers:

None, save for those appended to this report.

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Parking for the Faith Community and Community Groups

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Parking for the Faith Community and Community Groups

1.0 Introduction

- 1.1 On 18 July 2013, the Executive clarified the Council's policy in respect of allowing members of the faith community and other community groups to park free of charge in the Council's car parks. The policy is set out in the attached Policy Statement (Appendix 1).
- 1.2 The context for the clarification was an allegation that the Council's practice of allowing the faith community to park free of charge amounted to unlawful discrimination. This followed the commissioning, by the Council, of an independent Equality Impact Assessment ("2012 EqIA") of its Sunday car parking practice. The 2012 EqIA was undertaken by Skyers-Poorman Research and Consulting. The clarification took account of, and was consistent with, the conclusions of the 2012 EqIA.
- 1.3 Paragraph 6 of the Policy Statement provides for it to be reviewed on 12 July 2017. This report details the outcome of that review.

2.0 Review

- 2.1 The review of the Policy Statement has necessitated a review of the 2012 EqIA. Dr Sophia Skyers (CIBS IQ Research) was, therefore, appointed to review and update the 2012 EqIA (Dr Skyers was the joint author of the 2012 EqIA).
- 2.2 In November 2017, Dr Skyers produced her report on the review of the 2012 EqIA ("2017 Report"). A copy of the 2017 report is appended as Appendix 2.
- 2.3 The recommendation in the 2017 Report is that:-

"WBC continue with the practice in relation to Sunday parking charges of allowing worshippers to park for free as the Council has determined that it is a proportionate means of achieving a legitimate aim, and having proper regard to all of the issues contained in the [2012] EqIA and [the 2017 Report]."

- 2.4 In deciding whether to follow the recommendation in the 2017 Report, the Executive should have regard to the issues it considered on 13 October 2011, 31 May 2012 and 18 July 2013. Copies of the relevant reports are appended as Appendix 3.
- 2.5 It is acknowledged that the practice of allowing the faith community to park free of charge, in the Council's off-street car parks, in order to attend a place of worship for the purpose of, or in connection with, worship on that faith community's primary day of worship amounts to indirect discrimination under the Equality Act 2010. However, this practice will be justified if it is a proportionate means of achieving a legitimate aim.
- 2.6 The "legitimate aim" remains as set out in the earlier reports, i.e. the support of the faith communities in Woking. Places of worship, and the faith communities that they serve, play an important role, both in society in general and Woking in particular. They encourage people to participate in society, thereby promoting social inclusion. In addition, considerable voluntary work is organised by faith communities, often for the benefit of the more disadvantaged members of our society.
- 2.7 The small reduction in income to the Council resulting from allowing members of the faith community to park free of charge is estimated to be £1,000 per week (if everyone entitled to free parking chose to pay). On an annual basis, this sum (£52,000) is a small proportion of the Council's overall budgeted car parking income of £7,453,000, and is taken into account when the Council's estimates/budgets are prepared. As such, the reduction in

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income is proportionate when compared with the benefits resulting from the Council's "legitimate aim".

3.0 Conclusions

- 3.1 Having considered the 2012 EqIA, the 2017 Report and the earlier reports to the Executive, it is concluded that there should be no change to the Council's policy on parking for the faith community and community groups. Insofar as it relates to the faith community, the policy is a proportionate means of achieving a legitimate aim.

4.0 Implications

Financial

- 4.1 As this report recommends continuing with the Council's existing approach to free car parking, there are no financial implications arising directly from this report.

Human Resource/Training and Development

- 4.2 None arising directly from this report (for the reason given in paragraph 4.1 above).

Community Safety

- 4.3 None arising directly from this report (for the reason given in paragraph 4.1 above).

Risk Management

- 4.4 None arising directly from this report (for the reason given in paragraph 4.1 above).

Sustainability

- 4.5 None arising directly from this report (for the reason given in paragraph 4.1 above).

Equalities

- 4.6 These are expressly referred to in the report and supporting documents.

5.0 Consultations

- 5.1 None.

REPORT ENDS

EXE18-001

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APPENDICES

