

COMMUTED PARKING PAYMENT SCHEME (SLIEMA, ST, JULIANS, VALLETTA AND FLORIANA)

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1. INTRODUCTION

The Planning Authority has approved a new policy regarding a Commuted Parking Payment Scheme (CPPS). The objective is to define a mechanism for implementing Structure Plan Policy TRA 4, which states:

Where a development is not required to meet full standards, the cost of providing the shortfall of spaces in public parking facilities shall be a requirement of the development.

The main scope of the CPPS is to raise money to subsidise parking provision in the localities where it is most required. This money will be collected from developers, who are not able or who are not required to provide parking within their developments.

2. DEVELOPMENTS ELIGIBLE TO PARTICIPATE IN SCHEME

It is important to stress that this scheme is not an option that a developer may use to avoid providing parking. It is at the Planning Authority's discretion to decide when and where a development can participate in the scheme. Schemes will only be eligible where it is either physically impossible or undesirable to comply with Structure Plan parking standards. Such a situation might arise in one of the following circumstances.

- in very restricted or awkwardly shaped sites - for example sites with a narrow road frontage,
- in sites where it is not practical to form an access at ground floor or basement level - for example where an application seeks an additional floor (s) on top of an existing building
- where an application consists of a change of use of an existing building and the new use has a higher parking requirement than the old one - for example change of use from shop to restaurant/bar..
- in sites where it may be unsafe to form a vehicular access.
- in sites where it is undesirable to form a vehicular access, such as in Urban Conservation Areas, or areas proposed for pedestrianisation.

In these situations it will be necessary to seek a commuted parking payment. The alternative is for the applicant to provide parking on other land nearby (subject to Planning Authority approval) or the application will be refused. It will not be appropriate for every eligible development to participate in the CPPS. There needs to be a realistic possibility of the provision of parking facilities nearby within a relatively short timescale. Sites for parking provision have already been identified in Valletta/Floriana, Sliema and St. Julians (including Paceville). Therefore, initially the scheme will only apply to developments in these areas. Other areas will be added as further sites for parking provision are identified.

3. DEVELOPMENTS EXEMPT FROM CPPS

It is important to stress that all new developments (including change of use) must meet the parking provision standards in Structure Plan Policy TRA 4 and the Explanatory Memorandum. However the scheme does not apply to the following classes of development:

- Small scale developments which would have a parking requirement of 3 spaces or less. (However, this allowance must not be abused by incremental increases in the size of a development, with each increase requiring 3 parking spaces or less). This exemption will therefore only apply once to any site.
- Local bars (but not nightclubs or discos). This depends on the area. In popular entertainment areas such as Paceville and St. Julians, bars are not considered to be of local use.
- Local shops (e.g. grocers, pharmacists, butchers, stationers, household goods but excluding specialist retail such as antiques, jewellers, boutiques). This does not exclude the fact that sometimes these shops will be required to provide un/loading bays.
- [The placing of tables and chairs accompanying a catering establishment, in Valletta, in the Three Cities and in other urban areas provided the development conforms to the relative provisions set out in the Development Notification Order](#)

In every case, it must be evident that the proposed development is likely to attract a majority of visitors on foot, and therefore generate a low demand for parking. In these cases, it would not be reasonable to require a commuted payment.

4. THE PAYMENT MECHANISM

Section 42 of the Development Planning Act 1992 empowers the Planning Authority to levy an Infrastructure Services Contribution towards the cost of 'other services or facilities arising from any permission to develop land from the person applying for such permission'. This section clearly applies to commuted parking payments. Paragraph 9 of Schedule 2 of the Building Levy Rates 1993 applies to those cases where the Authority considers that a proposed development is likely to place extraordinary or exceptional demands on infrastructure services and other services or facilities. In order to secure the proper planning of the area and to regulate the use of land in accordance with the policies and proposal in the Structure Plan, and any subsidiary plan, the Authority is empowered to determine any additional contribution to be levied to meet the cost of the services and facilities arising from the permission applied for, and may also enter into an agreement with the applicant to ensure the payment of the contribution so determined. Reports to the Development Control Commission (DCC) or Planning Authority in appropriate cases will clearly specify those applications where a commuted parking payment is being considered, together with a calculation of the payment required.

If the DCC accepts the officer's recommendation the Transport Planning Unit will notify the applicant of the amount of contribution required and will send a copy of the form required to accompany payment (copy attached). The bank will stamp the form on receipt of payment and copy will be returned to the applicant which will be used to notify the Transport Planning Unit that the funds have been transferred into the relevant account. The Transport Planning Unit will check that the right amount of contribution has actually been paid into the account and if satisfied inform the DCC that the permit may be issued. If a developer is not prepared to make a commuted parking payment where one is required, any application should be refused.

5. IMPLEMENTATION

The Planning Authority has an important role to play in controlling the commuted parking payment scheme, but it is not its responsibility to actually provide parking spaces. It is also not appropriate for land to be expropriated for parking areas, instead it should be purchased on the open market. Land can be identified for parking purposes in Local Plans, or by Central Government or Local Councils. If a car parking project is acceptable to the Planning Authority, Central Government or Local Councils may apply to the Planning Authority to use money from the CPPS fund to subsidise the provision of the parking area. Funds from the CPPS scheme will only be eligible for use in the Local Council area from which they have originated.

The funds collected under the Commuted Parking Payment Schemes are to be used for the construction of car parks as well as for the provision of environmentally friendly means of local public transport. Such means of local public transport has to operate primarily within the CPPS boundary from which the funds have been collected. It also has to operate on local public transport routes that connect to existing or proposed public car parks within such CPPS boundary. The operational activities of the local public transport system shall not be funded by CPPS funds.

Any public transport services provided under this policy shall be considered to fall within the scope of the 1995 Agreement between Government and the Public Transport Association and, as such, shall be regulated by the Malta Transport Authority under specific contract.

It is likely that most parties seeking to utilise funds from the CPPS will be public bodies; either Local Councils or Central Government. If private sector interest can be stimulated the prospects for securing parking provision will be improved.

One possibility is for funds from the CPPS to be used to subsidise private sector initiatives which otherwise might not be viable. The detailed mechanism by which private parking developments may be subsidised from the CPPS will have to be determined by the relevant Local Councils, since these bodies will receive and administer the funds from the Planning Authority. In all cases of private parking development it will be a requirement that in return for the subsidy the developer allows a degree of public control over the pricing and availability of the spaces provided. The Planning Directorate will offer advice to Local Councils in negotiating with these developers, and in all cases, a legal agreement will be required.

6. PAYMENTS

The contributions to be paid to the CPPS will be based on the difference between the number of parking spaces required to comply with Structure Plan parking standards and the number of spaces provided within the development. A Standard flat rate fee of Lm 900 per missing space will be charged. This fee rate will be kept under review and may be altered in the light of changing circumstances.