

Hospitals (Parking Charges and Business Rates) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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TO

Prohibit charging for car parking at NHS hospitals for patients and visitors; to make provision for NHS hospitals to be exempt from business rates; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Abolition of NHS hospital car parking charges

1 Duty of the Secretary of State to secure abolition of NHS hospital car parking charges

- (1) It shall be the duty of the Secretary of State to secure that, in England, healthcare providers do not levy charges on patients and visitors for the use of car parking spaces at NHS hospitals. 5
- (2) For the purposes of this Act, “health care providers” includes NHS Trusts, NHS Foundation Trusts, and any other NHS body prescribed by the Secretary of State in regulations.
- (3) The duty in subsection (1) applies to car parking spaces provided directly or indirectly, including under contract, by or on behalf of a health care provider for patients and visitors to whom car parking charges would otherwise apply. 10

2 Health care providers to abolish existing NHS car parking charges

- (1) Health care providers in England shall, within three months of this Act being passed, make arrangements to cease the charging of patients and visitors for the use of car parking spaces at NHS hospitals provided directly or indirectly, including under contract, by or on behalf of a health care provider where car parking charges would otherwise apply, subject to the exception in subsection (2). 15
- (2) The exception is where— 20
 - (a) a health care provider is under contractual obligations with another person (“P”) who is, under that contract, responsible for the provision of car parking spaces for patients and visitors, and

(b) that contract provides for P to charge a person using the car parking spaces.

- (3) Where a contract as referred to in subsection (2) is in place, the health care provider must make arrangements to cease the charging of patients and visitors for the use of car parking spaces upon conclusion of that contract or at its next review, whichever is the earlier. 5

3 Prohibition of any future NHS hospital car parking charges

Subject to the exception in section 2(2), health care providers in England shall ensure that charges are not levied on patients and visitors for the use of car parking spaces at NHS hospitals, whether or not such charges have previously been levied. 10

4 Health care providers not required to reduce or remove parking provision

Nothing in this Act is to be read as requiring health care providers to reduce or remove provision of car parking spaces at NHS hospitals.

Exemption of NHS hospitals from local non-domestic rates 15

5 NHS hospitals: exemption from local non-domestic rates

- (1) Schedule 5 (Non-domestic rating; exemption) to the Local Government Finance Act 1988 is amended as follows.

- (2) After paragraph 19A insert—

“19B A hereditament is exempt to the extent that— 20
 (a) it consists solely of an NHS hospital, or
 (b) it is used solely in connection with the operation of an NHS hospital.”

- (3) In paragraph 21, after sub-paragraph (2) insert—

“(2A) “NHS hospital” means a health service hospital (as defined by the National Health Service Act 2006) in England.” 25

Final provisions

6 Regulations

- (1) Regulations under section 1(2) are to be made by statutory instrument.
 (2) A statutory instrument containing regulations under section 1(2) is subject to annulment in pursuance of a resolution of either House of Parliament. 30

7 Report

The Secretary of State shall, no later than 15 months after the day on which this Act is passed, lay before each House of Parliament a report on—

- (a) the number of NHS hospitals that have made arrangements to cease the charging of patients and visitors for the use of car parking spaces; and
- (b) the number of NHS hospitals that remain under contract to apply charges for car parking spaces, and when these contracts will end. 5

8 Interpretation

In this Act—

- “health care providers” has the meaning given in section 1(2);
- “NHS hospital” means a health service hospital (as defined by the National Health Service Act 2006) in England; 10
- “NHS Trusts” has the meaning given in section 25 of the National Health Service Act 2006;
- “NHS Foundation Trusts” has the meaning given in section 30 of the National Health Service Act 2006;
- “patients” means persons to whom health services are being provided at an NHS hospital; 15
- “visitors” means any person who is using a car parking space in order to visit a patient at the NHS hospital.

9 Extent, commencement and short title

- (1) This Act extends to England and Wales. 20
- (2) This Act comes into force two months after the day on which it is passed.
- (3) This Act may be cited as the Hospitals (Parking Charges and Business Rates) Act 2021.

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Prohibit charging for car parking at NHS hospitals for patients and visitors; to make provision for NHS hospitals to be exempt from business rates; and for connected purposes.

Presented by Mr Peter Bone

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