
Report To:	Environment & Regeneration Committee	Date:	2 May 2013
Report By:	Corporate Director Environment, Regeneration & Resources	Report No:	ERC/ENV/IM/13.516
Contact Officer:	Robert Graham	Contact No:	714827
Subject:	Decriminalised Parking Enforcement – Progress and Detail Approvals		

1.0 PURPOSE

- 1.1 The purpose of this report is to inform the Committee of progress on the implementation of Decriminalised Parking Enforcement (DPE) in Inverclyde and to seek approval for detailed elements of the scheme.

2.0 SUMMARY

- 2.1 Following approval by the Environment & Regeneration Committee on 25 October 2012 to progress and implement a DPE scheme for Inverclyde (Min Ref: 2012 Para 621), work has been undertaken to combine the Council's traffic regulation orders into fewer consolidated traffic orders worded appropriately for the enforcement of the regulations by the Council's Parking Attendants. These orders contain, amongst other matters, details of charges and definitions which require Committee approval before the orders can be advertised.
- 2.2 This report also provides a briefing on the latest progress of the work to implement DPE by Summer 2014.

3.0 RECOMMENDATIONS

It is recommended that the Committee:

- 3.1 approves a standard Penalty Charge throughout the Council area for all contraventions. This will be a penalty charge of £60 which will be discounted to £30 for payment within 14 days and increased to £90 for late payment after the service of a Charge Certificate.
- 3.2 approves the initial vehicle removal, storage and disposal charges, if and when introduced:
- Vehicle removal – a charge of £105;
 - Vehicle storage - a charge of £12 for each 24 hours or part thereof; and
 - Disposal of unclaimed vehicle – a charge of £50.

All these charges are initial charges and may be increased by notice in the future should such increases be necessary to adequately cover the Council's expenses in providing these services.

- 3.3 approves the delegation of the Council's authority in terms of the Road Traffic Act 1991,

to Parking Attendants employed by the Council.

- 3.4 approves the delegation of the Council's authority appropriate to an Authorised Person, as defined in the traffic regulation orders for DPE in Inverclyde and assigned to them by the Road Traffic Act 1991, to the Head of Safer and Inclusive Communities and the Community Safety & Wellbeing Service Manager.
- 3.5 notes the progress towards implementation of DPE to date.

Ian Moffat
Head of Environmental & Commercial Services

4.0 BACKGROUND

- 4.1 The existing parking supply in Inverclyde is not managed in such a way that it meets the needs of its users. A parking strategy was formulated to provide a better managed parking system with better availability of spaces, improved access for deliveries and improved pedestrian safety.
- 4.2 In June 2011 Strathclyde Police terminated the Traffic Warden Service as an efficiency saving. Parking controls and loading and waiting restrictions will be left without the power to enforce them if no alternative to the Traffic Warden Service is found.
- 4.3 The Environment & Regeneration Committee of 25 October 2012 approved the application to Scottish Ministers for the introduction of DPE throughout Inverclyde and remitted to the Head of Environmental and Commercial Services to progress and implement a DPE scheme.

5.0 PROGRESS OF DPE SCHEME

- 5.1 The application to Scottish Ministers for DPE Powers has been submitted to the Scottish Government and preliminary feedback received on 25 March 2013 refers to the application as 'good and thorough'. A small number of minor queries will be dealt with in due course.
- 5.2 The condition of all the waiting and loading restrictions and parking spaces in Inverclyde has been surveyed.
- 5.3 A programme to bring all Inverclyde's yellow lines and signs up to DPE standard has been produced and Port Glasgow and central Greenock have been completed so far.
- 5.4 All revised On-street and Off-street traffic regulation orders are being progressed with Legal and are due to go out to initial consultation in May.
- 5.5 The Parking Attendant operation will be run by Safer and Inclusive Communities from its Community Warden base.
- 5.6 Letters seeking agreement to Council controls being introduced in particular off-street car parks have been sent to the owners of Kilblain Court, Greenock and George Square, Greenock car parks.
- 5.7 Daily coverage of parking offences by Police officers in Greenock town centre has been arranged from now until DPE implementation.

6.0 APPROVAL OF DETAILS WITHIN THE SCHEME

- 6.1 Following approval by the Environment & Regeneration Committee on 25 October 2012 to progress and implement a DPE scheme for Inverclyde, work has been undertaken to combine the Council's traffic regulation orders into fewer consolidated traffic orders worded appropriately for the enforcement of the regulations by the Council's Parking Attendants. These orders contain, amongst other matters, details of charges and definitions which require Committee approval before the orders can be advertised.
- 6.2 Approval is sought to apply a standard Penalty Charge throughout the Council area for all contraventions. This will be a penalty charge of £60 which will be discounted to £30 for payment within 14 days and increased to £90 for late payment after the service of a Charge Certificate. All Councils operating a DPE scheme in Scotland use this level of charging.
- 6.3 Although it is not proposed to remove, store or dispose of vehicles at present, approval is sought to apply the following initial charges for vehicle removals, if and when introduced:

- Vehicle removal – a charge of £105;
- Vehicle storage - a charge of £12 for each 24 hours or part thereof; and
- Disposal of unclaimed vehicle – a charge of £50.

All these charges are initial charges and may be increased by notice in the future should such increases be necessary to adequately cover the Council's expenses in providing these services.

6.4 Approval is sought to give those Council employees employed as Parking Attendants, delegated authority to issue Penalty Charge Notices (PCNs) and to implement the powers assigned to them by the Road Traffic Act 1991 on behalf of the Council.

6.5 Approval is sought to give the Head of Safer and Inclusive Communities and the Community Safety & Wellbeing Service Manager the Council's delegated authority appropriate to an Authorised Person as defined in the traffic regulation orders for DPE in Inverclyde and assigned to them by the Road Traffic Act 1991.

7.0 CONSULTATION

- 7.1
- a) Legal Services have been consulted on this report.
 - b) Finance Services have been consulted on this report.
 - c) Safer and Inclusive Communities have been consulted on this report.

8.0 IMPLICATIONS

8.1 Financial:

Members are asked to note that the charges referred to in this report are as envisaged in the DPE business case reported on in October 2012 and hence any financial implications remain unchanged.

Cost Centre	Budget Heading	Proposed Spend	Virement From	Other Comments

8.2 Human Resources

This report has no implications for human resources.

8.3 Equality and Diversity

The charging of disabled drivers for off-street parking reflects the Council's Equality Agenda.

8.4 Repopulation

This report has no implications for the Council's repopulation policies.