

APPENDIX 3

CL/37. CONSOLIDATION OF POWERS FOR CIVIL PARKING ENFORCEMENT

Note: At 7.10 p.m. Councillors Ford, Harrison, Richards and Southerd left the Meeting for this item.

An update was provided on progress towards the county-wide introduction of Civil Parking Enforcement (CPE). Members were reminded of earlier reports, which had approved in principle the introduction of the powers and transfer of on-street parking responsibilities from the Derbyshire Constabulary. A CPE Project Board had been established and a draft joint agreement formulated for service delivery. The draft memorandum of understanding was presently on its 14th version and this was submitted for Members' information. The report explained the financial implications and the County Council now sought formal approval to support the application to the Secretary of State for the civil enforcement powers. The report set out the requirements on this Council to join a joint committee, the requirements relating to the clamping and the removal of vehicles and the need for off-street parking place orders, to coincide with the grant of civil parking enforcement powers.

In response to a Member's question on the memorandum of understanding, further information was provided on the officer working groups established. CPE had been considered by the Council on two previous occasions and an overview was provided of the issues raised and the decisions reached at those times. It was explained how the document was tailored for authorities like South Derbyshire that did not charge for car parking. It was also questioned whether Members would be involved regarding the Traffic Control Orders. As community leaders, Members had a local knowledge of particular problem areas and could provide input to Officers, so that resources were targeted effectively.

RESOLVED:-

- (1) That Council approves the County Council's application to the Department of Transport for Civil Parking Enforcement, Special parking Enforcement, Bus Lane Enforcement powers and moving contravention enforcement powers.***
- (2) That this Council agrees to join the "Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations outside London" in accordance with the requirements of the Traffic Penalty Tribunal and that a Member be appointed in due course.***
- (3) That the Council approves in principle the powers to clamp and remove vehicles parked in contravention, provided that these powers will not be exercised without further approval from this Council.***
- (4) That the Council authorises the setting of the level of differential penalty charges at Band 2 as defined in the Civil Enforcement of Parking Contraventions (Guidance on Levels of Charges)(England) Order 2007.***

- (5) That approval be given to begin formal public consultation in respect of a Parking Order, which will reflect the changes in enforcement that will be brought about by the aforementioned powers, and associated costs in bringing this into being.**
- (6) The Council approves the appointment of bailiffs where necessary to recover unpaid parking debts, subject to appropriate legal and financial guidance being put in place to ensure they are used appropriately.**

Note: At 7.20 p.m. Councillors Ford, Harrison, Richards and Southerd rejoined the Meeting.