

Committee: Environment Committee

Agenda Item

Date: 4 September 2007

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Title: **Decriminalised Parking Enforcement (DPE) Policy**

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Item for decision

Summary

1. It is recognised as best practice for local authorities involved in decriminalised parking enforcement to adopt a thorough and robust enforcement policy through which all enforcement activities can be justified. This report presents such a policy for the Council. The detailed policy follows this report.

Recommendations

2. That Committee approves the adoption of the proposed policy forthwith.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author.
 - Agency Agreement between UDC and Essex County Council for operation of DPE within the district.
 - Enforcement policy documents of other Essex local authorities, particularly Braintree, Basildon, Rochford and Brentwood.

Impact

Communication/Consultation	Consultation on best practice has been and continues to be an ongoing process via networking groups such as the Essex Countywide Decriminalised Parking Enforcement Working Group and the East Anglian Parking Forum. A draft of the proposed policy document was circulated for comment amongst the UDC parking enforcement team and the Essex County Council transportation team.
Community Safety	None other than the road traffic safety aims of parking enforcement.
Equalities	The needs of the disabled are included in the policy.

Finance	Potential slight improvement in recovery of penalty charges.
Human Rights	None
Legal implications	Avoids unnecessary conflict with NPAS, the adjudication body.
Sustainability	Good traffic management can aid sustainability through improved traffic flow and promote public transport.
Ward-specific impacts	All with parking restrictions
Workforce/Workplace	Aids Parking Enforcement Team in their work.

Situation

4. Since the Council adopted DPE in October 2004, staff have been enforcing using handbooks prepared in advance of the adoption under the guidance of a training consultant, Argonaut, employed at the time by Essex County Council.
5. While there are no fundamental errors or omissions apparent within these handbooks they are, some three years further on, somewhat dated and, besides, have never received ratification as Council policy. Essex County Council also recommends that all local authorities enforcing DPE have such an approved policy.
6. The proposed policy document has been prepared with great attention to detail and is fundamentally based on other such documents, used at other Essex local authorities, which have withstood close scrutiny over time.
7. By using such a document, all staff can act in an entirely consistent manner and can be confident that when carrying out enforcement actions they are doing so on behalf of the Council and so cannot be accused of bias or be adversely influenced in any way.

Risk Analysis

8.

Risk	Likelihood	Impact	Mitigating actions
Without such a policy the Council is inconsistent in its parking	Medium – difficult to avoid given the pressure exerted on	Initially low – cases lost at adjudication stage. Could	Current Handbook arrangements. Experienced staff with recognised qualifications (e.g.

<p>enforcement activities.</p>	<p>staff by motorists and the general public.</p>	<p>escalate to medium/high if policy shortcomings receive publicity and/or Essex County Council threatens action (e.g. withdrawal from Agency Agreement with UDC for DPE)</p>	<p>City & Guilds for Parking Attendants).</p>
<p>Stress and sickness amongst staff.</p>	<p>Low to medium without policy.</p>	<p>Low to medium.</p>	<p>See (7) above.</p>