

**RECORD OF DELEGATED OFFICER DECISION**

Key Decision ✓

**SUBJECT: UPDATED PARKING ENFORCEMENT POLICY – 2018**

**PURPOSE OF REPORT:**

The purpose of the report is to seek approval to adopt an updated parking enforcement policy following legislative amendments since the original policy was first adopted in 2012, and also with a view to the future utilisation of alternative methods of enforcement, (i.e. a mobile camera enforcement vehicle).

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Highways and Streetcare Services as described below

**DELEGATED DECISION:**

- 1) To adopt an updated parking enforcement policy.

  
**Chief Officer Signature**

**NIGEL WHEELER**  
**Print Name**

**4-10-18**  
**Date**

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

**CONSULTATION**

A. Morgan

3/10/18

**CONSULTEE CABINET MEMBER SIGNATURE**

**DATE**

RJ Wilt

4/10/18

**CONSULTEE OFFICER SIGNATURE**

**DATE**

Further Information

Directorate:	Highways and Streetcare Services
Contact Name:	Alistair Critchlow
Designation:	Parking Services and Streetworks Manager
Tel.No.	(01443) 494751

**CALL IN PROCEDURE RULES.**

**IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:**

NO✓

Reason for urgency:.....

*If deemed urgent* - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....  
(Mayor)

.....  
(Dated)

**NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.**

**FOR CABINET OFFICE USE ONLY**

**PUBLICATION & IMPLEMENTATION DATES**

**PUBLICATION**

Publication on the Councils Website:- 4<sup>th</sup> October 2018

**DATE**

**IMPLEMENTATION OF THE DECISION**

**Note:** This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 10<sup>th</sup> October 2018

**DATE**

**APPROVED FOR PUBLICATION: ✓**





**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**KEY DELEGATED DECISION**

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF  
HIGHWAYS AND STREETCARE SERVICES**

**OCTOBER 2018**

**UPDATED PARKING ENFORCEMENT POLICY – 2018**

**Author(s): Roger Waters, Service Director, Highways and Streetcare Services**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to seek approval to adopt an updated parking enforcement policy following legislative amendments since the original policy was first adopted in 2012, and also with a view to the future utilisation of alternative methods of enforcement, (i.e. a mobile camera enforcement vehicle).

**2. RECOMMENDATIONS**

- 2.1 It is recommended that:

(a) An updated parking enforcement policy be adopted for the reasons set-out in this report. (Please see Appendix A).

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 The existing Rhondda Cynon Taff CBC Parking Enforcement Policy, (which was first adopted back in 2012 ahead of the implementation of the Council's Civil Parking Enforcement service), no longer reflects certain aspects of current legislation following recent legislative amendments.
- 3.2 Additionally, with the imminent introduction of an additional method of parking enforcement, namely a mobile camera enforcement vehicle,

and recent changes to back-office processing operations, it is felt that the Council's parking enforcement policy should duly reflect such key service enhancements.

#### **4. LEGISLATION**

4.1 Since the publication of the 2012 policy, the following Statutory Instruments have been revoked:

- The Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008;
- The Civil Parking Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudications) (Wales) Regulations 2008;
- The Civil Parking Enforcement of Parking Contraventions (Representations and Appeals) (Wales) Regulations 2008.

4.2 The current Statutory Instruments governing this area, reflected in the updated policy, are:

- The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013;
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (Wales) Regulations 2013;
- The Civil Enforcement of Road Traffic Contraventions (Approved Devices) (Wales) Order 2013.

4.3 The "Approved Devices" Order, in particular, is important because the Automatic Number Plate Recognition, (ANPR), camera system fitted to the Council's new mobile patrol vehicle has to be certified as an "approved device", so it is considered good practice for the Council's own policy in this area to reference this Order.

#### **5. ADDITIONAL ENFORCEMENT METHODS**

5.1 From September 2018, the Council's civil parking enforcement operations will be enhanced by the use of a bespoke mobile parking enforcement vehicle fully equipped with ANPR technology.

5.2 This will increase the Council's capability to tackle key enforcement priorities such as dangerous and unlawful parking outside schools, in bus stops and on pedestrian crossings.

- 5.3 It should be noted that unlike in cases where Penalty Charge Notices (PCN) are issued via hand-held computers and subsequently affixed to vehicles, the discount period, (whereby the level of the Penalty Charge is reduced by 50%), is applicable for 21 days from the date the Notice is served, rather than 14 days from the date the Notice was actually issued.

## **6. BACK OFFICE PROCESSING FUNCTION**

- 6.1 The back-office PCN processing function is a vital part of the civil parking enforcement service with many items of correspondence associated with the parking penalty enforcement process, (including responses to formal representations, DVLA queries and Traffic Enforcement Centre debt registrations), having legislative timescales to be adhered to.
- 6.2 From April 2018, the Council has regained control of this function from Merthyr Tydfil CBC and, under the umbrella name of the South Wales Parking Group, now operates on behalf of both Authorities. Moreover, there could also be an opportunity for the Council to position itself for further business in the future with regards to on-going plans in the Gwent area for its Local Authorities to externalise their own back-office processing functions.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An Equality and Impact Assessment of the updated parking enforcement policy has not identified any negative or adverse impact upon vulnerable groups.

## **8. CONSULTATION**

- 8.1 The main reasons for seeking to update the Council's existing parking enforcement policy, namely to reflect changes in legislation, the adoption of additional methods of enforcement and the move of the back office processing function in-house have previously been subject to either Welsh Government or Cabinet approval.
- 8.2 Consequently, the updating of the Council's own parking enforcement policy would not require any formal consultation beyond which has already been undertaken. It is an operational decision merely designed

to reflect the current situation following a timely internal policy review ahead of the implementation of a service enhancement.

**9. FINANCIAL IMPLICATION(S)**

- 9.1 There are no financial implications associated with updating the Council's parking enforcement policy.

**10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 10.1 Please see Section 4 above.

**11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

- 11.1 The adoption of an updated parking enforcement policy to reflect the current situation can be seen to contribute the delivery of the Council's Corporate Priorities with respect to the theme of "place": creating neighbourhoods where people are proud to live and work by making Rhondda Cynon Taf's local environment clean and attractive.
- 11.2 This report has considered the potential long-term effect of maintaining and, indeed, enhancing the Council's parking enforcement operations to aid the health and vitality of Rhondda Cynon Taff by helping to improve traffic flow, road safety and public transport reliability / journey times, as well aiming to reduce parking problems around schools and in town centres.
- 11.3 By updating the Council's parking enforcement policy, the Council can be seen to be continuing to collaborate and engage with others to consider the requirements of our historic and vibrant town centres, the concerns of local residents, schools, and all users of the Highway.
- 11.4 The measures outlined in this report will help to support the Council's vital work in helping to ensure compliance with road traffic regulations by involving all highway users, including specific groups such as pedestrians, cyclists and the disabled community, in making a positive contribution to the health of the area.



11.5 The updating of the Council's parking enforcement policy, which forms the basis of the Council's civil parking enforcement operations, which are crucial to in reducing problems caused by unlawfully parked vehicles, will help support the delivery of a Wales of cohesive communities, a prosperous Wales, a resilient Wales and a Wales of vibrant culture and thriving Welsh Language.

## **12. CONCLUSION**

12.1 The updated parking enforcement policy that can be found as an Appendix to this report reflects recent legislative amendments and imminent service enhancements such as the utilisation of a mobile camera enforcement vehicle, and should be adopted accordingly.

### **Other Information:-**

***Relevant Scrutiny Committee***  
*Public Services Delivery, Communities and Prosperity*

***Contact Officer***

