



Title of meeting: Cabinet Member for Traffic & Transportation Decision Meeting

Date of meeting: 18th February 2016

Subject: Parking Enforcement Guidelines and Vehicle Removal Guidelines

Report by: Director of Transport, Environment and Business Support

Wards affected: City Wide

Key decision: No

Full Council decision: No

1. Purpose of report

To seek approval for the revised and updated

- Parking Enforcement Guidelines
- Vehicle Removal Guidelines.

2. Recommendations

That the Cabinet Member approves the revised guidelines as attached at Appendix (A) and (B) and agrees that they will supersede all previously published guidelines and policy.

3. Background

Enforcement Guidelines on parking enforcement are published by the city council to allow the general public the opportunity to see for themselves the guidance and rules surrounding parking enforcement. In exceptional circumstances and where justification can be made parking management are permitted to operate outside the guidelines but only where the law permits.

The Vehicle Removal Policy is in place to ensure a consistent approach is taken by the Council when dealing with vehicles that are removed and impounded. It demonstrates that this activity is done in a fair, appropriate and legal manner. Circumstances of vehicle removals are the misuse or forged parking permits, misused blue badges & disabled bays and debtors. In addition, removals may be made where a vehicle in contravention is causing a hazard or obstruction. Like parking enforcement, in exceptional circumstances, and where justification can be made, Parking Management are permitted to operate outside the guidelines but only where the law permits.

A significant change to our guidelines is on page 15 of the enforcement guidelines. This allows an enforcement officer to issue a PCN on private land where that land is accessible to the public as a part of the highway.

4. Reasons for recommendations

The guidelines need updating to reflect changes to legislation providing clarity in the powers available to the local authority to manage parking and to describe the additional reasons where a vehicle can be removed for the benefit of the city and Council.

5. Equality impact assessment (EIA)

No EIA is required.

6. Legal Implications

The amended Guidance notes attached to this report are reflective of the statutory entitlements that exist to deal with parking enforcement and removal. In addition to this the common law rights that can be exercised are alluded to with confirmation that such a right will not be exercised other than lawfully and when required for the legitimate purpose associated with enforcement and or removal.

7. Finance Comments

There are no financial implications related to this report.

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Signed by:
Alan Cufley Director of Transport, Environment and Business Support

Appendices:

- A - Parking Enforcement guidelines
- B- Vehicle Removal guidelines

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Enforcement Guidelines	
Vehicle Removal Guidelines	
The Queen v PATAS Case No: C1/2009/1313	Royal Courts of Justice decision.

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:
Councillor Ellcome, Cabinet Member for Traffic and Transportation