

Full Council

Date:	25 February 2014
Title:	Parking – Civil Parking Enforcement (CPE)
Purpose of the Report:	To consider supporting the introduction of CPE by the district council (SODC)
Contact Officer:	Helen Stewart, Town Clerk

Background

1. With increasing problems of town centre congestion and demand for on-street parking, coupled with the pressures on police resources and the low priority given by some police forces to the enforcement of parking regulations, the Road Traffic Act 1991 permitted local authorities to apply for the legal powers to take over the enforcement of on-street, as well as off-street, car parking regulations from the police Civil Parking Enforcement (CPE). In return they are allowed to keep the proceeds. Thus in areas where the enforcement has been transferred to a local authority, parking offences cease to be criminal offences.
2. Local authorities adopting CPE usually employ contractors to run their scheme. The map accompanying this report (Appendix 1) shows the areas operating CPE.

South Oxfordshire

3. South Oxfordshire District Council (SODC) has been considering this for a long time but the financial model was never favourable. Joining up with the Vale of White Horse has made the financial model more favourable. The start up capital cost is estimated to be between £120,000 - £170,000 for South Oxfordshire and the use of either S106 or CIL money from growth in development is being considered as an option for funding the application.
4. The process for application is quite complicated and will take about 18 months to implement. The future cost of road marking and signs would remain with the County Council and would be funded from its “parking account”.
5. The route for challenging CPE tickets is through an adjudicator/tribunal rather than the magistrates’ court and reportedly takes into account more mitigating circumstances. The number of challenges for civil parking offences is significantly higher than with criminal enforcement (60%).

Town Councils in South Oxfordshire

6. Henley and Thame have tried, since 2007 to have parking enforcement responsibility transferred directly to the town council. However, they have constantly been told that this is not an option, although the county (OCC) and district councils have declared

that they wish to work in partnership with the town and parish councils to establish the right level of deployment in each of the towns and villages.

7. The primary responsibility power for CPE rests with OCC, it is OCC that will make the application to the Department for Transport (DfT), and OCC will remain responsible for the powers and for annually reporting the use of these powers to Government.
8. In March 2013 Henley and Thame were still pursuing the town council enforcement responsibility option, whereas Wallingford and Didcot were keen for CPE to be implemented quickly and to be managed by the district council.
9. By January 2014 Henley Town Council had revised its position and is now supporting the district council taking on the responsibility.
10. This may be because initially it was understood that all Local Authority owned car parks (including town and parish councils) must be included in an application to the DfT for CPE, unless exceptional circumstances to exclude a car park are clearly laid out as part of the submission.
11. Henley is asking for Mill Meadows Car Park, owned by the town council, to be excluded, and this appears to have the necessary support from SODC and OCC to exclude, the final decision however being with the DfT. This therefore leaves Thame isolated in its position of taking on the enforcement.
12. The district council would prefer to have the support of all four town councils in South Oxfordshire but will go ahead if it has at least three, to submit an application to the DfT.
13. The Council is therefore asked, to consider formally recording its support for the county and district council to make an application to the DfT. The considerations that need to be taken into account in regard to Thame, such as continuing the free parking in the two High Street car parks, accommodating the events held in the town centre, the Town Council's management of the markets etc, could be included as "support subject to satisfactory arrangements being agreed for.....".

Risk and Resource Appraisal

15. Satisfactory arrangements being agreed to issues described in para13. The interests of Thame would continue to be represented at future discussion meetings with the county and district council by Cllr M. Dyer, Chairman of P&R, Cllr N.Carter, County Councillor and the Town Clerk.
16. The introduction of CPE will include effectively managing the transfer of staff employed by the Town Council, (TUPE), and a review of other staff requirements, since tickets will not be processed by the Town Council.
17. The knock-on effect that enforcement may have on resident parking, particularly in Park Street, and resident parking permits issued by the Town Council.

18. The termination of the contracts the Town Council has with OCC to manage its car parks and with “Chipside” for the equipment and software for issuing penalty tickets.

Action

19. The Council is asked to consider formally recording its support for the district council (SODC) to make an application to the DfT for Civil Parking Enforcement.

Resolution that:

- i) Thame Town Council supports the district council’s application for Civil Parking Enforcement, subject to;***
- a) Free parking being retained in the High Street car parks.***
 - b) The continued management of the markets by the Town Council.***
 - c) The holding of events in the town centre is not affected.***
 - d) There any no financial repercussions as a consequence of the introduction of CPE on the events held in the town centre.***
 - e) Agreement is reached with Thame Town Council on any other important issues particular to Thame.***