

DRAFT

ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE

2 June, 2010

PARKING ENFORCEMENT - EPI/10/164

1. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised that the Scottish Government was presently consulting on proposals to issue revised guidance to local authorities in Scotland on a variation to the level of parking penalty charges and sought support for these proposals, and sought authorisation to implement existing powers in relation to the removal and impounding of illegally parked vehicles and to appoint a contractor to deliver the service,

The current levels of penalty charges levied by the Council were set in accordance with guidance issued by Scottish Ministers in 2001, the objectives being to secure a high level of compliance and a self-financing parking enforcement system. Current charge levels applied in Aberdeen and the two new levels proposed by the Scottish Ministers were as follows:-

	Paid within statutory 14 day period (50% discounted rate)	Paid thereafter but prior to service of notice to owner	Paid between service of notice to owner and service of charge certificate	Paid after service of charge certificate
Current	£30	£60	£60	£90
Proposed	£40	£80	£80	£120
Proposed	£50	£100	£100	£150

Scottish Ministers expected local authorities to introduce the lower of the two proposed levels. With regards implementation of the proposed increased charges, it was anticipated that traffic orders would not be required, however officers, by way of response to the current consultation, would seek confirmation that the level might

be increased by notification by means of a statutory notice and that there was no requirement to advertise for objections through a traffic order process. Details of the current cost of delivering the Council's parking enforcement service were provided.

Turning to the powers of the Council to remove, store and dispose of vehicles illegally parked, it was advised that the Council had the power to implement such mechanisms, however these powers had not been used in Aberdeen in delivering its parking enforcement service. Use of the powers was desirable to reduce safety risks caused by dangerously-parked vehicles and to improve traffic flows affected by obstructive parking. It would also serve to deter persistent contraveners of parking restrictions and should also assist debt recovery by enabling officers to engage with vehicle owners with outstanding debts.

At present the Council did not have suitable recovery vehicles to remove vehicles or readily available premises in which to store removed vehicles, therefore it was proposed that these services were delivered by an external service provider selected through the appropriate procurement process. Removal services in other cities were contracted to external service providers and their experience was that the level of demand dropped as the power to tow away started to be used; as such it would be more appropriate to have an external provider to share risk. Following committee approval officers would develop operating procedures in liaison with Grampian Police.

The report recommended:-

that the Committee:-

- (a) support the Scottish Government's proposals to issue revised guidance to local authorities in Scotland on a variation to the level of parking penalty charges and instructs the Head of Asset Management and Operations to respond to the relevant Scottish Government consultation expressing such support for the reasons detailed in the report;
- (b) authorise in principle the setting of the £80 level of penalty charge should the Scottish Government implement its proposals following the conclusion of their consultation, on the proviso that this level could be set without the requirement for a traffic order consultative process, and to refer this matter solely to the Finance and Resources Committee for approval;

- (c) authorise the Head of Asset Management and Operations to arrange for implementation of existing powers in relation to the (a) removal, storage and disposal of illegally-parked vehicles where such vehicles were obstructively or dangerously parked or were apparently being used by persons whose parking had persistently resulted in the issue of penalty charge notices, and (b) immobilisation of illegally-parked vehicles where such vehicles were apparently being used by persons whose parking had persistently resulted in the issue of penalty charge notices;
- (d) authorise the Head of Asset Management and Operations to arrange for the taking of all other action which might be necessary or desirable in implementation of recommendation (iii) above; and
- (e) instruct the Head of Asset Management and Operations to commission a service for the immobilisation of vehicles, and for the removal, storage and disposal of vehicles, as mentioned in recommendation (iii) above.

The Convener, seconded by the Vice-Convener, moved that the moved that the recommendations be approved.

As an amendment, Councillor Crockett, seconded by Councillor Adam, moved:-

That recommendations (a), (c), (d) and (e) be approved, and that having noted the present consultation by the Scottish Government, that this Council take no action on any opportunity to increase the current level of the penalty charge until the collection rates of such charges had improved.

On a division, there voted:- for the motion (12) – the Convener, the Vice-Convener; and Councillors Boulton, Clark, Cormie, Greig, Jaffrey, Milne, Noble, Penny, Robertson and Kevin Stewart; for the amendment (3) – Councillors Adam, Allan, and Crockett;

The Committee resolved:-

to adopt the motion.