

## PARKING FINE LEVELS

EXE 27 11 07  
Item 10

**EXECUTIVE MEMBER:** Deputy Leader Councillor George Clements  
Portfolio Holder Councillor Geoff Blackwell  
**LEAD OFFICER:** Keith Parker, Head of Leisure and Environmental  
Services  
**REPORT AUTHOR:** Toni Magean, Open Spaces Manager

### **Summary and Recommendation:**

This report seeks approval adopt new charges relating to parking contraventions arising from the Traffic Management Act 2004 in April 2008.

That Executive

1. Note the change in the regulations in relation to parking contraventions
2. Confirm Penalty Charge Notice levels at "Band A" referred to in this report.

## **1. INTRODUCTION**

1.1 The current level of payment on a motorist to settle a Penalty Charge Notice is set under regulations contained in the Road Traffic Act 1991. Currently the Council levies a Penalty Charge Notice level of £60, reduced by 50% to £30 if the notice is paid within 14 days of its issue. This level is adopted across Cumbria. Both the on-street (double yellow line/disc bay enforcement) and the Council's car parking enforcement are enforced under the same regulations.

The Road Traffic Act 1991 is being replaced with the Traffic Management Act 2004 on 31<sup>st</sup> March 2008. At that time there will be a number of changes to the current enforcement regime introducing a two band system each with two tiers of fine. It should be noted the new two tier level (band B) will come into effect on 31<sup>st</sup> March 2008 automatically unless the Council formally adopts the Band A regime.

1.2

The two new bands, A and B, are as follows:

**Band A** - £70.00 reduced to £35.00 for higher rate contraventions and (a new lower tier) £50.00 reduced to £25.00 for lower rate contraventions

**Band B** - £60.00 reduced to £30.00 for higher rate contraventions and (a new lower tier) £40.00 reduced to £20.00 for lower rate contraventions.

Higher rate contraventions include not displaying a valid parking permit or parking in a restricted area and lower rate include parking beyond the bay markings and exceeding the maximum stay limit.

1.3 If the Council were to stay at the current band, an anticipated loss of income of between £2-5,000 for our own car parks per year could be expected.

1.4 Guidance issued by the Secretary of State is such that we are advised to set charges in common across local authority boundaries in an area. Therefore all Districts in Cumbria are receiving similar reports to this one recommending the adoption of the Band A regime.

## **2 PROPOSAL**

2.1 That the Executive board note the change in the regulations in relation to parking contraventions and

2.2 Agree that the Penalty Charge Notice level is moved to the new Band A referred to in this report.

## **3 FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)**

3.1 The financial implications of the change in legislation are estimated to be £2000 per annum if "Band A" regime is accepted. If the Enforcement Units' improved performance this year continues then the notional loss can be met within existing budgets.

3.2 Other financial implications are the new signage for all car parks (c£5k), new stationery for the legal notices and tickets (c£1.2k), new uniform (c£1.5k) and training (c£5k) will all be met within the existing departmental budgets.

## **4 IMPACT ON CORPORATE PLAN**

4.1 Effective enforcement activities have a key role in supporting the Councils environmental protection and quality of life objectives.

**List of Appendices** None

### **List of Background Documents:**

Traffic Management Act 2004

### **List of Consultees:**

Deputy Leader Councillor George Clements  
Portfolio Holder Councillor Geoff Blackwell  
Corporate Team

## **CHECKLIST FOR DEALING WITH KEY ISSUES**

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	4.1
Impact on Sustainability	4.1
Impact on Rural Proofing	None
Health and Safety Implications	None
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	None
Human Rights Act Implications	None
s.151 issues	The estimates appear robust and will not make a significant impact on the council's medium term financial strategy however when considering the reserves strategy the financial risk will be quantified and an amount included in the general reserves to mitigate the financial risk
Legal issues	No further comments additional to the report

Please say if this report will require the making of a Key Decision    NO