

POLICY COMMISSION BRIEFING DOCUMENT

RESPONSIBLE BODY	
Policy Commission for Safer Communities	
ENQUIRY NAME	REFERENCE NUMBER
Decriminalising Parking	Saf1/05
BACKGROUND	
<p><u>The National Context: Legislation</u></p> <p><i>'The Road Traffic Act 1991 brought about a number of key changes.... Parking "offences" enforced by councils were "decriminalised" and brought within the civil enforcement system. At the same time a number of additional enforcement responsibilities, such as restricted (yellow line) parking, were removed from the police and also given to councils.</i></p> <p><i>The provisions of the Road Traffic Act 1991 were first implemented by the 33 London Boroughs during 1993/94. Since the late 1990s an increasing number of councils outside London have also taken up decriminalised enforcement powers....</i></p> <p><i>Before any council can take up decriminalised enforcement powers it must first prepare a detailed proposal which is submitted to the Secretary of State for Transport (in England) or for Secretary of State for Wales. Only once this has been approved and the council's scheme is deemed to be viable, will permission be given to prepare for and introduce a decriminalised parking enforcement regime.</i></p> <p><i>Legal powers to implement the scheme are granted formally through the enactment of what is known as an Order in Parliament, through the Statutory Instrument process. All councils operating decriminalised parking must be in possession of such an Order, known as a Special Parking Area Order (SPA Order), before they commence enforcement.¹ (National Parking Adjudication Service)</i></p> <p><u>The Local Context</u></p> <p>There are four key factors driving the Council's application to the Secretary of State to decriminalise parking on the Island:</p> <ul style="list-style-type: none"> ➤ Currently there are in excess of 71,000 vehicles on the Island's roads. This figure swells during the peak summer months. Growth projections suggest that there will be approximately 100,000 vehicles on the Island's roads by 2020; ➤ The Police Service increasingly need to divert limited resources to higher priority areas to the detriment of parking enforcement; ➤ The Local Transport Plan (LTP) driven by central Government seeks to 'encourage travel by sustainable means, widening transport choice, minimising environmental damage and providing real alternatives for car owners'. ➤ The Government have reserved powers to require Local Authorities to take on DPE, i.e. at any time the Government can require the Isle of Wight Council to become responsible for parking enforcement. 	

IMPLICATIONS FOR THE ISLE OF WIGHT

Over 130 Local Authorities throughout the Country, including most of Hampshire, have decriminalised parking enforcement and realised a number of benefits. The potential benefits of DPE include:

- Better traffic management;
- Reduced accident risks;
- Less illegal parking;
- Less abuse of special bays e.g. for disabled drivers;
- Encouragement to use the Council (and other..) car parks;
- Better turnover on permitted on-street spaces;
- Easier traffic flow for public transport;
- Police resources freed up for more important matters;
- Penalty income retained locally;
- Member control on parking enforcement policy;
- The Council can implement new schemes, e.g. resident parking, and enforce them;

Superficially, there will be no noticeable change for road users other than the body which employs enforcement officers. However, there may be a significant increase in the number of penalty notices issued as this will be the sole remit of enforcement officers; whereas, this is currently a somewhat secondary role for police officers. Also, as the Council will have the power to determine where parking will be permissible and prohibited it is likely that, in view of the aspirations of the Local Transport Plan, gradually more areas may become subject to enforcement. The Council, however, recognise that motorists will need viable alternatives and are working hard to develop a sustainable transport infrastructure.

FURTHER WORK WITH TIMESCALES

10/05 – 12/06	Evidence to be gathered from experts and stakeholders
02/02/06	Draft Blue Paper to Policy Commission for approval
28/02/06	Blue Paper recommendation to Cabinet

Prepared by: Cllr Susan Scoccia, *Lead Member* and Andrew Shorkey, *Overview and Scrutiny Team*

Date: 20 September 2005