

EXECUTIVE BOARD MEMBER DECISION

DATE: 4TH FEBRUARY 2016

Executive Board Member:	Portfolio:
Cllr. T J Jones	Environment & Public Protection

Parking Contravention Code 27 – Code of Practice

Recommendations / key decisions required:

1. Approve the code of practice for parking contravention code 27
2. The code of practice be made available on the Council's Parking webpage.

Reasons:

To set out an enforcement protocol for parking contravention code 27 outside driveways. The code of practice for contravention code 27 is intended for use by Carmarthenshire County Council's Civil Enforcement Officers.

Directorate Environment Name of Head of Service: S G Pilliner Report Author: J McEvoy	Designation Head of Transport & Engineering	Tel No. 01267 228150 E Mail Address: SGPilliner@carmarthenshi re.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY EXECUTIVE BOARD MEMBER DECISION

Parking Contravention Code 27 – Code of Practice

Contravention code 27 is defined in the County Council's Guidance Policies for the Enforcement and Cancellation of Penalty Charge Notices, Appendix 1, Table of contraventions.

"Contravention 27 Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway."

Contravention code 27 relates to Section 86 of the Traffic Management Act, see Appendix 1.

CODE OF PRACTICE:

(1) For residential driveways the Civil Enforcement Officer requires authorisation via confirmation from the Parking Services Administration Office that the driveway is obstructed without the consent of the occupiers of the property. The Parking Services Administration Office will have received a complaint from the occupiers of the property about obstruction of the driveway.

(2) The Civil Enforcement Officer does not require authorisation for enforcement at dropped footways at pedestrian and cycle crossovers.

Observation period:

Three minutes.

Observations:

- (a) If there is evidence of loading/unloading, the Civil Enforcement Officer to log for minimum of 20 minutes casual observation
- (b) If evidence of setting down/picking up passengers and luggage is observed, then casual observation to be followed.

Exemptions:

- (i) Emergency services vehicles (police, fire, ambulance etc.)
- (ii) Vehicles displaying a valid health emergency badge
- (iii) Vehicles carrying out statutory work (water, gas, electricity etc.) by prior approval through application or in an emergency.

Recommendation:

1. Approve the code of practice for parking contravention code 27.
2. The code of practice be made available on the Council's Parking webpage.

DETAILED REPORT ATTACHED ?

No

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **S G Pilliner**

Head of Transport & Engineering

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Parking contravention code 27 is intended to prevent obstruction of dropped kerbs. Obstructing any dropped kerb will cause inconvenience either to the owner of a property with a dropped kerb who cannot obtain access or egress from their property, or in respect of pedestrian dropped kerbs, obstruction can cause danger to pedestrians, particularly the elderly, disabled and parents/carers with prams.

2. Legal

The legislation which allows local authorities to issue Penalty Charge Notices to vehicles parked across kerbs is set out in Section 86 of the Traffic Management Act.

3. Finance

None. The code of practice is intended for use by the Council's Civil Enforcement Officers in the course of their civil parking enforcement duties.

The local authority is not required to provide any traffic order, signs or markings specifically prohibiting parking adjacent to a dropped section of the footway.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S G Pilliner

Head of Transport & Engineering

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee – N/A

2. Local Member(s) - N/A

3. Community / Town Council – N/A

4. Relevant Partners - N/A

5. Staff Side Representatives and other Organisations - N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Decision of the Executive Board Member for Environmental and Public Protection, 23rd May 2014 ON STREET PARKING CONTRAVENTIONS RELATED TO SECTION 85 AND 86 OF THE TRAFFIC MANAGEMENT ACT.		http://online.carmarthenshire.gov.uk/agendas/eng/ENPP20140523/MINUTES.HTM