

AMENDMENTS TO THE COUNCIL'S OFF-STREET PARKING PLACES ORDER

REPORT TO THE PORTFOLIO HOLDER FOR ECONOMIC & COMMUNITY DEVELOPMENT

17 DECEMBER 2014

Report of: Chief Officer Environmental and Operational Services

Status: For Decision

This report supports the Key Aim of safer communities and the effective and efficient use of resources.

Portfolio Holder: Cllr. Roddy Hogarth

Head of Service: Chief Officer Environmental and Operational Services

Mr Richard Wilson

Recommendation: that the following changes be included in the next Off-Street Parking Order Amendment proposed as part of the formal consultation process in respect to parking charges for 2015/16:

- (a) the removal of Pembroke Road car park;
- (b) the inclusion of the parking area in Orchard Close, Sevenoaks;
- (c) the inclusion of additional clauses to clarify the use and enforcement of delivery areas and loading and unloading activities; and
- (d) the inclusion of a new clause to clarify the enforcement of contraventions which occur over more than one day.

Reason for recommendation: this report requests approval to undertake formal public consultation in respect to a number of proposed amendments to the Off-Street Parking Places Order to enable and improve parking enforcement.

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1. The Council's Off-Street Parking Places Order is the means by which the Council's public car parks are managed, controlled and enforced.
 2. Approval is sought to make the following changes to either update the Order, to enable the introduction of new controls and to improve the controls within the Order.

Pembroke Road Car Park

3. The Pembroke car park no longer exists as the land has been given over to development. Therefore, the entry needs to be removed from the Order.

Orchard Close, Sevenoaks

4. A request has been received from the Greatness Residents' Association for parking controls to be introduced to prevent the parking of heavy goods vehicles. The area in question is a paved central island owned by the Council and is situated within the public highway between numbers 20 and 40 Orchard Close, as shown in Appendix A attached. The only means of introducing parking controls is to include the area in the Council's Off-Street Parking Order.
5. The proposal has the full support of the Councillor Dickins, the Local Member who has been liaising with the Residents' Association. At the time of preparing this report communication has not been received from Councillor Towell.

Delivery Areas and Loading and Unloading

6. Amendments are proposed to existing clauses within the Order to make the controls in respect to the designation and use of delivery areas and for loading and unloading activities more robust. This addresses comments received from the independent parking adjudication service, the Traffic Penalty Tribunal, in relation to parking appeals.

On-Going Contraventions

7. It is proposed that an additional clause be included to clarify the enforcement of contraventions where vehicles have not been moved from a car park in accordance with the conditions within the Order.
8. Essentially, where a vehicle remains parked for more than one day, it shall be deemed to commit a new contravention for each day it remains parked and further Penalty Charge Notices may be issued.
9. This inclusion of this clause has been agreed with the Council's legal team.
10. This will serve to enhance our enforcement capabilities.

Draft Order

11. The draft Amendment Order detailing the proposed changes is attached as Appendix B.
12. Any objections or comments received as a result of the public consultation will need to be brought back to either the Portfolio Holder or to Cabinet for consideration and a decision as to whether the proposals should be implemented.

Key Implications

Financial

13. There will be only minor costs involved for new signing that will be required for the Orchard Close parking area. These will be met from the car parks account.

