

EXTRACT FROM OVERVIEW & SCRUTINY COMMITTEE - 1ST OCTOBER 2009

35. SCRUTINY HEARING – THE PROBLEMS CAUSED TO PEOPLE WITH DISABILITIES AS A RESULT OF VEHICLES PARKING ACROSS AND ON PAVEMENTS.
(The full Witness Session of the Scrutiny Hearing is contained in the minutes of the Overview & Scrutiny Committee)

The Committee went on to consider the issue of pavement parking in the light of the written submissions that it had received as contained in the Information Pack, and the additional and helpful information that it received through the witness session.

It was apparent to the Committee that the legislation was very complex:-

- * the County Council, as highway authority, is responsible for the imposition of any parking restrictions (yellow lines etc);
- * the District Council, through the Parking Partnership, as agent for Essex County Council, is responsible for enforcement of any parking restrictions in force;
- * the Police are responsible for enforcement of illegal parking causing obstructions (where there are no parking restrictions), but whilst parking near junctions and parking on the footpath may be a clear breach of the highway code, they may not necessarily be enforceable by law if there is no obstruction.

The Committee felt that it would be helpful to all Members (who often had to deal with enquiries from the public) and the public, if further guidance on parking enforcement was produced.

Members also wished **the Cabinet to be aware** that the witness session had demonstrated that there was a close liaison and working relationship between the Agencies involved and a willingness to take a partnership approach (e.g. by targeting resources to deal with the hot-spots) with a view to dealing with problems caused to people with disabilities (and other pedestrians) as a result of pavement parking.

Following discussion, it was agreed to **RECOMMEND TO CABINET** as follows:-

New enforcement powers under Section 86 of the Traffic Management Act 2004

(1) that the Parking Partnership should provide appropriate training to CEOs concerning the new enforcement powers with a view to CEOs undertaking enforcement where vehicles are obstructing dropped kerbs;

(2) that the Parking Partnership undertakes full and comprehensive publicity in liaison with the respective authorities Marketing and Communications Teams to fully publicise the new legislation so that the public are made aware of the position, prior to implementing this new enforcement power;

Information to Members

(3) that a guidance note be issued to Members setting out the duties and responsibilities of the various Agencies (including the NAP forums) in relation to parking issues, and detailing (preferably with flowcharts) the various enforcement processes, and a list of contact points. There should be an appropriate input to the guidance note from the Council's Marketing and Communications Team;

Information to the Public

(4) that a handy guide on parking enforcement be produced for Members of the Public to be available in leaflet and electronic form, with an appropriately named title such as "Ten essential things you need to know about parking enforcement - all the do's and don'ts!"

Copies to be available at the Council's main offices and on the Council's web site, at the Nap forums, the Parking Partnership web site, and copies sent to Parish/Town Councils. Appropriate publicity should also be given to the leaflet in the Council's Contact magazine.

There should be an appropriate input to the handy guide from the Council's Marketing and Communications Team.

Lead Member

(5) that the Cabinet should nominate a lead Member to ensure that items 1 to 4 above are taken forward;

Essex County Council's Revised Parking Document "Parking Standards Design and Good Practice"

(6) that the Cabinet take note that this document containing revised parking standards has been published and is now official County Council Supplementary Planning Guidance.