

**SCRUTINY COMMITTEE - ECONOMY – 6 SEPTEMBER 2012**

**QUESTIONS FOR PORTFOLIO HOLDER**  
**UNDER STANDING ORDER NO.20**

Questions from Cllr Prowse for the Portfolio Holder – Sustainable Development and Transport

1. Does the Portfolio Holder know the start date of the pavement offence (formally Section 30 Byelaw).

*Reply - Councillor Sutton responded to the question. She had previously sought the advice of Steve Carnell, the Parking and Waterways Manager. The City Council's legal team had been liaising with officers at Devon County Council as the Highways Authority, regarding the powers to enforce pavement parking. There was an issue of signage which was being discussed with Devon County Council and the Department for Transport to find a reasonable approach to establish the number of signs required to appropriately alert the public.*

*The initial advice from the Department for Transport, related to signage at the gateway or the arterial routes to the city and the need for repeater plates at 400m intervals similar to speed restriction signs. There was a significant cost element as well as an issue of signage clutter. Officer negotiations were ongoing to reach an agreement on the number and make up of signs. There should perhaps be a public campaign to ensure that the enforcement of pavement parking will be carried out and that a penalty notice may well be issued.*

2. Can the Portfolio Holder explain to this Scrutiny Committee the protocols and format when this Authority obtains the Registered Keeper's detail of a vehicle when a Penalty Charge Notice has not been paid within the statutory period.

*Reply - Councillor Sutton referred to information she had received from Steve Carnell, the Parking and Waterways Manager.*

*In relation to the issue of a Penalty Charge Notice, the option is to pay a PCN within 28 days and no further details would then be required. Exeter City Council has a contract with the DVLA and details of the Registered Vehicle Keeper which can be obtained under contract for permitted purposes such as parking enforcement. All information transferred back and forward between the City Council and the DVLA is under secure file transfer protocol. In April 2011, Exeter City Council was subjected to a random audit by the DVLA and they were content that all related conditions complied with the agreement.*

3. Supplementary Question - Councillor Prowse referred to the spot check in April 2011 and to a meeting on the 6 June involving the DVLA and the British Parking Association, which discussed the pursuance of Traffic Orders outside of London. The DVLA representative was asked if the Registered Keepers detail could be obtained. It was noted that this would cost an additional 50p would be charged. Councillor Prowse queried why this should be the case.

He wondered if he could follow up an enquiry as a City Council Member as to whether such a meeting took place. He suggested both DCC and ECC should know the provision for identifying the Registered Keeper as it would be beneficial

*Reply - Councillor Sutton said that she was not aware of the 6 June meeting – Exeter City Council operate a parking enforcement regime under the licensed agreement on behalf of the County Council. The City Council follow the instructions of DCC. She would speak to Steve Carnell to ascertain a reply for Councillor Prowse. She felt that in the role of the City Council acting as agents for the County Council, that it would be inadvisable to expose the City Council to any such risk if it made an unsound decision without full consultation.*