

**CABINET MEMBER FOR TOWN CENTRES**  
**6th September, 2010**

Present:- Councillor R. S. Russell (in the Chair); Councillors Ali, Swift and Tweed.

**L9. REGULATION 10 PENALTY CHARGE NOTICES (DRIVE AWAY PCN'S)**

Consideration was given to a report, presented by the Parking Services Manager, detailing the provisions of the Traffic Management Act (TMA) 2004 (relevant sections of which came into force on 31<sup>st</sup> March, 2008) and regulations made within the Act, which have given parking enforcement authorities the power to issue Penalty Charge Notices (PCNs) to motorists who park vehicles in contravention but drive away before the PCN can be fixed to the vehicle or handed to the person appearing to be in charge of the vehicle. These PCNs are referred to as 'Regulation 10 VDA (Vehicle Driven Away) PCNs'.

It was explained that this Council, like many authorities, did not adopt these powers initially upon the implementation of the TMA 2004.

It was explained that following clarification by the DfT in respect of evidence required to be collected, consideration was now requested that these powers be adopted.

The report summarised the enforcement approach that was being suggested Rotherham MBC should apply based on the experience of other boroughs who had adopted the powers.

It was also reported that new software had been purchased to enable enquiries to be made to the DVLA. This would also allow PCN's to be issued by post (Regulation 10 VDA PCN's).

It was anticipated that in the region of £12,000 to £13,000 per annum income would be generated.

It was also pointed out that the proposal would provide opportunity to tackle current known "hot-spot" areas, such as Wellgate and Fitzwilliam Road. The proposal would also ensure that highways were kept safe for all users.

Those present discussed the need for an appropriate press release.

Resolved:- (1) That approval be given for the Council to make use of the powers in the Traffic Management Act 2004 and regulations made within the Act for the enforcement of Regulation 10 VDA

PCNs, and the provisions be implemented at the earliest opportunity following the issuing of an appropriate press release.

(2) That the proposed approach to enforcement, as outlined in the report now submitted, and the programme of actions for the adoption of these powers, be approved.

**L10. ROTHERHAM TOWN CENTRE - PETITION REQUESTING RESIDENTS' PARKING SCHEME FOR TOWN CENTRE RESIDENTS**

Consideration was given to a report, presented by the Transportation Unit Manager, detailing the results of an investigation into a 19 signature petition requesting a town centre residents' parking scheme.

It was explained that existing town centre residents either live in buildings without any dedicated parking or, in some cases, with access to a limited amount of paid for private parking generally in the building basement.

Details of the current parking options, including public parking, for town centre residents to park were set out in the submitted report.

It was explained that the principle behind town centre living was that by living close to shops, amenities and frequent public transport the need to travel by car was reduced. The majority of apartments within the town centre were advertised with no associated car parking. It was pointed out that as part of the planning permissions granted for car-free housing developments that measures to promote sustainable travel will have been conditioned. This included residents being provided with a Travelmaster by the developer.

It was pointed out that currently residents' parking schemes were implemented within mainly residential areas to control commuter/ shopper parking. The town centre was predominantly a shopping/ business area and parking controls already exist to regulate parking within this area.

Given that this is a residential area within the town centre and that these apartments have been planned and promoted on a sustainable basis with no car parking it is recommended that this request is not acceded to.

Resolved:- (1) That the request for a residents' parking scheme be not acceded to.

(2) That the lead petitioner be informed of the outcome of the investigation and the decision of the Cabinet Member.