

Summary Sheet

Committee Name and Date of Committee Meeting

Officer Delegated Decision by the Assistant Director, Community Safety and Street Scene – 4th September, 2024

Report Title

Enforcement of Persistent Evaders' Vehicles which are Foreign or Unregistered.

Is this a Key Decision and has it been included on the Forward Plan?

No

Director Approving Submission of the Report

Sam Barstow, Assistant Director of Community safety and Street Scene

Report Author(s)

Martin Beard – Parking Services Manager – Highway Services

Ward(s) Affected

All

Summary

A decision exercising a function delegated to the Assistant Director, Community Safety and Street Scene is sought in respect of the approval of the Council's Parking Service commencing:

- The clamping and impounding of vehicles that are not registered with the DVLA after a vehicle has received its third penalty charge notice (PCN).
- The clamping and impounding of foreign vehicles after a vehicle has received its third penalty charge notice (PCN).

Recommendations

That the Council's Parking Service takes appropriate action when either foreign or unregistered vehicles are served with a third PCN. This would represent a change in policy as the current policy is for all vehicles to be subject to clamping and impounding after a fourth PCN has been issued.

List of Appendices Included

N/A

Background Papers

N / A

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

1. Recommendation

- 1.1 That the Council's Parking Service takes appropriate action when either foreign or unregistered vehicles are served with a third PCN. This would represent a change in policy as the current policy is for all vehicles to be subject to clamping and impounding after a fourth PCN has been issued.

2. Background

- 2.1 Vehicles belonging to persistent evaders have been subject to clamping / impounding by Rotherham Council since 2016.
- 2.2 The current policy is for vehicles to be clamped then impounded after a fourth unpaid / unchallenged PCN has been issued.
- 2.3 PCNs issued to foreign vehicles are routinely written off as they cannot be registered at the DVLA therefore there is no point in the Council incurring the cost of an enquiry to the DVLA for the details of the registered keeper.
- 2.4 Enquiries to the DVLA for the registered keepers of some vehicles result in responses indicating that the vehicle has no registered keeper.

3. Key Issues

- 3.1 The Council is currently issuing four PCNs to each of the above category of vehicle prior to clamping and impounding.
- 3.2 This is an additional cost to the Council and an increase in debt to the owner of the vehicle if the vehicle is released after full payment of the outstanding debt.
- 3.3 By reducing the threshold for clamping and impounding vehicles from 4 PCNs to 3, the Council will still be complying with the requirements of the Traffic Management Act 2004.

4. Options considered and recommended proposal

4.1 Do nothing

This would result in the existing parking enforcement activities continuing thereby wasting resources.

4.2 **RECOMMENDED PROPOSAL** Reduce the threshold for clamping and impounding vehicles from 4 PCNs to 3

This would result in unregistered and foreign vehicles being clamped and impounded earlier thereby reducing the required resources and reducing the debt owed by the owner of the vehicle if payment is made for its release.

5. Consultation

5.1 The Cabinet Member for Jobs and the Local Economy has been consulted and supports the proposal.

6. Timetable and Accountability for Implementing this Decision

6.1 The new procedure can be implemented immediately upon approval.

6.2 The Parking Services Manager will be accountable for implementing the policy.

7. Financial and Procurement Implications

7.1 A higher percentage collection rate of PCNs issued would be achieved.

8. Legal Implications

8.1 The Council would remain compliant with the Traffic Management Act 2004

9. Human Resources Implications

9.1 N/A

10. Implications for Children and Young People and Vulnerable Adults

10.1 N/A

11. Equalities and Human Rights Implications

11.1 N/A

12. Implications for Partners and Other Directorates

12.1 N/A

13. Risks and Mitigation

13.1 N/A

14. Accountable Officer(s)

14.1 Richard Jackson – Head of Service – Highways

14.2 Martin Beard – Parking Services Manager

	Named Officer	Date
Strategic Director of Finance & Customer Services	Jon Baggaley	
Assistant Director of Legal Services	Stuart Fletcher	
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

Approvals obtained on behalf of: -

Assistant Director, Sam Barstow, Community Safety and Street Scene (Regeneration and Environment)

Signed

Date:

Report Author: Martin Beard, Parking Services Manager – Highways Service

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