

REPORT TO EXECUTIVE			
PORTFOLIO AREA: INFRASTRUCTURE, ENVIRONMENT AND TRANSPORT			
Date of Meeting:	18TH FEBRUARY 2002		
Public			
Key Decision:	No	Recorded in Forward Plan:	No
Inside Policy Framework			

Title: NATIONAL PARKING ADJUDICATION SERVICE

Report of: DIRECTOR OF ENVIRONMENT AND DEVELOPMENT

Report reference: EN 024 02

Summary:

As explained in previous reports to the Environment Committee (EN 127/01) the City Council is required to join the National Parking Adjudication Service (NPAS) following our adoption of decriminalised parking enforcement. Correspondence recently received from NPAS included legal documents which the City Council is required to sign to enable it to join the adjudication service.

Recommendations:

It is **recommended** that the City Solicitor be authorised to sign the NPAS Memorandum of Participation to enable the City Council to join the NPAS Joint Committee.

M Battersby

Director of Environment and Development

Contact Officer: Keith Poole

Ext: 7470

1. BACKGROUND INFORMATION AND OPTIONS

1. In November 2001 the City Council adopted powers for decriminalised parking enforcement. Report EN 127/01 which was presented to Environment Committee on 23rd August 2001 detailed the Appeals Process associated with decriminalised parking. The final stage of this appeals process is for cases to be considered by the National Parking Adjudication Service (NPAS). This service is operated by Manchester City Council on behalf of all local authorities outside London who have decriminalised parking powers.

1.2 The service is funded by each member authority paying a charge of 70p for each penalty charge notice it issues. Budget provision has been made for this contribution within the cost of the car parking budget. The total annual contribution is expected to be in the region of £20,000.

1.3 Recent correspondence from NPAS (see copy attached) has requested that the City Council sign a formal Memorandum of Participation to join the NPAS Joint Committee. The City Solicitor has studied the Memorandum and has found no reason why it should not be signed. The constitution of the City Council however requires that a formal decision of the Executive be taken to join the NPAS Joint Committee.

4. At the meeting of the Executive on 18th September 2001 it was agreed that Councillor G Prest would be appointed to serve on the NPAS Joint Committee with Councillor D Morton as reserve member.

2. CONSULTATION

1. Consultation to Date. Not applicable.
2. Consultation proposed. Not applicable.

3. STAFFING/RESOURCES COMMENTS

Not applicable.

4. CITY TREASURER'S COMMENTS

Not applicable.

5. LEGAL COMMENTS

The City Solicitor will report verbally on any issues relevant to this report.

6. CORPORATE COMMENTS

Not applicable.

7. RISK MANAGEMENT ASSESSMENT

Not applicable.

8. EQUALITY ISSUES

Not applicable.

9. ENVIRONMENTAL IMPLICATIONS

Not applicable.

10. CRIME AND DISORDER IMPLICATIONS

Not applicable.

11. RECOMMENDATIONS

11.1 It is **recommended** that the City Solicitor be authorised to sign the NPAS Memorandum of Participation to enable the City Council to join the NPAS Joint Committee.

12. REASONS FOR RECOMMENDATIONS

1. The City Council is required to join NPAS in order to continue to enforce decriminalised parking. NPAS is the only body which provides an approved adjudication service.

Your reference

Our reference L/PK/OU1T1014/3

If telephoning or calling
please ask for

Ms Karkera

Tel : 0161 234

3227

Date

21 December 2001 (21 ديسمبر 2001)

E-mail

p.karkera@notes.manchester.gov.uk



MANCHESTER
CITY COUNCIL

CHIEF EXECUTIVE'S DEPARTMENT

Susan Orrell LL.B, HONS
City Solicitor

P.O. Box 532
Town Hall, Albert Square
Manchester M60 2LA
Fax : 0161 234 3207

Mr Peter Vincent
Car Parking Manager
Department of Environment and Development
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

DEPT. ENV & DEV.	
DESIGN DIVISION	
FILE!	1/14/2
14 JAN 2002	
PASSED TO	PV
ANSD	

Dear Mr Vincent

National Parking Adjudication Service Joint Committee

Bob Tinsley of the National Parking Adjudication Service advises me that your Council is shortly to take up decriminised parking enforcement powers and has asked me to forward to you the enclosed engrossed Memorandum of Participation. I would be grateful if you or a member of your legal department would please ring me once your Council has the necessary order and is ready to sign the memorandum.

Once the document has been signed and dated please return one original document to me for the National Parking Adjudication Service Joint Committee's records.

I should draw to your attention the changes in Local Authorities constitutions imposed by recent legislation. If your Council is operating executive arrangements please ensure that the authority to join the NPASJC has been obtained in accordance with your new constitution.

If your Council does not currently operate executive arrangements but will be doing so I would draw your attention to clause 10 of the main Agreement. This provides a mechanism whereby existing members of the NPASJC are deemed to withdraw from the Joint Committee the day before they take up executive arrangements and then for that Council to rejoin immediately. This is intended to address potential problems caused by the new legislation. It is most important therefore that the NPASJC is informed when a member Council is due to take up executive arrangements so that the appropriate documentation can be sent out to enable that Council to rejoin as quickly as possible.

Cont/d.....



MANCHESTER 2002

If you have not already done so I would be grateful if you would let Bob Tinsley at the NPAS have details of your nominated member and his or her substitutes.

Yours faithfully

Roornime Keirke

c.c. Bob Tinsley National Parking Adjudication Service

My apologies for the delay.