

**REPORT TO: STRATEGY and RESOURCES COMMITTEE**

**DATE: 1 JULY 2019**

**TOPIC: ADOPTION OF ROPERY ROAD CAR PARK TO  
THE OFF STREET PARKING ORDER**

**REPORT BY: PARKING MANAGER**

## **1 INTRODUCTION**

- 1.1 The land known as Ropery Road car park is owned by Ilfracombe Town Council.
- 1.2 The car park is currently managed under contract by a private company and enforced using Automatic Number plate Recognition (ANPR) technology.
- 1.3 The current contract is nearing conclusion and Ilfracombe Town Council have approached North Devon Council's parking team to explore the opportunity to provide enforcement of the car park in future.
- 1.4 To permit any future enforcement activities by North Devon Council Civil Enforcement Officers within the area known as Ropery Road car park, the North Devon (Off Street Parking Places) Order 2019 will require amendment.

## **2 RECOMMENDATIONS**

- 2.1 Committee to approve Ilfracombe Town Council's request to amend the North Devon (Off Street Parking Places Order) 2019 to include car park area known as Ropery Road car park to permit any future enforcement activities by North Devon Council.
- 2.2 Committee to approve that delegated powers be given to Head of Operational Services to decide on the extent of the car park and the terms of use, due to the information not being available from Ilfracombe Town Council at the date of this report.

### 3 REASONS FOR RECOMMENDATIONS

3.1 To update the North Devon (Off Street Parking Places) Order to reflect current needs of Parish, Town and District Councils.

### 4 REPORT

- 4.1 Ilfracombe Town Council have requested the inclusion of the land area known as Ropery Road Car Park within the North Devon (Off Street Parking Places) Order to enable the car park to be included within North Devon Council's enforcement area.
- 4.2 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the permitted class of vehicles in Ropery Road car park.
- 4.3 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Scale of Charges for Ropery Road car park
- 4.4 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Days of Operation for Ropery Road car park.
- 4.5 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Hours of Operation of Scale of Charges for Ropery Road car park.
- 4.6 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state any Ancillary Matters for Ropery Road car park.
- 4.7 As information regarding 4.2-4.6 is not available at time of report and to avoid delay, it is recommended that Committee give approval for delegated powers to be given to Head of Operational Services to decide on the extent of the car park and the terms of use.
- 4.8 All amendments to the North Devon (Off Street Parking Places) Order 2019 approved under delegated powers will be compiled, consulted for a statutory minimum period and then if any representation made brought back to Committee for consideration.

### 5 RESOURCE IMPLICATIONS

- 5.1 Any agreed arrangement will be for North Devon Council Civil Enforcement Officers to include Ropery Road car park within current patrol routes.
- 5.2 Any agreed arrangement will be for North Devon Council Notice Processors to undertake all administration with regards to Penalty Charge Notices issued in Rookery Road car park by North Devon Council Civil Enforcement Officers.

- 5.3 The Parking Manager represents North Devon Council with regards to any appeals submitted to the Traffic Penalty Tribunal for Penalty Charge Notices issued under North Devon (Off Street Parking Places) Order, including representing any new areas added to the Order through later amendment.
- 5.4 The administration and responsibility for any Penalty Charge Notices issued by any other party prior to the inclusion of Ropery Road Car Park within North Devon Council Enforcement Area will remain with that party.
- 5.5 Any agreed arrangement will be for all management of the car park, excluding enforcement activities, such supplying and maintaining Pay and Display machine(s), supplying and maintaining signage, maintaining car park area surfaces, structures, drainage, public realm and foliage will remain the responsibility of Ilfracombe Town Council.
- 5.6 Any agreed arrangement will be for all monies received from Penalty Charge Notices, excepting PATROL fee deduction required for Traffic Penalty Tribunal, to be retained by North Devon Council for costs of supplying patrols and Penalty Charge Notice administration.
- 5.7 Any agreed arrangement will be for all monies from pay and display income from Ropery Road car park, and collection of said monies, to remain the responsibility of Ilfracombe Town Council.
- 5.8 Any agreed arrangement will be for any provision of any cashless payment solution, and all associated administration, to be the responsibility of Ilfracombe Town Council.
- 5.9 Any amendment to the North Devon (Off Street Parking Places) Order needs to be compiled, consulted for a statutory minimum period and then if any representation made brought back to Committee for consideration. All associated legal and advertising costs to be met by Ilfracombe Town Council.

## 6 CONSTITUTIONAL CONTEXT

| Article or Appendix and paragraph | Referred or delegated power? |
|-----------------------------------|------------------------------|
| Article 7.12                      | Delegated                    |
| Appendix 4 Para 17                |                              |
|                                   |                              |

## 7 STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

The background papers are available for inspection and kept by the author of the report.

## 9 STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

---

Author: Natalie Nolan

Date: 11 June 2019