

ENVIRONMENT PDS COMMITTEE

30th September 2015

5. QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER

(In the absence of the Portfolio Holder, the Chairman responded to questions.)

(A) FOR ORAL REPLY

(1) From Vivien Smith

The LBB has a proud tradition of encouraging and supporting volunteers to work alongside the LBB in the maintenance and enhancement of our countryside parks for the benefit of the local community. The Friends of Scadbury Park want to continue with this tradition.

What do you say to volunteers and to potential charitable donors who are concerned that the new contract with TLG will result in their charitable efforts ending up in the pockets of TLG shareholders?

Reply:

I say that the Friends movement has been designed and developed from inception to support and enable local people who care passionately about their local green spaces to improve and better them. This is over and above the public funds that the Council is able to direct towards our Parks and Greenspaces. Nothing has changed in that respect. The Council employs a robust contract management process to ensure all contractors deliver their agreed work. In the case of the TLG contract this includes a stakeholder panel with Councillors and representatives from the LBB Friends.

Supplementary Question:

Ms Smith asked whether the Council would publish the obligations of TLG under their contract.

Reply:

The Chairman responded that, within the requirements of commercial confidentiality, this could be done through the Stakeholder Panel or the Friends Forum.

(2) From Vivien Smith

How are the Friends of Scadbury Park to be involved in the development of a strategic plan (including budget) for Scadbury Park, and what are the timescales for that involvement?

Reply:

There is no strategic plan, timescale nor dedicated budget for Scadbury Park in isolation at present.

How matters are progressed over time will be very largely influenced by input from 'Friends of Scadbury Park' as well as the success or otherwise of any future fund raising activity they engage in.

Supplementary question:

Ms Smith stated that as a newly formed friends group they had not been able to establish what they, and what the Council, were supposed to do.

Reply:

The Chairman responded that he understood their frustration, and invited them to email himself and the Portfolio Holder so that they could assist.

(3) From Roger Lawson

Could you please explain how the new proposals for CCTV enforcement of parking regulations in response to the De-Regulation ACT are in accordance with past guidance from the Secretary of State for Transport as they do not appear to be so (I give the latest evidence of that guidance below) and in accordance with the Information Commissioners Guidance on the use of CCTV and Home Office Surveillance Camera Code of Practice.

Operational Guidance to Local Authorities: Parking Policy and Enforcement

- see:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416617/operational-guidance.pdf

8.86 *From 1 April 2015 PCNs must not be served by post on the basis of evidence from an approved device other than when vehicles are parked on:*

- *a bus lane;*
- *a bus stop clearway or bus stand clearway;*
- *a Keep Clear zig-zag area outside schools; or*
- *a red route.*

Where approved devices may be used, the Secretary of State recommends that approved devices are used only where enforcement is difficult or sensitive and CEO enforcement is not practical.

Reply:

The deregulation Act, after extensive consultation, permitted the use of CCTV for a bus lane; bus stop clearway or bus stand clearway; a Keep Clear zig-zag area outside schools; and red routes. This report, which will be scrutinised tonight, does not recommend the use of CCTV for any other reason than those listed. This report indicates that CEO enforcement in these locations is not practical.

Supplementary Question:

Mr Lawson repeated that the council was not complying with the rules imposed by the Secretary of State, and queried why it was difficult for an enforcement officer to enforce zig-zag lines outside schools.

Reply:

The Council only issued tickets that could be legally enforced within the regulations. It was explained that it was difficult for enforcement officers to issue tickets outside schools when cars might be dropping off passengers and pulling away quickly.

(B) FOR WRITTEN REPLY**(1) From Cllr Terence Nathan**

Would the Portfolio Holder consider extending the double yellow line in Chipperfield Road from the existing lines at no. 291 along to 297 Chipperfield Road? This will allow residents at 295 and 297 to back out on to the highway from their driveways in safety. Alternatively a single yellow line continuing to the bus stop would prevent commuter parking and remove this pinch point. I have the backing of the Longbury Residents Association who understand that this may bring commuter parking onto Longbury Close and Longbury Drive. This is seen as preferable to the problems caused by parking on Chipperfield Road.

Reply:

With my apology for any disappointment it might cause, I would advise you that this question has been raised and considered many times, even predating your arrival to the Council and the answer remains no.

On balance, in addition to limiting displacement into local side roads replicating calls for parking restrictions there as well, the parking offered at this site sits in conformity with the Councils 'flank fence' policy and also serves an informal road safety function by limiting average traffic speeds.

I appreciate that it isn't always practical to do so, especially on sometimes very busy local roads like Chipperfield, but I would mention and remind you that the Highway Code encourages people to reverse on to their property, to limit concerns of the nature that you raise."