

Record of operational decision

Decision title:	Recovery of debt from unpaid parking Penalty Charge Notices
Date of decision:	22 nd January 2020
Decision maker:	Parking Strategy and Processing Manager
Authority for delegated decision:	Economy and Place – Directorate Scheme of Delegation Section 37 – issue of Charge Certificate Section 38 – issue of Order for Recovery Section 39 – Execution of Warrant
Ward:	All wards
Consultation:	None undertaken
Decision made:	That formal documentation in respect of unpaid debt from parking Penalty Charge Notices be served upon vehicle owners, and warrants are executed on those that continue to leave debt unpaid having previously been served documents having obtained authority from the Traffic Enforcement Centre (Northampton County Court).
Reasons for decision:	<p>In order to effectively manage the councils highway network in respect of parking, occasionally a Penalty Charge Notice needs to be issued to a vehicle. Where payment is not made in respect of these the relevant legislation provides for debt to be pursued.</p> <p>In order for the council to continue to exercise its public duty, and recover all associated costs with the enforcement of parking contraventions, and to ensure that the principles of enforcement are not undermined, it is appropriate to take all legal and necessary steps to obtain payment.</p> <p>Notwithstanding a review of any correspondence received against any of these matters, and the councils underpinning duty to protect those that are vulnerable, the following documents have been served in accordance with legislation in the last period.</p> <p><u>December 2019</u> Charge Certificate – 209 Order for Recovery – 74</p> <p>In the same period 109 were warrants were executed for the councils contracted Enforcement Agency (Bailiffs) to, in accordance with the relevant legislation, make enquires and enforce the outstanding debt.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>Reputational and legal risks are managed at service level in accordance with the relevant legislation.</p> <p>The Public Sector Equality Duty (PSED) has a significant impact on the determination of the case being transferred for debt enforcement in this manner. Where contact has been made by the vehicle owner, and they are identified as to qualify for specific protection, arrangements are made to prevent action (if possible). Where debtors are later found to be protected, a specialist welfare team operates within the council approved contractor that are suitably trained to handle such matters.</p>

Details of any alternative options considered and rejected:	No other reasonable options are considered to be appropriate to exercise the functions of Civil Parking Enforcement.
Details of any declarations of interest made:	None

Signed..... Date: 22nd January 2020