

## **Torbay – Application to the Secretary of State**

### **Executive summary**

A local authority wishing to take on DPE powers has to make an application to the Secretary of State for one or more designation orders. Local Authority Circular 1/95 sets out the 16 components and information that the Secretary of State requires from the local authority and these are contained in Chapter 17.

### **Review of progress on the Secretary of States requirements**

The following position statement covers the items required, the work carried out to date and an indicative timescale for completion.

- a) The application will be for a PPA and SPA**  
This enables Torbay to decriminalise on- and off-street parking
- b) The proposed commencement date will be Monday 4<sup>th</sup> April 2005**
- c) The area of the SPA/PPA will be the whole of Torbay**
- d) Review of Parking policies for Torbay have been completed**
- e) Confirmation that the traffic orders have been modified**  
The traffic orders have been checked and inputted on ParkMap and are ready for consolidation. Missing orders have also been inputted onto ParkMap. The orders for DPE will be advertised in the New Year as they will need to come into effect at the time of powers being transferred to Torbay.
- f) The penalty charge band will be Band A (£60)**  
The normal penalty charge band throughout the country is Band A which is currently £60 discounted to £30 for payment within 14 days. Almost all councils applying for DPE powers in discussion with NPAS have opted for this band.
- g) The financial assessment shows that Torbay will be self-financing.**
- h) Torbay has reviewed its policies for exemptions, waivers and dispensations to meet the Secretary of States requirements.**
- i) Correspondence from Police and other local authorities indicating support for the application**  
Torbay to progress

**j) Details for the provision of Parking Attendants**

Torbay must decide in September if enforcement and the provision of Parking Attendants and their training and management is to be out-sourced or to be provided in-house. Any further delay will have a knock-on effect on the live date for DPE.

**k-o)** These items will be resolved once a decision on (j) has been made

**p) Confirmation that Torbay will collect statistics and provide them to the Home Office**

This is a standard requirement

Torbay will also apply for powers to introduce wheel clamping and vehicle removals which is standard practice for most authorities that decriminalise. Having the powers even if (as in Torbay's case) it does not intend to use them, at least in the early stages of enforcement allows for flexibility in later years. There may also be certain occasions (e.g. a special event) when the powers could be useful. The application will also give powers to the Police and Traffic Warden Service within Torbay.

**Secretary of States timeframe for approval**

The Department for Transport are currently advising that it is taking approximately 16 weeks to process applications. However Project Centre are aware that in reality it is taking far longer for approval from the Secretary of State. We would hope to be in a position to make the draft application sometime in September or early October which should still mean that an April start date is achievable.