FC96. PARKING ENFORCEMENT

Council considered a report by the Director of Development Services on a potential legal challenge to the Chief Constable of Police Scotland's decision to withdraw traffic warden provision and outlining the current position.

The Executive had considered a report on 19 November 2013 (ref EX92) advising of the Chief Constable's decision, following a review of traffic warden provision, to withdraw the service from 28 February 2014. The report also set out options available to the Council in regard to its on street enforcement powers.

Subsequent to the meeting of the Executive, the Local Commander confirmed that Police Scotland could provide a traffic warden service for the area should Falkirk Council meet the yearly costs of £48,000.

Having considered advice on the process followed by the Chief Constable in making his decision and having consulted with the Leader of the Council and relevant portfolio holders, the Chief Executive authorised participation in a legal challenge, with Scottish Borders and Stirling Councils, to seek a judicial review of the decision. The legal challenge did not proceed following an undertaking from the Chief Constable that he would maintain the current level of parking enforcement in the area for at least a further 2 months to allow for further discussion.

While the preferred outcome for the Council would be for Police Scotland to maintain its current level of parking enforcement without a cost to the Council, authorisation was sought, in the event that this proved to be not achievable, to negotiate a service level agreement with the Local Commander for a local service funded by the Council.

Decision

Council agreed to:-

(1)   **note the decision to join Scottish Borders and Stirling Councils in the legal challenge to the Chief Constable;**

(2)   **maintain its stance in the forthcoming discussions with Police Scotland; and**

(3)   **authorise the Director of Development Services, in consultation with the relevant portfolio holders, to agree a Service Level Agreement with the Local Commander.**