

WOKINGHAM BOROUGH COUNCIL

CALL-IN OF DECISION

We 5 non-executive Members of the Council wish to call-in the following decision:

Reference No: 2021/21 Individual Executive Member Decision (16th December 21)

Subject: Wokingham Borough-Wide Off Street Car Parks Order 2021

1.4.2 Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:

- a) proportionality (i.e. the action must be proportionate to the desired outcome);
- b) due consultation and the taking of professional advice from Officers;
- c) human rights will be respected and considered at an early stage in the decision making process;
- d) a presumption in favour of openness;
- e) clarity of aims and desired outcomes and
- f) when decisions are taken by the Executive, details of the options which were taken into account and the reasons for the decision will be recorded.

Reason for Call-in:

The decision has contravened Section 1.4.2 a),d) and e) of the Council's constitution, insofar as it cannot be determined from the information provided, whether the action is proportionate to the desired outcome and 1.4.2 e) there is no clarity of aims and desired outcomes

The Officer Report states the following:

Changes to Operating Hours

The new Off-Street Car Parks Orders will enable the Council to take action against anti-social behaviour, misuse and vandalism of public car parks by extending the current, 10-hour daily charging period to be 'At All Times' and car park operating hours to apply from Mon-Sun (including bank holidays).

This means that all car park users will be required to comply with parking regulations at all times and the Order will permit the Council to issue penalty charge notices to those vehicles in its use car parks as part of anti- social gatherings. These controls will be supported by CCTV and meet the recommendations for deterring such activity made by Thames Valley Police.

And the verbal explanation by the Lead Officer:

“As it stands now you can enter a car park and leave your vehicle and there is no record of your vehicle being there. You don't have to register it or get a ticket for it or anything. Under this new order we'll be able to do that in all car parks and that will deter ASB particularly; they won't want to register a vehicle as having been there”

- What are the recommendations made by Thames Valley Police? Are they proportionate to the problem? What happens where ASB is committed but (as is likely to be the case) the perpetrator does not register his/her vehicle?
- This implies that everyone using the car parks in the evening and on a Sunday will have to register their vehicle and check in and out. What evidence is there that perpetrators of anti-social behaviour will comply with this requirement? If they do not, how does this requirement assist with identifying them?
- How will this requirement impact on residents who use the car park and forget to check in? Will enforcement officers be active 24/7? What is included in the policy that would avoid innocent residents being fined simply for failing to display a ticket during times when there is no charge for using the car park? How are residents being informed of the change, which will require them to have a ticket at all times, when previously there was no requirement and people used to using the car park would not even look at the ticket machines overnight or on a Sunday?
- The supporting CCTV will help to deter ASB, but can it be used to prosecute offenders?
- Members have been told variously that the CCTV cameras were installed due to theft of catalytic converters, to reduce emissions caused by queuing cars, and now to deter ASB. Section 1.4.2 d) states there should be a presumption of 'openness'. This is not apparent here.

Name (please print)

Signature

Shirley Boyt

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Carl Doran

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Clive Jones

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Stephen Conway

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Prue Bray

23 December 2021

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Date

**This form should be returned to Anne Hunter, Lead Specialist Democratic and Electoral Services
Governance Services**