

Cabinet Member for Transport , Planning and Economic Development 22 December 2014

Report of the Director of City and Environmental Services

Lendal Bridge Repayment Process Deadline Extension

Summary

1. An online process is currently available whereby members of the public can dispute their Penalty Charge Notice (PCN) in relation to Lendal Bridge. The process is due to close on 31st December 2014. Following the full Council motion on the 11th of December this report considers whether the existing deadline should be extended ahead of a report relating to any potential future process is considered by Cabinet.

Recommendations

2. Cabinet Member is asked to consider:

Option 1 – The extension of the deadline beyond 31st December 2014 until 30th June 2015 to allow sufficient time for a report to be considered by Cabinet.

Reason: To ensure efficient administration of the process

Background

3. At its meeting in July 2014 Cabinet agreed that officers should make arrangements for members of the public to contest their Penalty Charge Notice (PCN) and for the settlement payments to be equivalent to the value of the PCN paid in respect of the Lendal Bridge Trial.
4. Legal advice was sought in relation to the process to be adopted, wording to be used and length of time the process should remain open. The advice in relation to the period for which the process

should remain open was that it should be reasonable and that three months was considered to be reasonable.

5. The online application process opened on 8th September 2014. The process is currently time limited and is due to close on 31st December 2014.
6. A motion was passed at full council on 11th December 2014 asking Cabinet to consider a report to amend the Lendal Bridge refund process.
7. A report setting out the impacts of addressing the motion is due to be considered by Cabinet. Due to the gap between the end of current scheme and consideration of a report by Cabinet a decision is required as to whether the current deadline should be extended.

Consultation

8. Not applicable

Options

9. The options for consideration are:

Option 1 – extend the deadline beyond 31st December 2014 until 30th June 2015 to allow sufficient time for a report to be considered by Cabinet.

Option 2 – maintain the current deadline

Analysis

10. Option 1 - The 31st December deadline meets the legal requirements of reasonableness and can be extended if required as resources are available to continue the process. Extending the date until such time as a report is considered by Cabinet would allow for full consideration of the impact of the motion, ensure efficient administration of the process, ensure clearer media messages can be communicated and would limit potential reputational damage to the Council. On balance this is the recommended option.

Option 2 – Has already been widely communicated therefore maintaining the deadline is a legitimate option as this is currently the decision of the Council. However before a further decision by

Cabinet is made a situation will occur whereby we are informing the public that they have missed the current deadline and have no further recourse for a refund and then following the Cabinet Meeting a new process may be opened and we then inform the same members of the public they can now apply. This situation would also lead to a highly unsatisfactory administration process as we would be closing down the current electronic process and moving to individual correspondence to deal with any outstanding issues from the people in the current scheme. Then potentially re opening a new electronic process shortly thereafter and have people potentially confused as to how we are administering their claim.

Council Plan

11. The recommendation supports the Councils core capabilities in relation to delivering against our customer needs.

Implications

12. **Financial** - The extension of the deadline will increase the opportunity for the public to participate in the process and thereby is likely to increase the cost to the Authority, however as the current scheme is now well established there will be no establishment costs or increase in unit cost of administration of the scheme.

Human Resources (HR) Existing staff resource will continue to support the scheme.

Equalities No implications

Legal The current scheme has been confirmed as compliant with the Councils statutory obligations and the timing of the deadline was a matter of efficient administration of the process. Therefore an extension of the scheme in light of the full Council resolution will continue with the current rationale of the deadline being determined by the efficient administration of the process.

Crime and Disorder No implications

Information Technology (IT) No implications

Property No implications

Risk Management

13. Risk associated with extending the deadline is low

Contact Details

Author:

Chief Officer Responsible for the report:

**Ruth Stephenson
Major Transport Projects
Manager
Transport Dept
Tel No. 01904 551372**

**Neil Ferris
Assistant Director Highways,
Transport & Waste
Tel No. 01904 551448**

**Report
Approved**

Date 17.12.14

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report