

Committee: **Community Services Scrutiny Committee**

Date of meeting: **7th December 2020**

Report Subject: **Civil Parking Enforcement – Service Update**

Portfolio Holder: **Cllr. Joanna Wilkins**

Report Submitted by: **Head of Community Services, Clive Rogers**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
11.11.20	19.11.20	25.11.20			07.12.20	13.01.20		

1. Purpose of the Report

- 1.1 The purpose of this report is to provide scrutiny members with an update relating to Civil Parking Enforcement (CPE) since its introduction in 2019.

2. Scope and Background

Civil Parking Enforcement (CPE)

- 2.1 Blaenau Gwent CBC has had the powers to enforce its own Traffic Regulation Orders (TROs) since 1st July 2019. Enforcement proper commenced on the 10th September 2019, whereby any Penalty Charge Notices (parking tickets) issued carried a financial penalty.
- 2.2 Caerphilly CBC currently provides the enforcement staffing resource via a Service Level Agreement. This provides Blaenau Gwent CBC with two civil parking enforcement officers. Rhondda Cynon Taff CBC provide a Penalty Charge Notice (PCN) processing service, under the name of the South Wales Parking Group. Both these vital administration arrangements are working well in supporting Blaenau Gwent civil parking enforcement.
- 2.3 Civil Parking Enforcement gives the Council the powers to tackle wider transport and environmental issues such as traffic congestion, road safety and to safeguard the interests of residents, blue badge holders, transport operators and local businesses. It also allows the Authority to target enforcement in key areas such as town centres and other areas where indiscriminate parking creates potential risks to pedestrians & other road users, like parking congestion in the immediate vicinity of schools. This is in line with the Council's priorities around safe and sustainable communities.
- 2.4 The Council would not be able to manage and enforce Traffic Regulation Orders within the Borough without an effective CPE service. Indeed, the introduction of CPE has allowed the Council to successfully monitor and target areas where complaints of illegal and dangerous

parking are received. The council receives a high volume of requests for consideration of parking enforcement.

- 2.5 The current pandemic has however affected the service delivery. CPE was suspended on the 20th March 2020 and did not resume until the 20th July 2020. During this suspension, the two civil parking enforcement officers were temporarily redeployed to assist at the New Vale Household Waste and Recycling Centre. With one officer attending the HWRC site per day in accordance with their shift rota.

Financial Update

- 2.6 The approved business case and associated financial modelling considered the following items: -

- Size of population within the five main towns
- Number of enforceable traffic regulation orders within the five main towns
- The cost of deployment of Civil Enforcement Officers for a total of 52hrs per week @£17.50/hr (6 day a week operation)
- Issue of 1.28 Parking Charge Notices(PCN) per hour
- **3500 PCNs issued annually**
- Projections based on the band 2 level of PCN set at £70/£50 in the Traffic Management Act 2004
- **A 75% collection rate of PCNs.**
- £5.25 administrative charge per PCN
- 3% inflation over a 5 year term
- 0.2 FTE Internal Parking Management
- 0.2 FTE Internal Administration Staff

Capital set up costs

TRO review	£40k
TRO remedial work	£190k
New TRO	£5k
Misc.	£28k

Annual Operational costs

Enforcement resource	
@52 hrs per week including CCBC management	£59k
Back Offices Licences (2 No.)	£3k
PCN administrative fee (approx 3500@£5)	£17.5k

Surplus (Deficit), after 5 years if capital set up costs included £232k

Average annual operational surplus/(deficit) over 5 years £32k

- 2.7 Since enforcement proper commenced on the 10th September 2019, the following information is to be noted by Committee:

- 2750 PCN's have been issued (from 10th Sep' 2019 to 31st Oct' 2020)
- 88% collection rate of PCN's (this figure relates to the percentage of PCN's paid)

The number of PCN's issued has been sub-divided into geographical areas as detailed in table 1 below.

2.8 Table 1

<u>Location</u>	<u>Number of PCN's Issued</u>
ABERTILLERY	621
BLAINA & NANTYGLO	29
BRYNMAWR	427
EBBW VALE*	1218
TREDEGAR	455
Total	2750

***Note** Ebbw Vale includes 724 PCN's issued at The Works development.

2.9 The CPE service was suspended for 4 months (from 20th March to 20th July), this has impacted against the forecasted number of penalty charge notices issued this year (estimated at 3500 per year) with a potential reduction over the four-month period of approximately 1165 PCN's. However, an 88% PCN collection rate is higher than the financial modelling estimate. To off-set the income lost as a result of the suspension of the CPE service, £27k has been received from the Covid-19 hardship fund. The latest budget monitoring forecasts a £4k budget surplus for this financial year. This will be monitored and reviewed going forward.

2.10 There are over 35 different on-street and off-street parking contraventions in the Blaenau Gwent Enforcement Policy. Predominantly the most common types of contravention enforced are in regards to vehicles parking in contravention of Prohibition of Waiting and Overstays. Table 2 indicates the number of PCN's issued for each contravention code.

2.11 Table 2:

<u>Code</u>	<u>Type of Contravention</u>	<u>Number of PCN's Issued</u>
01	Waiting Prohibited	1306
02	Loading Restricted	34
22	No Return	8
23	Prohibited Vehicle Class	10
24	Out of Marked Bay	10
25	Loading Area	71
27	Dropped Footway	121
30	Overstay	825
40	No/Invalid Blue Badge	318
45	Taxi Rank	14
47	Bus Stop Clearway	18

48	Outside School	9
99	Pedestrian Crossing	6
	Total	2750

Review of existing Traffic Regulation Orders (TRO's) - Update

- 2.12 These are the legal orders that govern the regulations on streets and car parks, in Blaenau Gwent these have been consolidated into two single orders – one for on-street parking and one for off-street parking.
- 2.13 Following on from the implementation of these consolidation orders the Council has received a significant number of requests from Members, Town Centre business forums and the general public to review existing parking restrictions at various locations throughout the county borough. Due to the significant level of requests received the Council has had to prioritise this work, with our Town Centres and strategic routes being considered first.
- 2.14 This work is currently being progressed, with two schemes fully completed. A further seven schemes are anticipated to be available for public consultation before the end of this year. Details of these schemes are contained in Table 3. Unfortunately, the progression of these schemes have been significantly delayed due to the current pandemic.
- 2.15 Table 3

<u>Completed Schemes</u>	<u>Orders ready for public consultation</u>
Queen Street, Nantyglo	Tredegar Town Centre Parking
King Street, Abertillery	Bethcar Street, Ebbw Vale
	Tillery Street, Abertillery
	Church Street, Abertillery
	Rees Street, Ebbw Vale
	High Street, Blaina
	Lime Avenue, Ebbw Vale

- 2.16 A full list of the TRO review areas is attached as Appendix 1.

Update on Pavement Parking

- 2.17 The Welsh Government is proposing to give Local Authorities the power to fine people parking on pavements.

Pavement parking is where one or more wheels of a stationary motor vehicle are on the pavement (also known as the footway). Pavement parking obstructs pedestrians and is a serious and widespread problem across Wales. It puts people in danger when they are forced to walk in the carriageway where they may come into conflict with moving traffic. It is a particular problem for disabled people as well as anyone with a child or a pushchair

Although there is no specific offence of parking on pavements in Wales (as in most of England), causing unnecessary obstruction of any part of the highway is an existing criminal offence. The police have powers to enforce against vehicles obstructing the highway, which includes the pavement, under a number of statutes and regulations. However, these powers are little used, mainly due to a lack of resources, but also because

of the burden of proof necessary to achieve a criminal conviction for obstruction. As a result, little enforcement against pavement parking currently takes place in Wales.

There will be places, for example narrow residential streets with no off-street parking, where some parking on pavements will need to be tolerated. Local authorities should indicate those locations where pavement parking is permitted through Traffic Regulation Orders.

Clear, workable and detailed guidance will need to be produced by Welsh Government, in partnership with local government and other stakeholders, to guide local authorities in the execution of their new powers. This should be achieved by amending the existing statutory and operational guidance on civil parking enforcement. Changes will be needed to the Highway Code to make it clear to drivers that they will be subject to penalties issued by local authorities if they park on pavements in Wales. Local authorities will need to extend their existing enforcement operations to discharge their new powers and some additional resources may be required, but this will depend largely on the extent to which enforcement is proactive, rather than by complaint, which will be a matter for local policies.

The aim is to commence civil enforcement of pavement parking in Wales by July 2022.

3. Options for recommendation

3.1 Option A (preferred option)

Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019.

3.2 Option B

Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019, but present alternative priorities for the service.

4. Evidence of how does this topic support the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

4.1 The report has been developed to provide an update on progress of the current civil parking enforcement service, which is a statutory responsibility of Blaenau Gwent CBC. Strong Communities, and their economic development and regeneration are key priorities within the Corporate Plan. Good accessibility and connectivity are critical in allowing our residents to achieve these, and the management and efficiency of the core highway network is key for this.

5. Implications Against Each Option

Option A - Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019.

The CPE service is currently operating in accordance with the original business case. The service is currently showing a small budget surplus for this financial year and will be monitored and reviewed going forward.

Option B - Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019, but present alternative priorities for the service.

If it is proposed that the existing service is expanded, by way of additional CPE operational resources, this will increase the revenue costs for delivering the service. For the service to remain financially positive this would require the serving of additional PCN's to cover these additional costs.

5.1 Impact on Budget (short and long term impact)

Funding

Option A - Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019.

The CPE service is currently operating in accordance with the original business case. The service is showing a small surplus for this financial year, forecasted at £4k.

Option B - Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019, but present alternative priorities for the service.

If it is proposed that the existing service is expanded in the future, by way of providing additional CPE operational resources, this will increase the revenue costs for delivering the service. For the service to remain financially positive this would require the serving of additional PCN's to cover these additional costs.

5.2 Risk including Mitigating Actions

Option A: Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019.

None identified, the CPE service delivery continues as existing and in accordance with the criteria as set out in the business case.

Option B: Members accept the update on progress relating to Civil Parking Enforcement (CPE) since its introduction in 2019, but present alternative priorities for the service.

Alternative member priorities and options would require changes to the current business case model and the current service level agreement with Caerphilly CBC. Whereby any increase in CPE enforcement hours would need to be off-set by increasing the number of PCN's issued in order to deliver a sustainable revenue budget going forward. Any resource changes would need to be agreed with Caerphilly CBC and the existing service level agreement will need to be amended accordingly.

5.3 Legal

There are no legal implications associated with this report.

5.4 Human Resources

There are no staffing implications associated with this report. Any changes to the current CPE staffing/ enforcement hours would however need to be suitably resourced.

6. Supporting Evidence

6.1 Performance Information and Data:

Performance is currently monitored in the following ways:

- Monthly Pay-Over Reports from RCT CBC
- Imperial 360 Database Access
- Quarterly Meetings Held with Caerphilly CBC

6.2 Expected Outcome for the Public

Improved and consistent levels of service delivery across civil parking enforcement.

6.3 Involvement (Consultation, Engagement, Participation)

Informal discussions are held with neighbouring authorities to ensure that BGCBC's delivery of civil parking enforcement is consistent with other local authorities. Where relevant, consultation, engagement and involvement with the public, members and interested parties will be carried out as part of any traffic order review consultation process.

6.4 Thinking for the long term (forward planning)

The ability for the Council to operate a Civil Parking Enforcement function is critical for the safe and efficient management of the Borough's highway network.

6.5 Preventative Focus

The CPE service provides appropriately trained and qualified staff to ensure key services are efficiently and effectively delivered in line with the Corporate Plan 2018 to 2022 and any other relevant statutory or legislative requirements.

6.6 Collaboration / partnership working

The service delivery of Civil Parking Enforcement is a collaboration between Blaenau Gwent CBC, Caerphilly CBC and Rhondda Cynon Taff CBC (who provide a PCN processing service under the name of the South Wales Parking Group).

CPE will wherever and whenever possible look to work with local communities and businesses to maximise economic and regeneration benefits associated with both revenue & capital services and projects.

6.7 Integration (across service areas)

CPE will wherever and whenever possible look to work with others service areas. For example, with the Education Department to provide parking enforcement at schools to supplement road safety initiatives.

6.8 EQIA (screening and indemnifying if full impact assessment is needed)

An EQIA is not relevant to the content of this report.

7. Monitoring Arrangements

- 7.1 The ongoing management of the Civil Parking Enforcement function is undertaken by the Community Services department.

8. Background Documents / Electronic Link

- 8.1 Appendix 1 – List of traffic order review requests