

SURREY COUNTY COUNCIL

LOCAL COMMITTEE (SPELTHORNE)

DATE: 29 September 2014



LEAD OFFICER: David Curl – SCC Parking Team Manager

SUBJECT: On Street Parking Enforcement

DIVISION: Spelthorne

SUMMARY OF ISSUE:

Since April 2013 Local Committees have been more involved with the enforcement of on street parking restrictions that they are responsible for installing and reviewing, and have a new scrutiny role of the enforcement operation and a share of any surplus income.

In order to be able to fulfil this role, it was agreed that the committees would receive an annual report on the operation of parking enforcement in their area. This is the first such report covering the 2013-14 financial year.

RECOMMENDATIONS:

The Local Committee (Spelthorne) is asked to:

- (i) note the contents of the report;
- (ii) agree that the On Street Parking Partnership meet to discuss what to do with the surplus on the parking account and provide a recommendation back to the Committee.

REASONS FOR RECOMMENDATIONS:

Waiting and parking restrictions that are suitably/adequately enforced help to:

- Improve road safety
- Increase access for emergency vehicles
- Improve access to shops, facilities and businesses
- Increase access for refuse vehicles and service vehicles
- Ease traffic congestion
- Better regulate parking

The Local Committee can contribute towards these objectives in partnership with the Spelthorne Borough Council's (SBC) parking enforcement team. In addition the Local Committee can choose to fund other projects to improve the highway or local environment.

1. INTRODUCTION AND BACKGROUND:

- 1.1 On the 23 October 2012, the Surrey County Council (SCC) Cabinet agreed the framework for new on street parking enforcement agency agreements with the majority of Surrey's district and borough councils. This followed 2 years of discussion and negotiation about how enforcement could be carried out more efficiently and what should happen to any surplus income.
- 1.2 In terms of governance and scrutiny, the SCC Cabinet agreed that local committees would have a stronger role as part of the new arrangements. In order to be able to fulfil this role, it was agreed that the agents would report annually to the Local Committee on operational performance, KPI's and current parking trends. Each local committee may determine the terms of reference which best suits its particular local circumstances. Agreed key performance indicators for benchmarking were also agreed.

2. ANALYSIS:

Parking enforcement policy

- 2.1 The aim of parking enforcement is to achieve compliance, although in reality 100% compliance would be very difficult to achieve. Restrictions should be enforced fairly and in accordance with the operational guidance for Civil Parking Enforcement contained in the Traffic Management Act 2004.
- 2.2 The Spelthorne Borough Council (SBC) Civil Parking Enforcement Policy has been developed and explains the way in which parking regulations will be enforced within the borough. A civil enforcement officer (CEO) does not have discretion, he/she issues penalty charge notices to vehicles in contravention.
- 2.3 The authorised officers in the back office appeals team use their discretion as per the policy. The only officers who are allowed to cancel a penalty charge notice are the authorised officers as stated in the legislation. This gives a consistent approach.
- 2.4 It is important that parking enforcement within the borough is fair to the motorists, residents, businesses, pedestrians and the public in general and their view must be taken into consideration.
- 2.5 The aim of the policy is to:
 - Make clear the parking enforcement requirements for each contravention and relevant policy for parking staff and CEOs;

- Have a single document in which the enforcement policy is documented and can be easily updated when changes occur;
 - Set out the rules and procedures for issuing Penalty Charge Notices (PCNs);
 - Inform the public of our criteria for consideration of mitigation received in response to the issue of a PCN.
- 2.6 In Spelthorne we are taking a fairer approach. CEOs are expected to adopt a common sense and fair approach to enforcement. They are expected to provide additional services such as basic local information and guidance on how and where to park to avoid being issued with a ticket.
- 2.7 On waiting offences (i.e. yellow lines) a 2 minute observation is given.
- 2.8 The borough is fair towards blue badge holders allowing a concession in car parks of a free hour after the pay and display ticket has expired. Blue badge holders are allowed to park on single and double yellow lines for up to 3 hours as long as an obstruction to other road users is not caused. They are allowed to park in residents and limited waiting bays without time limit.
- 2.9 Motorcycles are allowed to park in off street car parks and residents bays free of charge.
- 2.10 SBC have a duty to act fairly and proportionately and are encouraged to exercise discretion sensibly and reasonable and with due regard to the public interest.
- 2.11 Making a fair decision on cases does not require that all cases are treated equally. It means that individual circumstances of the case will be taken into consideration.
- 2.12 SBC's approach to the exercise of discretion is objective and without regard to any financial interest in the penalty or decisions that may have been taken at an earlier stage in proceeding.

Enforcement staffing

- 2.13 Staff deployed in on street parking enforcement in Spelthorne from Monday to Saturday are as follows:
- 1 Parking manager (shared with off street)
 - 1 Senior CEO
 - 6 full time CEOs deployed during core hours (shared with off street)
 - 1 Part time CEO deployed during core hours (shared with off street)
 - 2 Back office staff (shared with off street)

- 2.14 On Sundays there are usually 2 or 3 CEOs deployed.
- 2.15 Core enforcement hours are generally between 7am and 7pm on Monday to Saturday and 9.30am and 6.30pm on Sunday.
- 2.16 The parking office is normally open between 7am and 7pm on Monday to Saturday and 9.30am and 6.30 pm on Sunday.

Town Centres

- 2.17 Parking enforcement is carried out in the town centres to achieve compliance with parking and waiting restrictions that will help maintain traffic flows and access to businesses and services. There are a higher proportion of restrictions in the town centres and these consequently require a larger proportion of enforcement resource in the borough.
- 2.18 There are generally 2 CEOs deployed in the morning and 2 CEOs deployed in the afternoons to cover Staines-upon-Thames and Ashford during normal working hours. For operational efficiency the CEOs also enforce car parks in the town centres as well.

Laleham, Shepperton, Sunbury

- 2.19 Parking enforcement in outlying areas and villages is important; however the greater travelling time required means less frequent enforcement is possible. Nonetheless SBC tries to ensure at least one patrol of these areas is carried out every day.

Schools

- 2.20 We work with schools, highways and Surrey police to target parking enforcement outside schools where it is needed. With 35 schools in the borough it not possible to provide enforcement outside every school where restrictions exist every day but patrols are undertaken whenever possible in rotation around the schools.

Residential areas

- 2.21 Parking restrictions in residential areas are patrolled at least once a day.

Residents Parking Schemes

- 2.22 Resident permit parking schemes are patrolled as required or in response to reported problems. The administration of these schemes is carried out from the parking office during normal office hours.

Suspensions and Waivers

- 2.23 Upon request, the SBC parking office arranges for parking bay suspensions and waivers in accordance with the scale of charges set out in the County Council's parking strategy. The office request at least 10 days notice for dealing with requests to suspend a parking bay.

Obstruction/Crossovers

- 2.24 CEOs enforce obstruction of public drop kerb crossovers and pedestrian crossing points. Complaints made by residents about parking over

dropped kerbs, made to the car park office, normally result in the immediate deployment of staff

- 2.25 Parking over crossing points marked by tactile kerbs is dealt with by patrolling staff as and when it is observed. This is seen as a priority by staff due to the inconvenience and danger this type of parking can cause.

Events affecting the highway

- 2.26 Where community events are arranged that affect parking on the highway, the enforcement team works with the organiser or SCC Highways to assist with traffic management arrangements.

Performance

- 2.27 As mentioned earlier, the County Council and district and borough councils agreed a common set of performance indicators, in order to allow benchmarking both internally and between districts. The indicators and results in Spelthorne are as follows:

Total cost to administer the on-street parking service – the overall net cost of operating the on-street enforcement element of the parking service

£94,614 for on-street enforcement, £24,393 for admin and other non enforcement – total: £119,007

CEO deployment efficiency - this measures the number of hours of deployed CEO time spent on-street or travelling to sites as a ratio of the total cost of the enforcement operation

5,398 hours on-street hours deployed with 5062 PCNs issued £17.50 per deployed hour

Penalty charge notices (PCNs) issued per deployed hour - the total number of PCNs issued as a ratio of the total number of CEO hours on street

0.94 PCNs per hour

PCN cancellation rate - the total number of PCNs cancelled as a ratio of the total number of PCNs issued

5062 PCNs issued.
705 cases cancelled.
13.92%

PCN appeal rate – the total number of PCNs successfully appealed, as a ratio of the total number of PCNs issued

5062 PCN's Issued
238 Accepted
4.70%

Time taken to issue parking permits / dispensations / suspensions – measuring the average number of days taken to deal with general

customer requests for service (excluding PCN appeal or comments on parking restrictions)

Generally requests are dealt with immediately if received via telephone or within two days if received in writing. The only exception is when staff members are on leave, when it takes just over a week.

- 2.28 The only other factor that impacted on performance was the severe flooding and the cleaning up afterwards which meant that no enforcement could take place in the affected roads, nor in some other nearby roads where residents were allowed to park on single yellow lines, as no other parking was available.

3. OPTIONS:

- 3.1 The Committee can decide how to use its share of the parking surplus.
- 3.2 The Committee can delegate to the On Street Parking Partnership to recommend how to use its share of the parking surplus.

4. CONSULTATIONS:

- 4.1 There have been no consultations in relation to this report.

5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

- 5.1 The purpose of enforcing waiting restrictions is to help achieve compliance. Similarly parking charges are intended to help enforcement and improve turnover of high demand spaces. Parking enforcement is not intended to raise income; however it is reasonable to aim to carry out enforcement without operating at a deficit.
- 5.2 As part of the new agency agreements it was decided that any surplus on the borough parking account would be split as follows:
- 60% to the Local Committee
 - 20% to the enforcement authority (SBC)
 - 20% to the County Council
- 5.3 Any surplus generated from managing on street parking can only be used as defined under S55 of the Road Traffic Regulation Act 1984 (as amended). This restricts use of any surplus for the maintenance and/or improvement of the highway including environmental works or additional parking provision.

- 5.4 It is customary for parking accounts to be finalised six months after the end of the financial year, in order to allow time for the pursuit of unpaid PCNs. It is therefore expected that the final accounts for the year will be available shortly.

6. EQUALITIES AND DIVERSITY IMPLICATIONS:

- 6.1 Effective parking restrictions and enforcement can assist accessibility for those with visual or mobility impairment by reducing instances of obstructive parking. Parking restrictions also allow blue badge holders better access to shops and services through the provision and enforcement of disabled bays.

7. LOCALISM:

- 7.1 Communities are represented by county and borough councillors and committee members who are involved in the decision making process to change or introduce new parking restrictions and who now have more involvement in the enforcement of them.

8. OTHER IMPLICATIONS:

Area assessed:	Direct Implications:
Crime and Disorder	Set out below.
Sustainability (including Climate Change and Carbon Emissions)	No significant implications arising from this report
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Public Health	No significant implications arising from this report

8.1 Crime and Disorder implications

There should be fewer instances of obstructive and dangerous parking as a consequence of effective parking enforcement.

9. CONCLUSION AND RECOMMENDATIONS:

- 9.1 There was effective and efficient on street parking enforcement in Spelthorne during 2013-14. This has resulted in a surplus on the parking account, which can be used for highways and environment related projects. It is recommended that the On Street Parking Partnership provides a recommendation to a future meeting of the Committee on how to use the surplus.

10. WHAT HAPPENS NEXT:

10.1 The On Street Parking Partnership reports back to a future meeting of the Committee, with a recommendation in how to use the parking surplus.

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Consulted: Not for the purpose of this report

Annexes: None

Sources/background papers: Local Committee report 18 November 2013: On Street Parking Enforcement Update
