

EAST HERTS COUNCIL

ENVIRONMENT SCRUTINY COMMITTEE – 13 NOVEMBER 2012

EXECUTIVE – 4 DECEMBER 2012

REPORT BY EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT

MOBILE, ANPR BASED PARKING ENFORCEMENT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To establish a policy framework and priorities for the operation of a mobile, ANPR based parking enforcement service in East Herts.

RECOMMENDATION FOR ENVIRONMENT SCRUTINY COMMITTEE:

That:

(A)	The policy framework and priorities for the operation of a mobile, ANPR based enforcement service in East Herts set out in ERP 'B' are supported and recommended to the Executive for adoption,
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RECOMMENDATION FOR EXECUTIVE: That:

(A)	Members adopt the policy framework and priorities for the operation of the mobile ANPR based enforcement service set out in ERP 'B'.
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1.0 Background

1.1 By virtue of decisions taken by the Executive on 7 February 2012 and full Council 22 February 2012, East Herts Council has extended its Civil Parking Enforcement (CPE) powers to allow enforcement of parking contraventions using an ANPR equipped vehicle. It is necessary to set the policy framework to underpin their delivery of this new service.

2.0 Report

- 2.1 Automatic Number Plate Recognition (ANPR) is used to support a range of traffic and parking enforcement functions. In recent years the use of mobile ANPR based enforcement to supplement parking enforcement undertaken by foot-based Civil Enforcement Officers has grown in England and Wales.
- 2.2 An ANPR equipped enforcement vehicle would enable enforcement of parking controls on the basis of camera evidence. The Council's Traffic Regulation Orders (TROs) would be held on a secure database in the vehicle. A global positioning system (GPS) would be used to confirm the position of the enforcement vehicle and the contravening vehicle and relate the latter to the TRO(s) in operation. This would indicate whether a contravention is likely to have occurred. An inquiry would be made of the DVLA and a hybrid Penalty Charge Notice/Notice to Owner would be sent through the post to the person identified by DVLA as the keeper of the vehicle.
- 2.3 Statutory Guidance issued by the Secretary of State for Transport confirms that mobile, ANPR based enforcement has its limitations. For example, the process cannot always establish whether a vehicle apparently parked in contravention is exempt from the restriction in force at that location - perhaps because it is displaying a valid disabled person's badge or pay and display ticket. As advised in Statutory Guidance:
- "The Secretary of State recommends that approved devices [cameras] are used only where enforcement is difficult or sensitive and CEO enforcement is not practical. Approved devices should not be used where permits or exemptions (such as resident permits or Blue Badges) not visible to the equipment may apply."*
- 2.4 It should eventually be possible for the ANPR based vehicle to patrol East Herts resident permit parking areas, once the complete permit database can be interrogated as part of the enforcement process. Currently only resident permits can be viewed in this way; however it is the Council's intention to place the visitor voucher facility onto a similar, virtual platform at the earliest opportunity.
- 2.4 Mobile, ANPR based enforcement is particularly useful for the enforcement of parking "hot spots" where there is evidence of significant/chronic law breaking and where it can be difficult to take orthodox enforcement action or achieve an adequate level of CEO

coverage. Examples can include school zig-zags, pedestrian crossing zig-zags, parking on yellow lines at junctions and the misuse of designated blue badge bays and loading bays. In some of our smaller villages school zig-zags are the only enforceable restriction and with its current resources the Council can only guarantee attendance at these locations on a three week cycle at best. Such scenarios head the priority list proposed in **Essential Reference Paper 'B'**.

2.5 The Council has already set its penalty charges for PCNs served through the post. (PCNs issued using mobile, ANPR based enforcement fall into this category), These penalty charges are the same as for PCNs served on the vehicle or vehicle driver. The current penalty charge in both cases is £70 discounted to £35 for prompt payment in respect of on-street PCNs and £50 discounted to £25 for off street PCNs.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

- i) Traffic Management Act 2004 (Part 6)
- ii) The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions (2008)
- iii) The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007 No. 3483)
- iv) Minute of the East Herts Executive held on 7 February 2012
- v) Minute of the full Council held on 22 February 2012

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