

EAST HERTS COUNCIL

EXECUTIVE – 16 OCTOBER 2017

REPORT BY EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT

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PARKING ENFORCEMENT PRIORITIES

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- To invite the Executive to adopt the recommendations of the Council's Overview and Scrutiny Committee, thus confirming the Council's parking enforcement priorities when its new parking enforcement contract commences in January 2019.

**RECOMMENDATION FOR EXECUTIVE: That:**

<b>(A)</b>	<b>in respect of parking enforcement priorities when the new contract commences in January 2019, the key recommendations of the Overview and Scrutiny Committee, as detailed at paragraph 3.1 of the report submitted, be adopted.</b>
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1.0 Background

1.1 East Herts Council's parking enforcement contract is being re-tendered. The new contract will commence on 16 January 2019 and will operate for five years with the possibility of a maximum two year extension.

1.2 The preparation of this new contract has given the Council an opportunity to review its parking enforcement priorities to ensure they remain fit for purpose. A Member Task and Finish Group was established in May 2017 to assist with this review. The T&F Group reported to the Council's Overview and Scrutiny Committee on 12 September 2017, where its recommendations were agreed in full.

## 2.0 Report

- 2.1 The Task and Finish Group met on five occasions during June, July and August 2017. Evidence was received in person or in written form from a number of interested parties. The composition of the Task and Finish Group and a list of those who gave evidence are set out in **Essential Reference Paper 'B'**.
- 2.2 The Group recognised that the nature of our towns and villages has changed since the current enforcement contract was prepared in 2011. For example, the evening economy has developed significantly - especially in our main towns. As new residential and business developments take place, pressure on off-street and on-street parking capacity is likely to grow. With finite resources and growing (and sometimes conflicting) demands on the service, it is right to re-assess the Council's parking enforcement priorities.

### Statutory Basis of Civil Parking Enforcement

- 2.3 Statutory Guidance issued in conjunction with the Traffic Management Act 2004 confirms the core purposes of Civil Parking Enforcement (CPE) as:
- Managing the traffic network to ensure expeditious movement of traffic
  - Improving road safety
  - Improving the local environment
  - Improving the quality and accessibility of public transport
  - Managing and reconciling the competing demands for kerb space

All changes to policy and practice must be considered in the context of these objectives and of the statutory framework within which CPE operates.

### Current Position in East Herts

- 2.4 East Herts Council enforces on-street parking restrictions on behalf of the Highway Authority, Hertfordshire County Council. The County Council wishes there to be a broad uniformity of approach to on-street enforcement across the county; therefore whilst local circumstances can be accommodated to a degree, a

district council's freedom to depart too far from a consistent approach to on-street parking enforcement is limited.

- 2.5 East Herts Council is responsible for the management and enforcement of its off-street car parks. The Council therefore enjoys considerable freedom to dictate the terms under which car park enforcement is conducted.

#### Parking and Transport Strategy 2011/12

- 2.6 In 2011/12 East Herts Council surveyed residents' views on a number of parking and transport issues. This included asking where the Council's enforcement priorities should lie. Residents identified their enforcement priorities as follows:

- Safety around schools  
(69% made this their highest or second highest priority)
- Safer parking in general  
(67% made this their highest or second highest priority)
- Keeping traffic moving  
(34% made this their highest or second highest priority)

The view of the Task and Finish Group is that these should remain the Council's core objectives for the delivery of its parking enforcement service.

#### Evidence from East Herts Council's Parking Manager

- 2.7 The Council's Parking Manager attended all meetings of the Task and Finish Group and gave detailed evidence on 20 June in particular. Minutes of all T&F meetings are offered as **Essential Reference Paper 'C' (i) – (v)**.

#### Evidence from the Hertfordshire County Council (Highway Authority)

- 2.8 Representatives of the Highway Authority, Hertfordshire County Council, gave evidence on 21 June. Their evidence reinforced the evidence given by the Council's Parking Manager that CPE is primarily a safety related tool and is not a revenue raising exercise. (In common with most local authorities in England and Wales, parking enforcement in East Herts operates at a financial deficit. East Herts Council absorbs the deficit incurred through enforcing on-street restrictions on behalf of the County Council). Minutes of that meeting are contained within **Essential Reference Paper 'C' (ii)**.

## Evidence from Mr Peter Lowe of RTA Associates Ltd

- 2.9 Mr Lowe gave evidence on 17 July. Mr Lowe is the consultant employed by East Herts Council to run the current parking enforcement tender process. Mr Lowe has considerable experience in implementing CPE across many years and is the current President of the British Parking Association – the lead industry body. Minutes of that meeting are contained within **Essential Reference Paper ‘C’ (iv)**.

## Submissions from Town Councils

- 2.10 Hertford, Bishop’s Stortford, Ware, Sawbridgeworth and Buntingford Town Councils, together with Stanstead Abbots Parish Council, were invited to submit written evidence to the Task and Finish Group. A summary of their responses is offered as **Essential Reference Paper ‘D’**.

## Overview and Scrutiny Committee (12 September 2017)

- 2.11 The recommendations of the T&F Group as set out in Paragraph 3.1 (below) were adopted in their entirety by the Council’s Overview and Scrutiny Committee on 12 September. Minutes of that Committee may be accessed on the Council’s website at <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=515&MId=3169&Ver=4&J=3>
- 3.0 Key Recommendations from the Task and Finish Group (as endorsed by the Overview and Scrutiny Committee on 12 September)
- 3.1 There was much common ground among the parties who gave evidence. The recommendations of the Task and Finish Group, subsequently adopted by the Council’s Overview and Scrutiny Committee, are as follows (in no order of importance). It will be noted that these correlate with the stated priorities of East Herts residents as recorded in paragraph 2.6.
- i) Increase attendance around schools at the start and end of the school day to promote safety, by ensuring as many Civil Enforcement Officers as possible are at or near a school at the relevant time(s).

- ii) Prioritise enforcement of the highway over enforcement of car parks.
- iii) Boost engagement in measures to combat blue badge fraud including more frequent collaboration with the Shared Anti-Fraud Service and publication of prosecutions where possible.
- iv) Seek recovery of penalty charge debt incurred by European registered vehicles on a 'no win, no fee' basis.
- v) Increase the amount of safety related on-street evening enforcement in our main towns to reflect the growth of the evening economy.\*
- vi) Increase the amount of safety related on-street Sunday enforcement in our main towns to reflect the growth of Sunday trading and leisure activities.\*
- vii) Engage with schools to promote the safety message.\*
- viii) Consider the use of an ANPR equipped vehicle in the very limited circumstances permitted in law, as an adjunct to foot patrolling.\*
- ix) Allow members of the public access to an out-of-hours service for enforcement requests.\* (It is not proposed to 'outsource' requests for parking enforcement between 0900 and 1700, Monday to Friday. The Council is moving towards a unified customer service function as part of its 'Digital East Herts' programme and requests for enforcement during the Council's opening hours should still be handled by Council officers).

3.2 The competitive tendering process will of course yield the most economically advantageous bid for these services; however the consequence of implementing the primarily safety-related measures marked with an (\*) is a likely increase in the Council's enforcement costs. For example, evening and night time enforcement requires Officers to patrol in pairs for reasons of personal safety.

3.3 Members noted the response of the Manchester Airports Group (MAG) to its inquiries, as recorded in **Essential Reference Paper 'C' (iv)** of this report. The fact the entire response related to the MAG's activities in Uttlesford was regretted as the airport also has a direct effect on the quality of life of residents in East Herts – in particular Bishop's Stortford. Although not strictly related to the remit of this Task and Finish Group, the Group recommended that Members scrutinise the problems of airport parking in East Herts, including inviting the Chairman of MAG to attend an appropriate committee of the Council.

- 3.4 A reduction in the amount of daytime enforcement to help fund a higher level of evening and weekend enforcement is not considered prudent as the trend over recent years has been to introduce ever more restrictions and controls in our towns and villages, such as Resident Permit Zones, all of which require enforcement to some degree.
- 3.5 Officers will make a growth bid within the 2019/20 Medium Term Financial Plan (MTFP) to help fund these increasing demands on the enforcement service and it is suggested that unless this is awarded, it would be difficult to achieve significant improvement in areas v) and vi) in particular. Without an increase in funding for the new contract, the Council's ability to fund the service enhancements in items vii), viii) and ix) might also be jeopardised.

### Background Papers

The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions. (Traffic Management Act 2004)

<https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions>

Minutes of the Council's Overview and Scrutiny Committee on 12 September 2017

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=515&MId=3169&Ver=4&J=3>

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