

CIVIL PARKING ENFORCEMENT IN HUNTINGDONSHIRE

OVERVIEW & SCRUTINY (ENVIRONMENT, COMMUNITIES & PARTNERSHIPS)

11TH JULY 2024

WHAT IS CIVIL PARKING ENFORCEMENT?

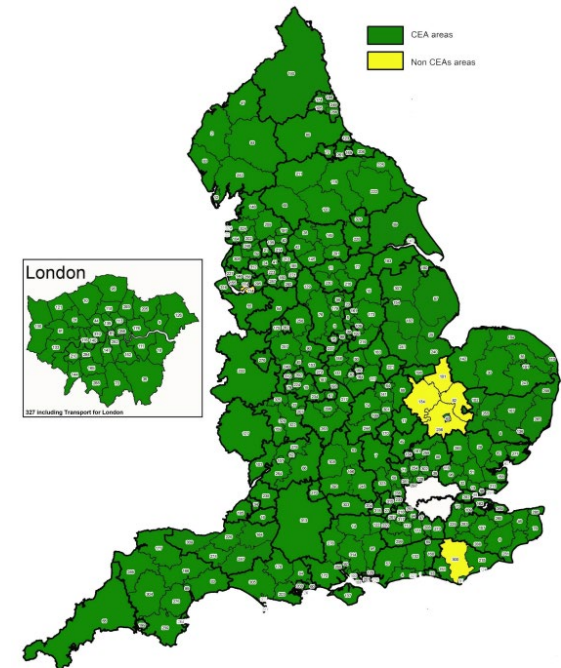
Civil Parking Enforcement (CPE) is the outcome of a process that decriminalises several on-street parking offences enabling them to be enforced as a civil matter by a Local Authority.

This represents a significant change to the current position whereby these offences may only be enforced by the Police.

The adoption of Civil Parking Enforcement has been undertaken by 322 of 327 authority areas (including TFL) within England.

The process would see the Highways Authority make an application to the Department for Transport (DfT) for the establishment of a Civil Enforcement Area (CEA) and Special Enforcement Area (SEA).

Following a DfT review, the application will be laid before Parliament for approval to enable the enforcement change to take place.



HOW DID WE GET HERE?

BACKGROUND

Ordinarily the process of decriminalising parking and the subsequent Civil Enforcement of Parking is owned by the County Council/Highways Authority.

There are 300+ Local Authority areas in England and the majority have pursued CPE. There are currently 5 Local authorities left to pursue CPE, 3 of which are within Cambridgeshire.

Previous independent assessments concluded that whilst CPE could be implemented in Huntingdonshire, its ongoing operation was not financially viable to do so, therefore its adoption was not on the agenda of the County Council.

APPROVAL

In 2021 a paper was brought before O&S and Cabinet which gave approval to pursue Civil Parking in Huntingdonshire. This would see CPE operation undertaken by the District Council. As part of the CPE decision taken by HDC, budget provision was made in line with the independent assessments. The impact of this on the MTFS is an annual deficit ~60k p/a.

Later in 2021, a paper was taken to CCC Highways & Transport Committee expressing our wish to pursue CPE. It was agreed that CCC would support the process to establish a Civil Enforcement Area (CEA) and Special Enforcement Area (SEA) in Huntingdonshire.

WHERE ARE WE NOW?

AGENCY AGREEMENT

The Agency Agreement between Cambridgeshire County Council and Huntingdonshire District Council was signed and sealed by HDC following our April report. We are awaiting the addition of the CCC seal and a copy to be returned.

TRAFFIC REGULATION ORDERS (TRO) REVIEW WORKS

District wide mapping has been completed. This has been used to check what is on the ground matches the intended restriction and will inform the TRO's that we will be enforcing.

REMEDIAL DESIGN WORKS

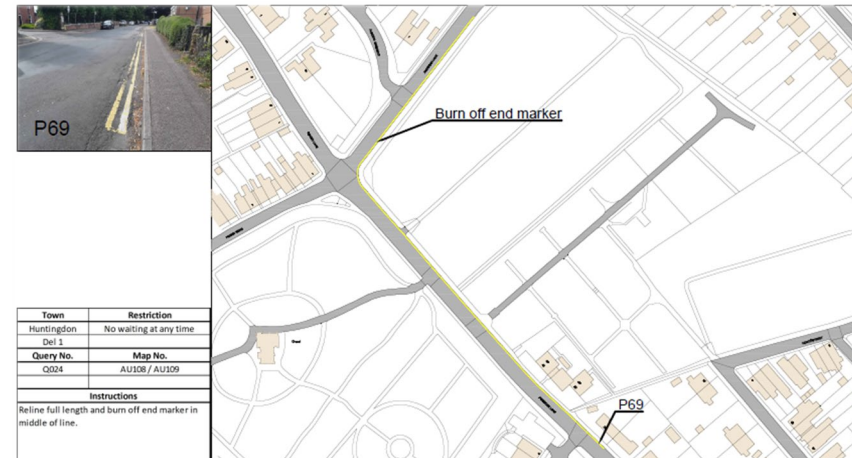
We have in a place a full suite of work plan tiles in place. These contain the information required for the undertaking of the highways works to correct sign and line issues that will impact enforcement.

DEPARTMENT FOR TRANSPORT (DfT) APPLICATION

The application has been complete and is with CCC. This is ready for submission to the DfT once DfT Tranche dates are confirmed. As part of the DfT review the application will be laid before Parliament for approval.

PATROL / TRAFFIC PENALTY TRIBUNAL (TPT)

Under current process, the Council uses the Magistrates Court to progress matters. Under CPE, an independent adjudicator (TPT) fulfils the role. The Council has now signed the PATROL/TPT agreement.



WHAT HAPPENS NEXT?

BACK-OFFICE SYSTEMS

Parking already operates a back-office enforcement system, however due to the change in legislation we will be operating a new instance of a system will be implemented that focuses on the new operation. We have reviewed several system options and working through the steps to select, implement, and test fully ahead of CPE commencing.

REMEDIAL WORKS

Using the suite of plan tiles in place, we are working through the procurement process to achieve best value for the works required. Ample time has been allowed for the undertaking of the works and for us to quality check these.

SERVICE TRANSITION

The current parking service will need to continue to operate during the transition to CPE. Staff have recently undertaken training on CPE inform our future operational practice, patrol routes and transitional processes.

As we get closer to the commencement date for CPE, we will be bringing forward papers to confirm our position on uniform, localised application of restrictions, and how we will be prioritising enforcement within available resource.

STAKEHOLDER UPDATE SESSIONS

As Civil Parking Enforcement represents a legislative charge impacting all wards within the District, we feel it is appropriate to ensure that clear information is made available to our own Cllrs, along with a representative from the Town & Parish Councils.

COMMS

We have been working with our Comms team to develop a communication plan. The aim of this plan is to ensure that persons travelling in the District using the highway are aware of the change to Civil Enforcement. We will be further developing this plan and rolling out measures at the appropriate time.

WHAT DOES THIS CHANGE MEAN TO US?

In Huntingdonshire, we operate off-street car parks under the RTRA 84. These are a mixture of pay & display car parks, leisure centres and rural sites.

Civil Parking Enforcement will see the addition of on-street enforcement and processing delegated by way of an Agency Agreement from the County to the District Council.

We will also transition to the application of the Traffic Management Act 2004 to inform permitted enforcement activities on-street and off-street.

KEY CHANGES

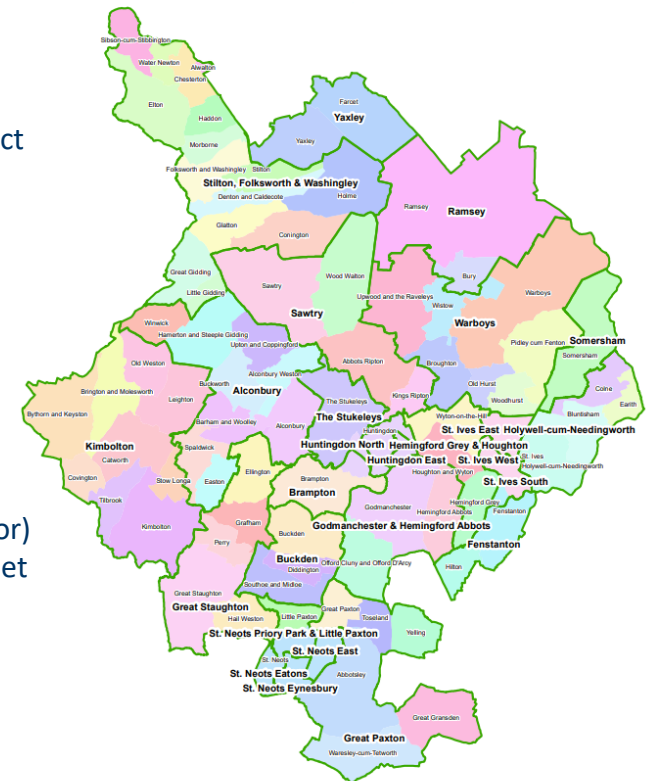
The main changes to note are:

- Parking offences become a civil offence (no longer criminal)
- We will no longer use the Magistrates Court (replaced by independent adjudicator)
- Use of Civil Enforcement Officers across both our off-street car parks and on-street
- We will be responsible for some on-street administrative functions

The Police will still retain enforcement powers for:

- Dangerous and obstructive parking
- Vehicles parked on pedestrian crossings and zig zag lines
- Moving traffic offences, for example speeding and passing through 'no entry' zones

During the CPE process, the County Council are seeking the powers to undertake bus lane enforcement.



AGENCY AGREEMENT SUMMARY

	Huntingdonshire District Council	Cambridgeshire County Council
Car Park Enforcement	✓	
On-street Enforcement*	✓	
Notice Processing	✓	
Parking Permit Administration	✓	
Highway Maintenance		✓
Suspension of Restrictions	✓	
New Permit Schemes		✓
New Highway Restrictions		✓

*in accordance with legislation. The Police will still retain enforcement powers for a number of offences

STAKEHOLDER UPDATE SESSIONS

These informative session will provide an overview on what is covered as part of HDC's role within Civil Parking Enforcement. The sessions will also provide information on what remains out of scope (CCC & Police), along with the opportunity for attendees to ask questions.

MEMBER & PARISH SESSIONS

We will be hosting an afternoon drop-in session consisting of a repeated presentation with an opportunity for questions. We will suggest that a Parish nominate 2 persons to attend the session on their behalf and review attendance to inform comms. *(proposed 30th July & 8th August 2024)*

TOWN COUNCIL

We will be hosting a session each for St Neots, St Ives, Ramsey & Huntingdon. We will be extending the invitation to the Mayor and Clerk with the opportunity to bring up to 5 people in total. *(proposed sessions over 22nd & 23rd July 2024)*

We are in the process of communicating these sessions.



RISK OVERVIEW

A risk log for the project is being maintained. The below is an extract noting the key risk areas. This will be managed in line with the Councils project management process.

Risk	Impact	Mitigation
Delay in the approval of the application to DfT for Civil Parking Enforcement. <i>Parliamentary delay</i>	<ul style="list-style-type: none"> • Delay to the commencement date for Civil Parking Enforcement. 	<ul style="list-style-type: none"> • Joint working with CCC officers to complete the application which is an ongoing action to ensure all information is provided as required. • Early engagement with the DfT has been undertaken in the form of a pre-submission check to ensure that the DfT had sight of the application, enabling us to provide clarification to the document. • CCC are in regular contact with the DfT to check for timeline updates for the DfT tranches and Parliamentary time.
Communication of this change	<ul style="list-style-type: none"> • Challenge to charge notices issued under CPE 	<ul style="list-style-type: none"> • Use of an initial warning notice period. This activity will be noted and forms part of the supportive comments where cases are progressed to the Tribunal services early on. • We are working with our communications team to identify appropriate methods of communication. • We are suggesting a co-design approach with Cllrs to inform comms methods.

WORKING GROUP SESSION

COMMUNICATION AIM

The aim of CPE communication is to ensure that persons travelling in the District using the highway are informed of the change to Civil Enforcement. We want everyone to have the best chance to observe messaging that communicates this change as it becomes relevant to them.

HOW CAN YOU GET INVOLVED?

We have already identified communication methods that we are working to progress; however, we recognise that our Cllrs are key players and have a great understanding of our community.

We would like to engage in a single cross-party working group session made up of Cllrs from around the District to review the ideas we have currently and see what other suggestions could be used to spread the word on CPE.

This is a great co-design opportunity to explore the ideas our Cllrs have. We would like nominations for the working group memberships. These will be considered to ensure we have a balanced working group representative of the district.



KEY DATES

WARNING NOTICE PERIOD

Our warning notice period will commence on 3rd February 2025

GO LIVE

We will commence enforcement on 3rd March 2025

The application to the DfT sets out the above dates. A pre-submission check of the draft document was undertaken by the DfT who are aware of our target dates.

Officers at HDC & CCC are working towards delivery by these dates however, postponement may occur should the DfT fail to secure parliamentary time for approval.



THANK YOU