

CIVIL PARKING ENFORCEMENT
(Report by Head of Planning Services & Head of Operations)

1. INTRODUCTION

- 1.1 The Government is encouraging local authorities to take up civil parking enforcement (CPE) powers and to date, over 200 councils have so far taken on responsibility for local parking enforcement. Within Cambridgeshire, CPE currently operates only in Cambridge City where the service is now delivered by the County Council. Peterborough City Council operates a separate CPE service.
- 1.2 The countywide objectives of CPE are to manage parking to:
- reduce congestion
 - encourage correct, sensible and safe parking
 - improve compliance with parking restrictions
 - ensure designated parking spaces are used only by those they are intended for
 - enable buses to operate more effectively
 - improve air quality, health and the general environment
 - reduce delays for emergency services
 - keep Cambridgeshire moving
- 1.3 Along with speeding, parking enforcement has been a popular topic raised countywide at neighbourhood panels and other community forums, where specific concerns have been voiced over the current lack of enforcement by the Police. The potential for a countywide CPE operation has therefore been discussed between the County and District Councils through the Planning and Transport Joint Lead Members Forum, when various service delivery options have been considered.
- 1.4 Over recent years, the Department for Transport (DfT) has been strongly encouraging a joined up approach to encompass both on- and off-street enforcement. Therefore, a countywide consensus with all the District Councils would help in the development of a countywide scheme and informal discussions have therefore been undertaken to assess the appetite for a countywide CPE. While there is a general view that better enforcement would be beneficial, particularly relating to on-street parking, further targeted work has had to be undertaken, particularly with regard to the anticipated

financial impacts for each authority, before any formal decisions can be taken with regard to the concept of extending CPE.

- 1.5 Any extension of CPE to all or further specific parts of the County would need to be subject to an application to Government for the delegation of the necessary powers.

2. EXTENDING CPE

- 2.1 As Members will know, this Council has a robust and successful system in place for the enforcement of our charged and non-charged car parks. This service is currently delivered via our Operations Division Street Ranger service. Additionally, the District Council also carries out some enforcement within small areas of charged on-street parking via an Agency agreement with the County Council. Any move to CPE would need to ensure that this successful regime is protected and maintained and the method of operation and management of CPE will be crucial to maintain public confidence in the system that has been in place within Huntingdonshire for many years.
- 2.2 It is likely that the public would see little noticeable change in the level of enforcement of off-street parking, although the appearance of enforcement officers and the format of excess charge tickets issued would change. However, the level of penalty for excess charge may be lower and the way in which Appeals are dealt with would change markedly with an arbitration process being introduced.
- 2.3 If CPE were to be introduced within Huntingdonshire, enforcement officers would be able to enforce any on-street charged parking but also importantly, any breaches to any other waiting restriction located anywhere within the District. In reality, the level of enforcement will entirely depend on the overall level of dedicated staff resources allocated to operate CPE and the financial model outlined elsewhere within this report includes an estimate as to how often a CPE enforcement officer would visit each area of the District.
- 2.4 Countywide financial modelling is indicating a deficit in the on-street operation in each district area, which would need to be underwritten, or addressed, in some way. As set out in the County's current parking policies, any such deficit would be met by the County Council from the surplus generated by on street parking charges overall. In 2008/09 on-street charges in Huntingdonshire produced an annual surplus of £53,000 which is still short of the deficit predicted for on-street CPE operations.
- 2.5 It is likely therefore that any move to CPE within Huntingdonshire would also result in a need to significantly increase the areas of charged on-street parking, particularly within our Market Towns, in order to seek to address this estimated deficit and this will be explored

if CPE is progressed. While there is risk to the County Council under this scenario, there is also the possibility that such introduction may make the use of off-street car parking more attractive?

- 2.6 The County Council also intend to review all existing traffic orders within the District as well as countywide to ensure that all comply with current legislation including the actual provision of restrictions on the ground.
- 2.7 In terms of off-street parking, the financial model outlined in Section 4 below, gives an estimate as to the likely financial impacts for the District Council. It is important to note however that any surplus income, after costs, will be accrued and retained by the District Council and under no circumstances would it be allowed to offset any on-street deficit. Likewise, should the off-street position go into deficit, any costs would be met by the District Council. However, it is also true to state that a more effective on-street enforcement regime would be likely to encourage greater use of our off-street car parks.

3. OPERATIONAL MATTERS

- 3.1 CPE can be administered in a number of differing forms and in terms of the financial modelling and working scenarios, District Officers have been working with the County Council and their Consultant to test a number of differing scenarios as follows;
- No introduction of CPE, HDC lose on-street Agency
 - Introduction of CPE, CCC manage on-street, HDC manage off-street
 - Introduction of CPE, CCC manage on and off-street
- 3.2 Based on the discussions to date, it is reasonable to suggest that the County Council favour the potential for a joined up countywide parking enforcement scheme with CCC managing on and off-street arrangements. The following principles would be adopted, which are consistent with current County Council parking policy:
- County and District Councils set up a joint parking board as a forum for developing parking policy and for overseeing parking enforcement performance
 - County Council employs a parking enforcement contractor to undertake all parking enforcement with service level agreements with participating Districts
 - County Council processes all penalty charge notices in-house and manages all appeals

- Separate accounting systems for on- and off-street parking
 - County Council to be responsible for any on-street enforcement financial surplus or deficit
 - District Councils to be responsible for any off-street enforcement financial surplus or deficit in their area
 - Any surplus from on-street parking enforcement remaining, following the management of any deficit within a countywide on-street parking enforcement account, to be invested in the district within which the surplus was generated
- 3.3 Such an arrangement would result in the need for the transfer of some District Council staff to the County Council under TUPE with terms and conditions retained and the financial modelling in Section 4 covers this scenario.
- 3.4 A potential drawback for the District Council under the above scenario is that the CPE enforcement officers employed by the County Council would not be able to carry out the other Street Ranger 'functions' which are currently undertaken because of the applicable legislation and a clear distinction needs to be drawn between the two respective roles. The District Council would need to consider how it would address this service issue, particularly as it would have less staff available to deliver these other Street Ranger functions.
- 3.5 Alternatively, it is perfectly possible for the introduction of CPE to take place within the District but with CCC managing on-street arrangements and the District retaining off-street arrangements. While this would not provide the totally 'joined-up' approach as favoured by the DfT, it would still allow CPE to be introduced within Huntingdonshire and elsewhere across the County and allowing some retention of the wider Street Ranger roles. However, for legal reasons, care would be needed to ensure that staff employed by the District Council have a distinct line drawn between their CPE and Street Ranger functions, including the visual identification of the role being undertaken at a particular time.
- 3.6 If the District Council were to retain off-street responsibilities, these would then be undertaken under the CPE banner and enforcement and appeals would be administered through this process.
- 3.7 Under all scenarios, the District Council would retain responsibility for all off-street maintenance functions such as car park and ticket machine repairs as well as CCTV functions. Additionally, the District Council would also continue to set policy relating to overall charging levels adopted as well as collecting and receiving parking charges.

- 3.8 If the District Council did not favour the introduction of CPE, then it is possible that the County Council could seek to implement partial CPE across the County, excluding Huntingdonshire. This would not deliver the wider benefits of improved on-street enforcement and would not address the possibility that at some time in the future, Central Government may make CPE a legal requirement. Likewise the failure to introduce a countywide CPE scheme may undermine the ability of the County Council to secure the necessary powers from Government.

4. FINANCIAL IMPLICATIONS

- 4.1 One of the biggest challenges in considering the concept of CPE has been to accurately estimate, as far as possible, the financial effects of its introduction within the District, whether fully administered by the County Council or with the District Council retaining control of its off-street functions.
- 4.2 Officers from both Councils have been working closely with the County CPE Consultant to forecast the financial implications of the three options outlined in 3.1 above. While it is recognised that the County Council favour the option for the introduction of CPE fully under the administration of that Authority, it has been agreed that this Council would want to fully consider the financial impact of all three options in order to make an informed decision on the way forward and be able to consider the effects on its other services.
- 4.3 Table 1 outlines the financial impact of the CPE options for the District Council to consider. Members will note that in terms of the introduction of CPE by whatever method of administration adopted, there is a difference of approx. £37K per annum in terms of the net income. It should also be noted that under each option there are one-off costs for the first year introduction of the scheme.

TABLE 1

2010/11 Parking Budget = - 432 (in £000's)		
Options	Extra Cost	
	On-going (£000's)	One-Off (£000's)
No CPE (County withdraws current Agency)	+ 41	+ 2
CPE		
HDC Enforce off-street	+ 18	+ 10
HDC Contract with CCC to enforce off-street	+ 41	+ 12

- 4.4 There continues to be minor refinement of the CPE model and discussions with Officers but this is not resulting in any significant change to the bottom line financial impact for the District Council as

shown in Table 1. Members should note that this work includes any termination costs for the current Chipside system that is used to administer the current management of the car park regime.

5. CONCLUSIONS

- 5.1 There is little doubt that the introduction of CPE within this District would lead to the principle of much improved levels of overall parking enforcement, particularly relating to on-street matters. It is widely acknowledged that the Police are unable to provide a level of on-street enforcement that is perceived to be acceptable, whether that be within areas where the public are permitted to park on-street or for breaches of existing waiting restrictions. However, as already outlined, the projected deficit for on-street costs has to be addressed and while current Officer discussions indicate that the County Council will plan and budget for this element in taking CPE forward, if this cannot be rectified, other options for cost savings could be explored, including lower levels of enforcement in future years.
- 5.2 In terms of off-street parking, the situation for Huntingdonshire is less clear cut. The District Council has an excellent track record in both the provision of car parking, its operation and administration and despite recent debate regarding the end of free parking in St. Neots, the Council enjoys an enviable reputation for providing a robust and workable charging regime through our Street Ranger Service, together with CCTV coverage and Secured Car Park awards.
- 5.3 There is no strong case against the introduction of CPE within Huntingdonshire as part of a countywide scheme if for no other reason than it would give the ability to provide a much improved on-street enforcement regime. The key issue for this Council therefore is whether or not the off-street arrangements would be delivered as part of a countywide regime administered by the County Council or whether it would chose to continue to operate these as a District Council function.
- 5.4 Likewise, while in principle there are seemingly clear benefits in the introduction of CPE, it would be important that any acceptance of this principle be subject to clarification of key matters with the County Council to properly consider all the risks and opportunities so that the overall impact can be considered. This would include;
- Reassurances regarding County Council investment into the project, including any increased charging proposals
 - Clarification regarding the format of any agency agreement, if applicable
 - Commitment to levels of enforcement

- Continued clarification and refinement of overall costing and business case in order to determine the final way forward

- 5.5 As outlined above there are a number of operational matters to consider in reaching a decision on a way forward. While there is a perceived benefit to the public of operating a countywide scheme, as favoured by DfT, thereby conveying a joined-up approach within Cambridgeshire, this actually ignores county boundaries for cross-border towns that have more synergy with each other, than elsewhere within the County, where different schemes may operate.
- 5.6 Other detailed matters that need to be considered relate to the future of the Street Ranger service and the other functions that are currently undertaken. As this report outlines, CPE requires a defined service to be delivered both on and off-street whichever Council administers this element including the identification of the staff delivering that service. If the County Council were to deliver the off-street service, consideration would need to be given to how a Street Ranger service could be accommodated with any remaining staff not subject to TUPE or, if retained as a District Council function, how the CPE and Street Ranger regime could be delivered.
- 5.7 In terms of any introduction of CPE, further work needs to be undertaken elsewhere within Cambridgeshire to determine the final extent of participation and the possible inclusion of both Fenland and East Cambridgeshire, together with South Cambridgeshire and the existing CPE regime within Cambridge City.
- 5.8 In terms of timescale, it is likely to be between 12 to 18 months before all matters needed to make CPE a reality can be addressed and for the County Council to make the appropriate application to Government for the introduction of such powers.

6. RECOMMENDATION

It is

RECOMMENDED that Cabinet support the continuation of negotiations with the County Council regarding the method of operation to be adopted and submit further reports for the consideration of Cabinet when appropriate.

BACKGROUND INFORMATION

County Council CPE Cabinet Reports
CPE Assessment Model V12
HDC CPE Financial Assessment

Contact Officers: **Stuart Bell – Transport Team Leader**
Sonia Hansen – Streetscene Manager
 **(01480) 388387 or 388630**