

16 July 2015**Agenda Item:8****REPORT OF THE SERVICE DIRECTOR, HIGHWAYS****CIVIL PARKING ENFORCEMENT: REMOTE ENFORCEMENT AND SERVICE IMPROVEMENTS****Purpose of the Report**

1. To seek approval on a number of proposed changes to on-street parking enforcement and related service improvements.

Information and Advice

2. Five improvements and alterations are proposed to the existing enforcement practice and procedure:
 - a. The introduction of vehicle based camera enforcement;
 - b. A change to the procedure for residents' permits;
 - c. The introduction of enforcement of parking across pedestrian dropped kerbs;
 - d. A change to the management of enforcement in Bassetlaw and;
 - e. Changes to staff structure to facilitate amended work patterns.

Vehicle Based Camera Enforcement

3. The County Council has invested in a programme of road safety improvements adjacent to schools across the County. Speed limits have been introduced and school keep clear markings have been made enforceable. This programme of safety improvements is largely complete.
4. Parking on school keep clear markings can seriously jeopardise road safety for children and it is the source of a significant number of complaints and demands for parking enforcement. Traditional enforcement using Civil Enforcement Officers (CEO) on foot can however be ineffective and inefficient because schools are often in residential areas and may present a parking problem for as little as 15 minutes twice a day. Consequently it is difficult to effectively cover the sites but there have also been occasions when the sudden presence of an officer has led to inappropriate driving manoeuvres from drivers eager to escape the possibility of receiving a Penalty Charge Notice (PCN). Alternative methods have therefore been considered.

5. The Traffic Management Act 2004 specifically allows for camera enforcement where traditional CEO enforcement is difficult, sensitive or simply not practical. Nationally there has been recent focus on the use of remote cameras for parking enforcement and this had led to the inclusion of measures within the Deregulation Bill to limit the use of enforcement cameras whilst permitting their use for certain contraventions (Appendix B), including school parking. It is recognised that camera enforcement of this dangerous but short-term practice is the only really efficient and effective means of control.
6. In November 2014, a trial was undertaken of a vehicle equipped with a CCTV camera; further details of which are provided in Appendix A. No actual PCNs were issued during the trial but the results indicated that there were a significant number of occasions when PCNs would have been issued.
7. An outline business case indicates that car based camera enforcement would be cost effective whether this is achieved by purchasing and operating a vehicle or by a contracted enforcement service. It is important to emphasise that the primary purpose is not to raise revenue but to address the problem of dangerous and inconsiderate parking near schools. If approved, it is proposed to deploy the vehicle across the county area on a rolling programme that ensures repeat visits, co-ordinating with the work of the Road Safety Officers to help re-enforce educational messages about safe travel to school.

Resident's Permits

8. The County Council maintains 88 residents parking schemes issuing approximately 7500 residents and visitors permits annually. For the majority of schemes, NCC offers a residents permit for every vehicle-owning resident together with one visitors permit per property. A charge of £25 is made for each permit to cover the administrative cost of providing them (with age related and blue badge holder concessions).
9. Since May 2014, the CEOs have been equipped with GPRS enabled handheld computers that enable instant communication with the back office software system. This offers the option to provide a quick and efficient 'virtual' permit system that could extend and replace the traditional physical permit system. It would also be possible to offer residents the option of short-term visitor's permits for additional visitors, tradespeople, etc. in addition to longer term permits. Residents would apply on-line and the system would then be updated so that the CEO would know that a valid 'virtual' permit had been issued. This system would be similar to that used by the DVLA for car tax discs. Appropriate safeguards would minimise any potential abuse of the process but much greater flexibility would be provided for those living within residents schemes to manage their own parking requirements.
10. To facilitate this, a minor amendment will be required to the Traffic Regulation Orders (TRO) to define a virtual permit alongside an actual physical permit. This can be done with a formal notice rather than a full consultation under the terms of the Road Traffic Regulation Act 1984 and costs will therefore be minimal.
11. The current criteria for applying for a Resident's or Visitor's permit are long established and require applicants to provide documents to verify both their address and their vehicle. Technology now allows most of this verification to be done on-line and so it is proposed to simplify the application process to improve the customer experience.

12. Charges for permits are based on the cost of their provision. Since the processes will change substantially it will be necessary to review the charges including consideration of the charge for different types of permits. It is proposed that a full review of charges will be the subject of a future report.

Pedestrian Dropped Kerb Enforcement

13. The Traffic Management Act 2004 was amended in 2010 to allow local authorities to issue PCNs to vehicles obstructing a dropped kerb where no TRO exists. Dropped kerbs typically provide pedestrian or vehicle access points and often incorporate additional features to assist mobility impaired pedestrians such as tactile paving.

14. Vehicles parked across pedestrian access points can seriously impede pedestrians particularly those with mobility problems (including wheelchair users), the visually impaired or people with pushchairs. Given the high impact that inconsiderate parking can have on pedestrian movement and the requirements already included in the Highway Code it is proposed that pedestrian dropped kerbs which include specific features such as tactile paving or are located within 10m of a junction should be enforced when it is observed on normal beats. The policy will be added to the enforcement guidance already available on the internet and press releases will be arranged prior to commencement to assist in public understanding.

15. Managing parking across vehicle dropped kerbs including driveways is a more complex issue and there are insufficient resources to deal with the high volume of complaints. It is therefore proposed to enforce vehicle dropped kerbs only in very exceptional circumstances.

Bassetlaw Parking Management

16. In 2008, the County Council together with the 7 District and Borough Councils formed an operational partnership known as the Notts Parking Partnership (NPP) to deliver parking enforcement consistently and fairly across the county area. The County Council runs the shared back office (the CPU) and the Districts and Boroughs manage the enforcement contractor with agreed beats and deal with local issues. The Service was recently reviewed and following some staffing changes at the District Councils minor changes have been made to the respective responsibilities. Broxtowe and Rushcliffe Borough Councils have agreed to share the management responsibilities across their areas and Bassetlaw District Council has requested that the County Council manages both the on-street and off-street enforcement following the retirement of its Parking Manager. It is therefore recommended that agreements are amended to transfer the local management responsibility in Bassetlaw and that the NCC Head of Legal Services and the Service Director, Highways be authorised to determine the appropriate detail.

Staffing amendments

17. The CPU is managed on a not-for-profit basis with all costs shared by the 22 participating authorities (County and district authorities in Nottinghamshire, Derbyshire and Lincolnshire). All operating costs are carefully controlled to ensure that the service is commercially viable. By keeping administration costs as low as possible, it allows participating authorities to adopt a reasonable enforcement policy such as ensuring that where possible CEOs politely try to get drivers to move vehicles parking in contravention rather than simply issuing PCNs.

18. 2014-15 saw a significant increase in the number of PCNs processed by the CPU from 122,000 in 2013/14 to 151,000. This rise was due to efficiency improvements in some of the partnering authorities and the introduction of camera enforcement on bus lanes. It is expected that 2015/16 will again see a rise in PCN numbers and this coupled with the enforcement management changes for Bassetlaw has led to a review of the future staffing requirements of the CPU. This review has demonstrated that additional Section Leaders (from 3.5 FTE to 5 FTE) and CPU Process Assistants (from 25 FTE to 30 FTE) are required. These additional posts would all be funded from PCN income.

Other Options Considered

19. The service could continue with none of the above proposed improvements but it is considered important that changes are introduced when new technologies emerge that will bring fundamental benefits to service users and efficiencies to operation. The proposals listed above are self-funded and should deliver significant benefits in terms of traffic management and customer satisfaction.

Reason/s for Recommendation/s

20. The service details listed above will allow the County Council to effectively address the long-standing problems caused by inconsiderate parking around schools. They will also enhance and improve the service to residents permit holders and allow Enforcement Officers to address parking that obstructs pedestrian dropped kerbs. These improvements correlate with minor alterations to enforcement responsibility and staffing levels that are also recommended for approval.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

22. It is expected that with the anticipated deployment of the vehicle, initial costs would be repaid within a three year period. The initial capital costs can be met from a revenue contribution to capital from the 2015/16 Highways budget and this would be subject to a subsequent report to Finance and Property Committee. The introduction of a day or week 'virtual' permit would be at a cost to meet the operating costs of the service and this will be reported back to Committee in due course. The increased staffing costs would be met from PCN income in accordance with the existing arrangements for the CPU.

Human Rights Implications

23. The camera car will be operated using remote Automatic Number Plate Recognition software on public highways fully in accordance with the Home Office Surveillance Camera Code of Practice. All data collected will be kept in accordance with NCC's published data protection guidelines and consequently there is no considered invasion of personal privacy or potential breach of the Human Rights Act.

Human Resources Implications

24. This report recommends an addition of 1.5 FTE Section Leaders (Scale 5) and 5 FTE CPU Processing Assistants (Scale 3). All costs would be met from PCN income and recruitment would be in accordance with the County Council's current policies.

Implications for Service Users

25. Inconsiderate parking adjacent to schools jeopardises road safety and contributes significantly to customer service complaints. The introduction of camera enforcement should improve this long-standing problem and reduce both risk and complaints. Residents or visitors to residents parking schemes will benefit from a simple online application process that allows flexibility in use of permits. Pedestrians will also benefit from the enforcement of parking across dropped kerbs as this can impede access and cause difficulties especially for those with mobility impairment.

Ways of Working Implications

26. Ways of working has been considered and the increased staffing numbers can be incorporated within the area currently occupied by the Central Processing Unit. Flexible working is also being considered when the CPU notice processing software (Chipside) is upgraded later this year to a version that will be fully compatible with remote working.

RECOMMENDATION/S

It is recommended that:

- 1) The County Council obtains and operates a camera enforcement vehicle,
- 2) Virtual permits are introduced and the application process streamlined,
- 3) Enforcement of pedestrian dropped kerbs is introduced,
- 4) Agreements are amended to transfer the local management responsibility in Bassetlaw,
- 5) The CPU staffing structure be increased by 1.5 FTE Section Leaders and 5 FTE CPU Processing Assistants,
- 6) The Service Director, Highways be authorised to determine the appropriate detail for all recommendations, with agreement of the Head of Legal Services in respect of recommendation 4.

Neil Hodgson

Service Director Highways

For any enquiries about this report please contact:

Gareth Johnson-CPU and Enforcement Manager
Tel 01623 434536

Constitutional Comments SLB 06/07/2015

Transport and Highways Committee is the appropriate Committee to consider the content of this report, subject to the Employment Procedure Rules which require all changes in staffing structure to be considered in light of HR advice and consultation with the recognised trade unions.

Financial Comments TMR 06/07/2015

The financial implications are set out in paragraph 22 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All