



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 27TH OCTOBER 2020

**SUBJECT: CIVIL PARKING ENFORCEMENT – 2019/20 12 MONTH UPDATE
REPORT**

REPORT BY: INTERIM CORPORATE DIRECTOR – COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Scrutiny Committee on the implementation and impact of Civil Parking Enforcement (CPE) powers, following the first twelve-months of operation.

2. SUMMARY

- 2.1 The implementation of CPE has been broadly successful. During the first twelve-month period there have been 1043 requests for enforcement across the county borough. A total of 11528 Penalty Charge Notices (PCNs) were issued, 9305 (80%) of which have been paid with the remainder progressing through the appeals process.
- 2.2 Anecdotally there has been positive feedback about improvements in driver behaviour, greater parking availability and reduced congestion particularly in the busiest areas. As a result of the more pro-active enforcement of parking restrictions numerous requests have been received to consider changes to the Traffic Regulation Orders (TROs) and these are currently being progressed.

3. RECOMMENDATIONS

- 3.1 Members are asked to scrutinise the paper and provide comments on how this can be improved and/or to endorse the continuation of the approach taken within the contents of this report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To enable Members to consider and comment on the impact of CPE and future work priorities and to consider whether the current approach should be maintained.

5. THE REPORT

- 5.1 Prior to CPE implementation, the following actions were successfully completed to enable the 'Go Live' on the 8th April 2019:

- A review was undertaken of the parking restriction related TROs across the county borough, to identify any remedial works necessary to bring them up to the required standard for CPE enforcement.
- The CPE application was submitted to and approved by Welsh Government.
- TRO remedial works were completed by March 2019.
- A TRO consolidation order was made.
- A Service Level Agreement for the back office function with Rhondda Cynon Taff County Borough Council (RCTCBC) was concluded for the notice processing service. This service provided by RCTCBC is known as the South Wales Parking Group (SWPG).
- Parking Enforcement Operational Policy: CCBC's enforcement protocol was revised and agreed.
- Resident Permit Parking Policy: a TRO was made to bring the previous permit parking schemes in Abercarn, Bargoed, Blackwood, Caerphilly, Risca, Newbridge, Rhymney and Ystrad Mynach in to line with the Council's approved resident permit parking policy. The charge of £15 per permit per annum was agreed by Cabinet on 28 November 2018.

5.2 The introduction of CPE across the county borough has been broadly successful and well received. The following provides an overview of the performance of the service after the first twelve months of operation.

5.3 CPE Performance 2019/20

- 5.3.1 **CEO (Civil Enforcement Officer) recruitment:** The business case for CPE requires enforcement staffing resource of 8 full time equivalents. During the first twelve months of operation there has been a retirement and a resignation that meant for some periods there has been a slight shortfall in the complement of staff. That said the service has managed to maintain a positive response to enforcement requirements across the county borough.
- 5.3.2 **PCNs (Penalty Charge Notices) issued:** During the first twelve months of operation 11,528 PCNs were issued of which 9305 (80%) have already been paid. The remaining 20% are progressing through the appeals and debt recovery process.
- 5.3.3 A total of 10,129 PCNs (88%) were issued on-street & 1399 PCNs (12%) were issued off-street. 9323 PCNs (81%) were issued in the six main towns, of which 3796 PCNs (33%) were issued in Caerphilly, 2097 PCNs (18%) were issued in Blackwood, 1543 (13%) were issued in Ystrad Mynach, 977 PCNs (9%) were issued in Bargoed, 745 PCNs (6%) were issued in Risca, 165 PCNs (2%) were issued in Newbridge, 2205 PCNs (19%) were issued in areas outside of the six main towns. A breakdown of the PCNs issued by town is provided in Appendix 1.
- 5.3.4 **Contraventions (On-street):** The greatest number of PCNs 3545 (31%) were issued to vehicles that were parked in contravention of waiting restrictions. 2170 PCNs (19%) were issued for exceeding limited waiting restrictions, 1048 PCNs (9%) were issued for failing to display a valid residents' parking permit, 928 PCNs (8%) for parking in loading bays, 776 PCNs (7%) were issued for parking on no loading restrictions. The remaining 26% of PCNs were issued for a variety of different contraventions; these are shown in Appendix 1 along with a breakdown of the contraventions for each town.
- 5.3.5 **Contraventions (Off-street):** The greatest number of PCNs 788 (58%) were issued for failing to display a valid parking ticket, 251 PCNs (18%) were issued for parking outside of a marked bay, 228 PCNs (17%) were for expired tickets, 53 PCNs (4%) were for failing to display a blue badge, 21 PCNs (1%) were for exceeding the maximum stay, and 25 (2%) were issued for other contraventions. A breakdown of the contraventions is provided in Appendix 1.

- 5.3.6 **Income received:** The CPE service generated an income of £353,386 from the issuing of PCNs during the first twelve-months of operation. As there are still a number of PCNs progressing through the appeals and debt recovery process (which can take up to 12 months) a full picture against the original business case will not be available for some time yet. However, based on the financial information that is available at this time the service has met its target to generate sufficient income to fund itself. After the first twelve months of operation income exceeded costs by £5.7k. NB it should be noted that for future years CPE will need to cover ongoing maintenance and IT software/support costs (approx. £24k per annum) that were funded as part of the setup costs in 2019.
- 5.3.7 **Covid-19 pandemic:** Due to the lockdown restrictions the council's CPE operations were suspended between 18th March and 29th June 2020. It is estimated that this led to a 4% reduction in the total number of PCNs issued / income generated during the first twelve-month period.
- 5.3.8 **Enforcement Agents:** A total of 474 cases were referred to the Enforcement Agents during the first twelve-month period however, debt recovery activities have been suspended by the Council since the start of the pandemic.
- 5.3.9 **Appeals received/successful:** During the first twelve months of operation 46 cases have proceeded to the Traffic Penalty Tribunal (the ultimate external arbiter). Of these, the Council won 25 cases (4 of which were granted a Consent Order i.e. an agreement reached between appellant and Council to pay the reduced amount), 16 cases were lost, 4 cases were not registered following receipt of additional information from the appellants, and 1 case was not contested.
- 5.3.10 **Requests for additional enforcement:** During the first twelve months, 1043 requests for additional enforcement were received. Appendix 2 provides a summary of these requests by ward. Where possible these have been responded to as part of the ongoing enforcement rotas and routes. A number of evening and Sunday enforcement operations were also conducted throughout the year.
- 5.3.11 **Residents parking permits:** A total of 1655 residents' parking permits were issued during the first twelve-month period which generated an income of £25,125. Of these, 736 were issued in Caerphilly, 354 in Bargoed, 276 in Ystrad Mynach, 203 in Blackwood, 40 in Newbridge, 31 in Pontymister, 11 in Abercarn and 4 in Rhymney.
- 5.3.12 **Behaviour changes:** anecdotal information is broadly positive with reports of greater parking availability and reduced congestion in busy areas of the county borough. This is supported by officer/CEO observations.
- 5.3.13 **Requests for changes to parking restrictions:** Since the introduction of CPE numerous requests for changes to parking restrictions have been received. These requests have been developed into a multi-phase delivery programme which is to be delivered over several years. Phase 1 of the programme (removal/relaxation of existing parking restrictions to create additional on-street parking) is progressing well and Public Notice was given for this element on 8th October 2020. Phase 2 of the programme (new parking restrictions to improve safety, reduce congestion and aid public transport) is also being progressed and officers will be engaging with members over the detail of the proposed changes over coming months.
- 5.3.14 **Complaints/compliments/incidents/PR:** despite the anecdotal feedback, only two complaints and two compliments have been formally received. While there have been some incidents of verbal abuse of the CEOs and throwing of eggs, fortunately there have been no serious incidents. Officers and managers will continue to ensure such incidents are not tolerated and are reported to Gwent Police.

5.4 Conclusion

- 5.4.1 In light of the experience of CPE implementation since it went live on 8th April 2019, all current indications are that it has been a successful first twelve months. The service has managed to cover its operational costs and is having a positive impact on traffic congestion, the efficiency of public transport services, the economic attractiveness and future vitality of all areas within the County Borough.

6. ASSUMPTIONS

- 6.1 No assumptions have been made in the preparation of this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The following Council policies are relevant to the decision being requested.

7.2 Corporate Plan 2018-2023

- 7.2.1 This CPE service contributes towards the following Corporate Well-being Objectives:

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment

Infrastructure Division Objective: To work towards a safer environment through positive measures to reduce road accidents and particularly by protecting and providing for vulnerable road users.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This service contributes to the following Well-being Goals:-

- A prosperous Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A globally responsible Wales

- 8.2 This proposal contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that:

- Long term resourcing of operation and management solutions of this specialised service provision allows for more effective and predictable resource/ financial commitments going forward.
- Taking direct control of CPE enables CCBC to increase prevention of parking disruption and congestion in conurbations contributing to the well-being of its communities.
- It forms part of an overall strategy integrating the traffic management of local roads to regional transport systems on which public transport, private users, cyclists and walking networks can operate.
- Collaboration with other organisations and local authorities enables a more effective and efficient service delivery.

9. EQUALITIES IMPLICATIONS

- 9.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified therefore a full EIA has not been carried out.

10. FINANCIAL IMPLICATIONS

- 10.1 During the first twelve months of operation the CPE service generated an income of £353,386 and successfully exceeded costs by £5,700. However, Members should note that 20% of the PCNs issued are still progressing through the appeals process. So additional income is still expected but, it will be some months before the final financial account of 2019/20 will be available.
- 10.2 Members should also note that no PCN's were issued between 18th March and 31st March due to the Covid pandemic. It is estimated that this could account for up to 4% of income from PCN's that has not been achieved during 2019/2020.

11. PERSONNEL IMPLICATIONS

- 11.1 There are no personnel implications arising from the report.

12. CONSULTATIONS

- 12.1 All responses from consultations have been incorporated in the report.

13. STATUTORY POWER

- 13.1 The following enabling statutory powers apply to the CPE service.
- Traffic Management Act 2004.
 - The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013.
 - The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (Wales) Regulations 2013.
 - The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) Removed Vehicles (Wales) Regulations 2013.
 - The Civil Enforcement of Road Traffic Contraventions (Approved Devices) (Wales) Order 2013.
 - The Civil Enforcement of Road Traffic Contraventions (Guidelines on Levels of Charges) (Wales) Order 2013

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Consultees: Cllr. D.T. Davies – Chair of Environment & Sustainability Scrutiny Committee
Cllr. A. Hussey - Vice Chair of Environment & Sustainability Scrutiny Committee
Cllr. J. Ridgewell – Cabinet Member for Environment & Infrastructure

Mark S Williams – Interim Corporate Director of Communities
Robert Tranter – Head of Legal Services and Monitoring Officer
Stephen Harris – Interim Head of Business Improvement Services & S.151 Officer
Marcus Lloyd – Head of Infrastructure
Dean Smith – Principal Engineer (Traffic Management)
Robert Hartshorn – Head of Public Protection, Community & Leisure Services
Shaun Watkins – Principal Personnel Officer
Anwen Cullinane – Senior Policy Officer – Equalities and Welsh Language
Kathryn Peters - Corporate Policy Manager

Background Papers:

Decriminalisation of Parking – Residents' Parking Amendment Order 2018 – Cabinet 28 November 2018

Civil Parking Enforcement Progress Report – Council 22 January 2019

CPE Update Report - Regeneration and Environment Scrutiny committee – 29 October 2019

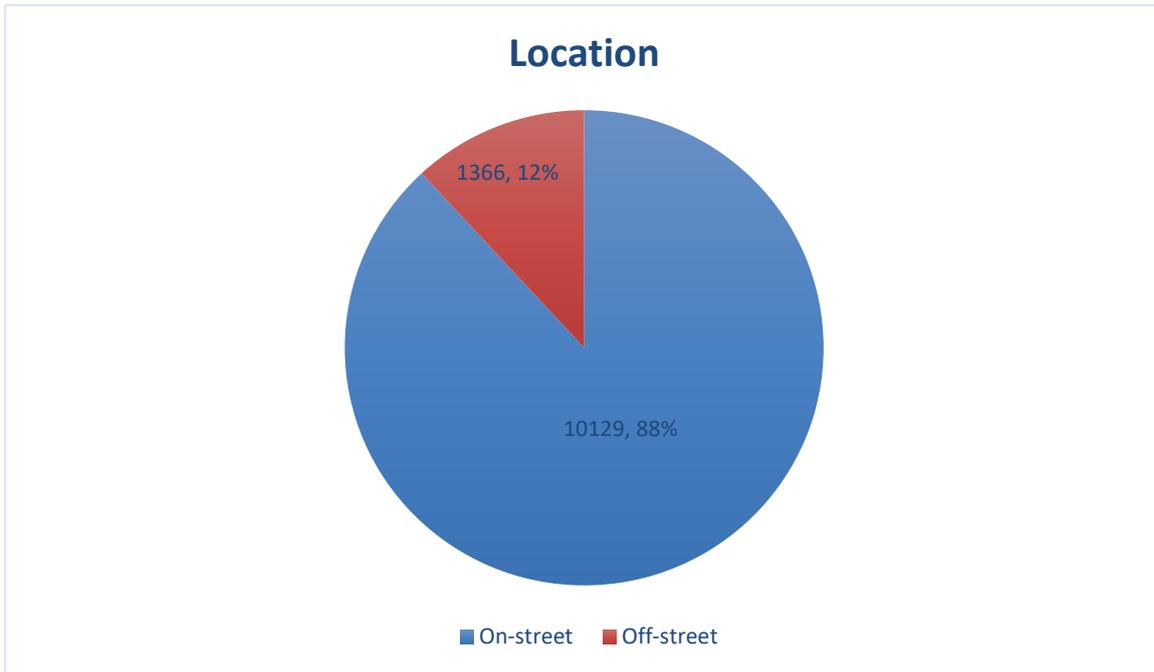
Appendices:

Appendix 1 PCN data for first twelve-month period of operation 2019/20

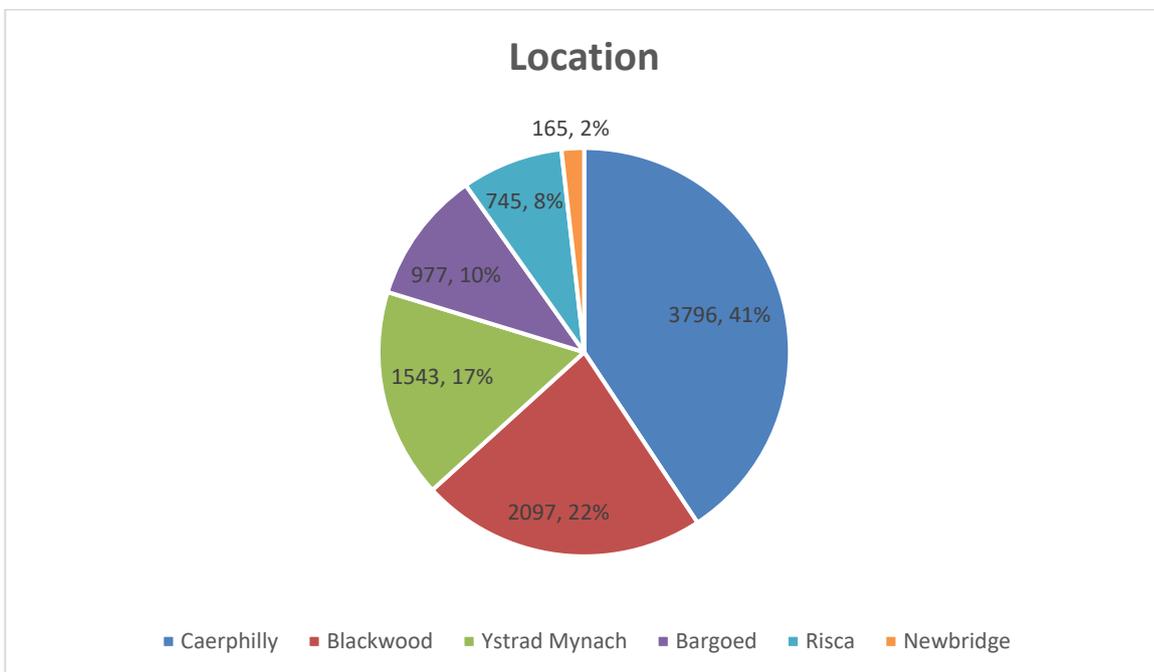
Appendix 2 Summary of requests for parking enforcement by ward 2019/20

APPENDIX 1 – PCN data for first twelve-month period of CPE operations 2019/20 (8th April 2019 – 7th April 2020)

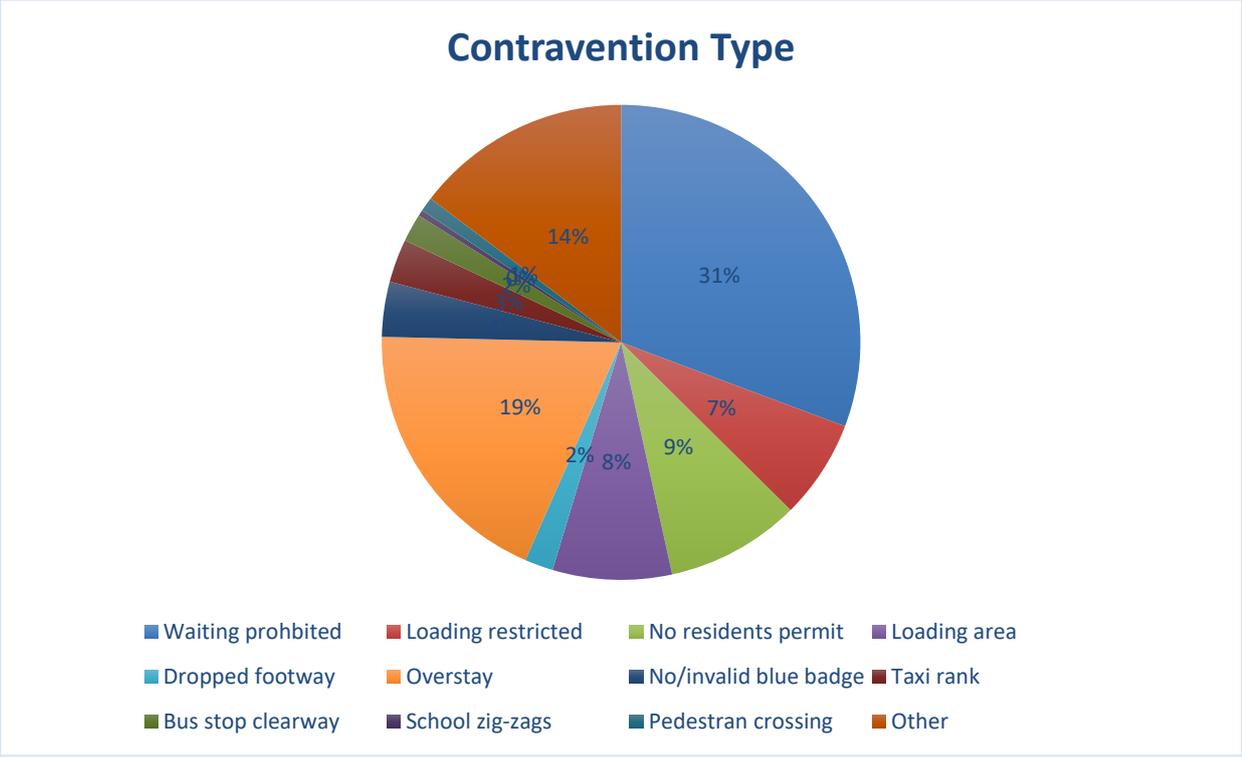
1. PCNs issued on-street & off-street



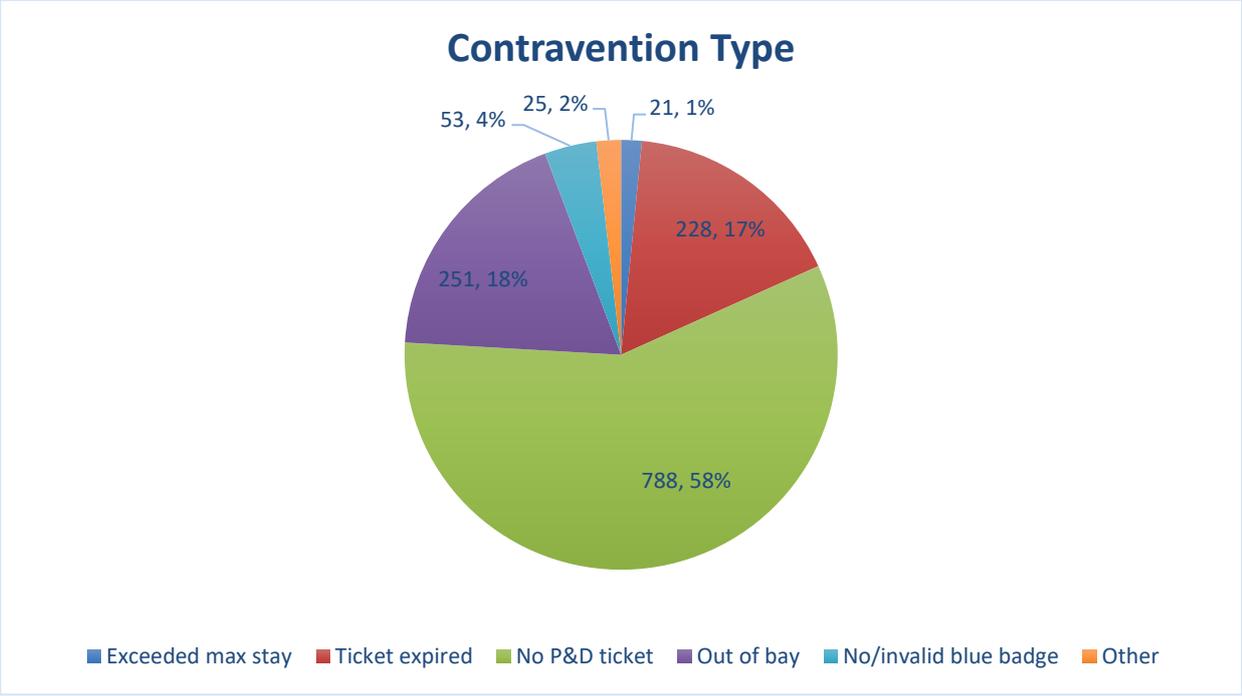
2. PCNs issued by geographical area / town



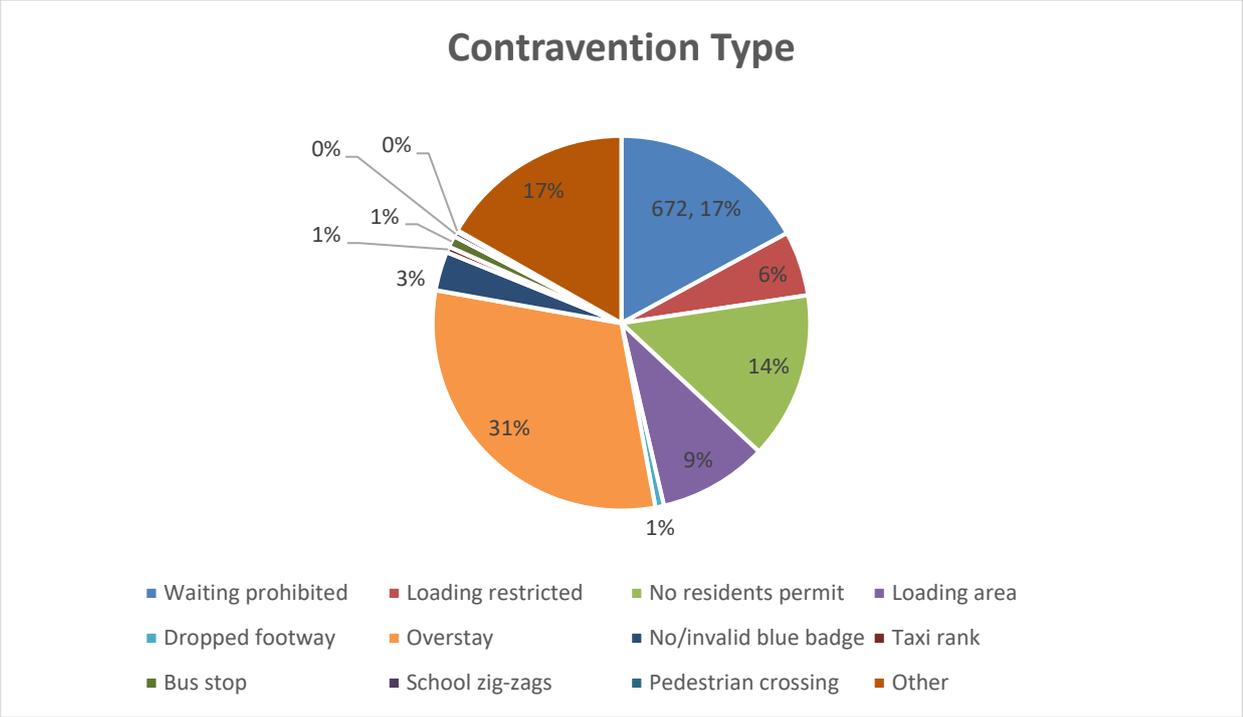
3. On-street parking contraventions



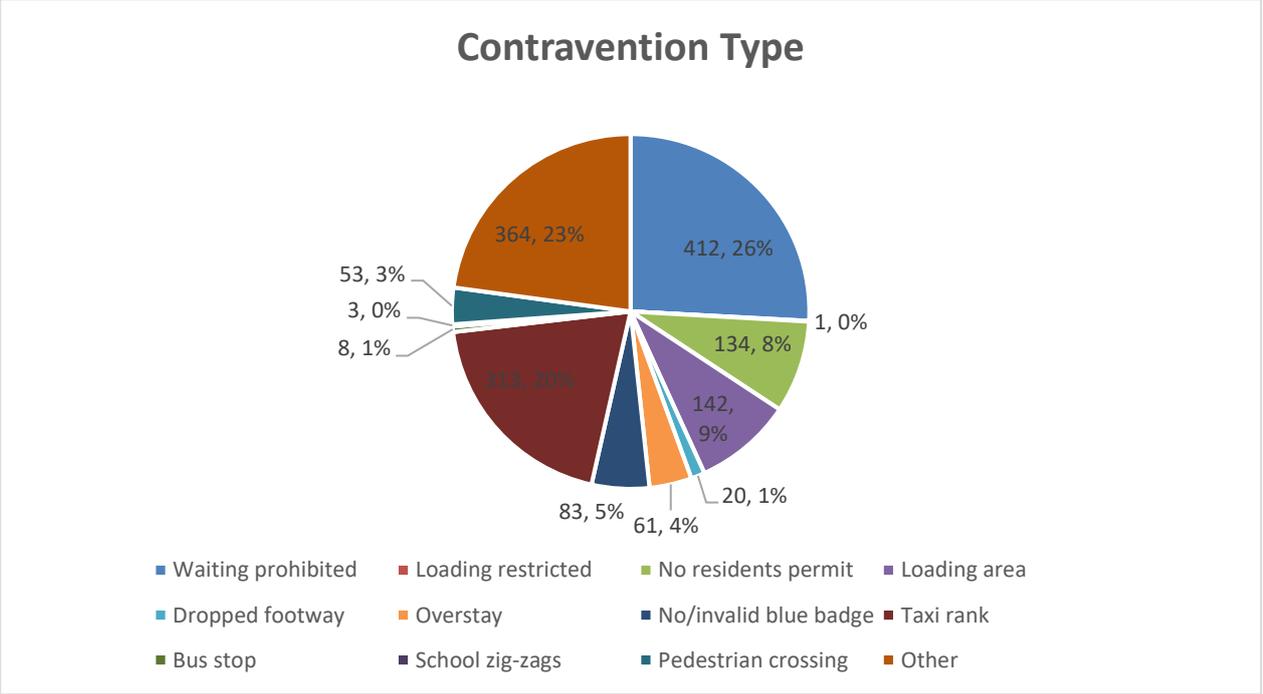
4. Off-street parking contraventions



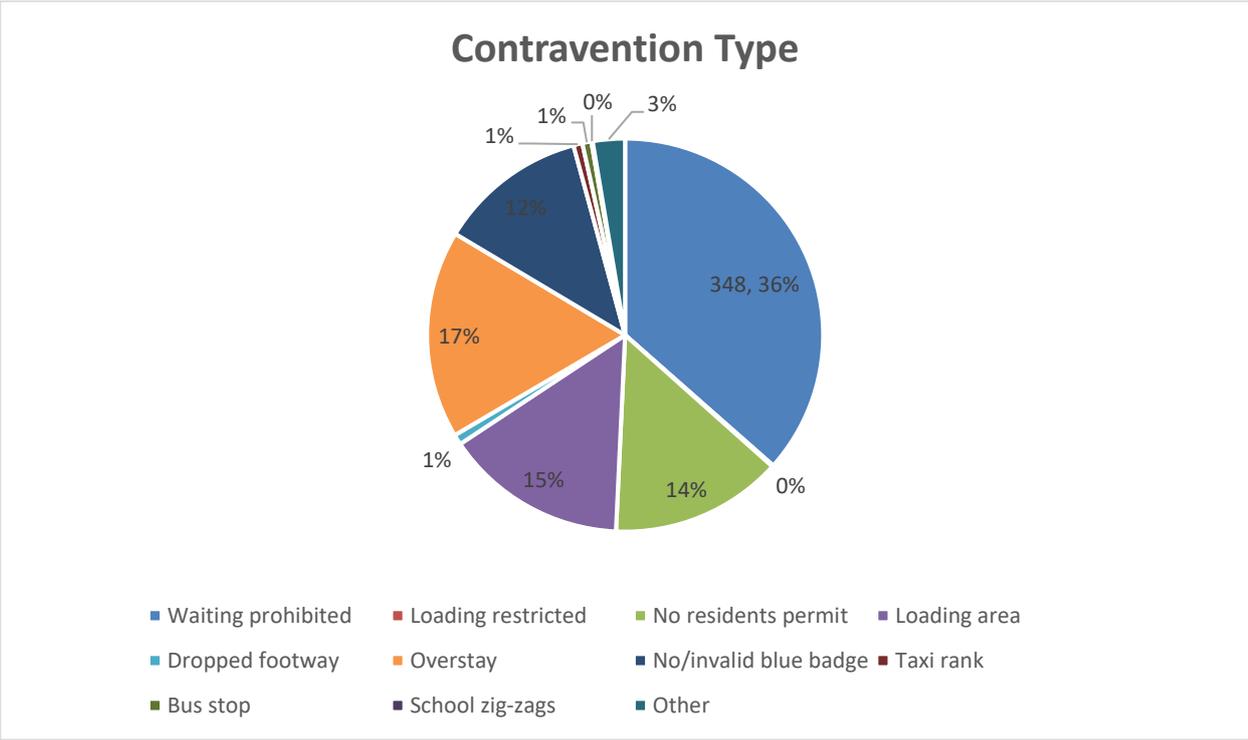
5. Caerphilly PCN Data



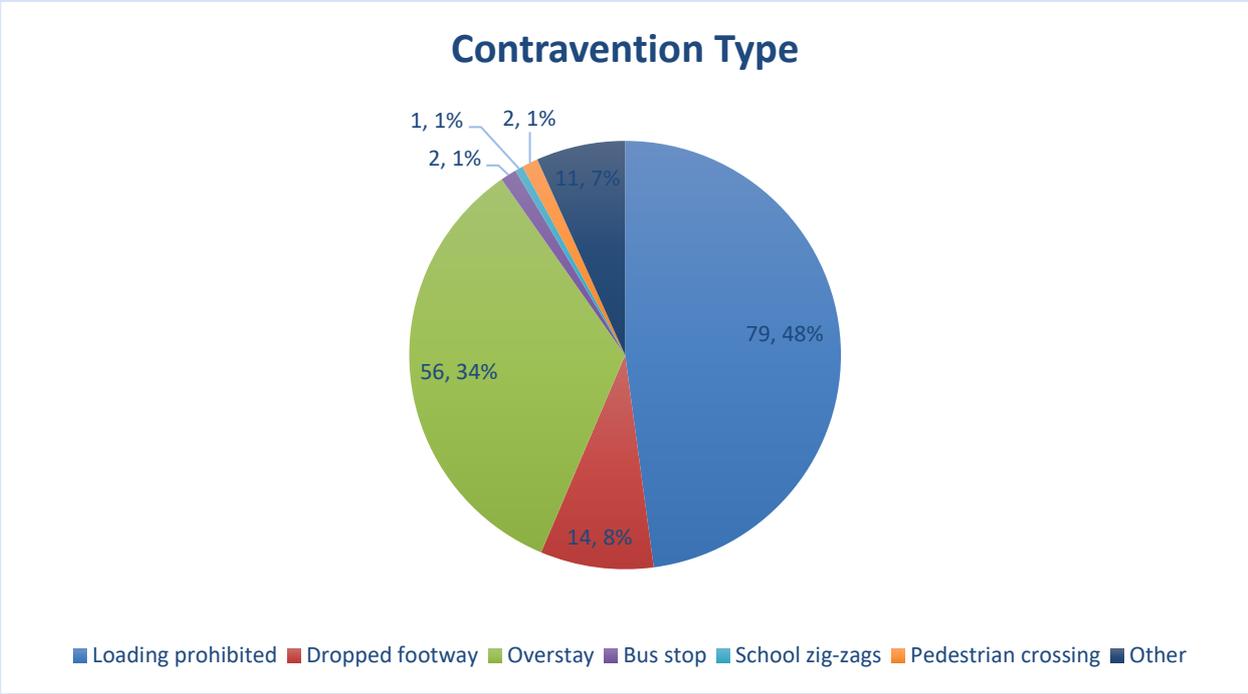
6. Blackwood PCN data



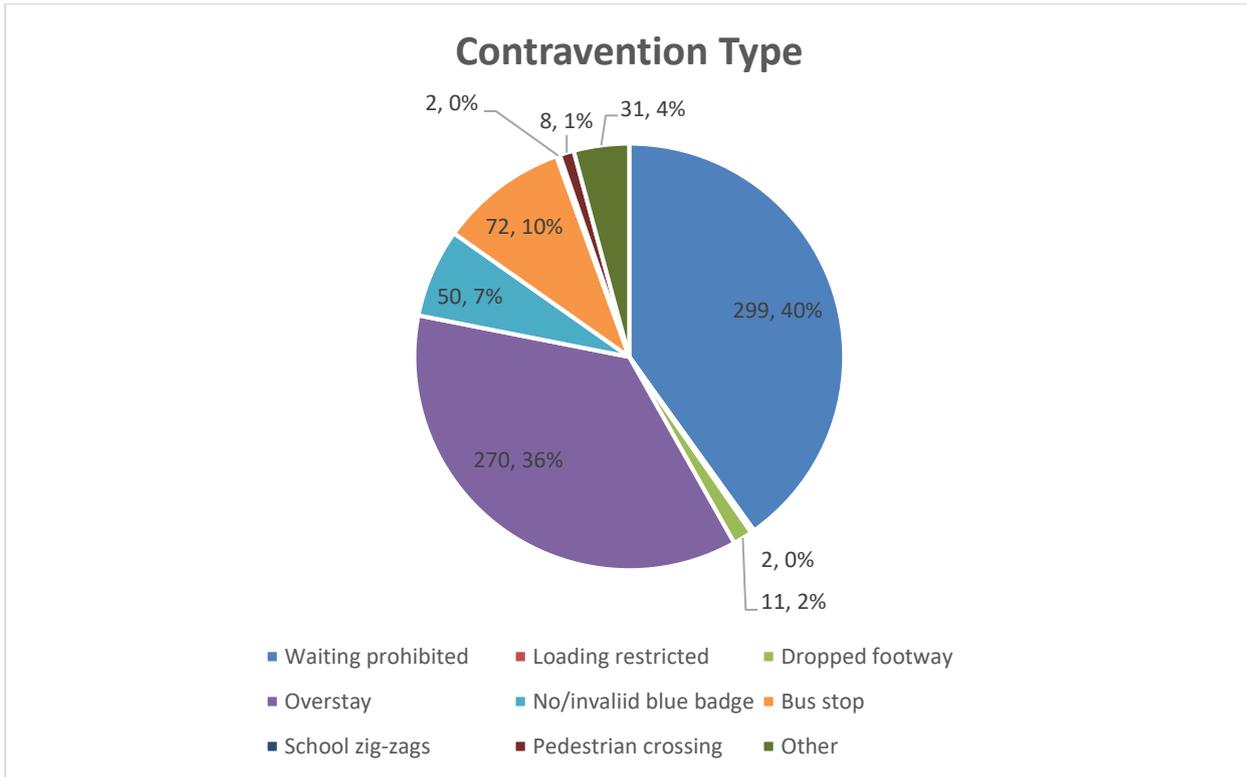
7. Bargoed PCN Data



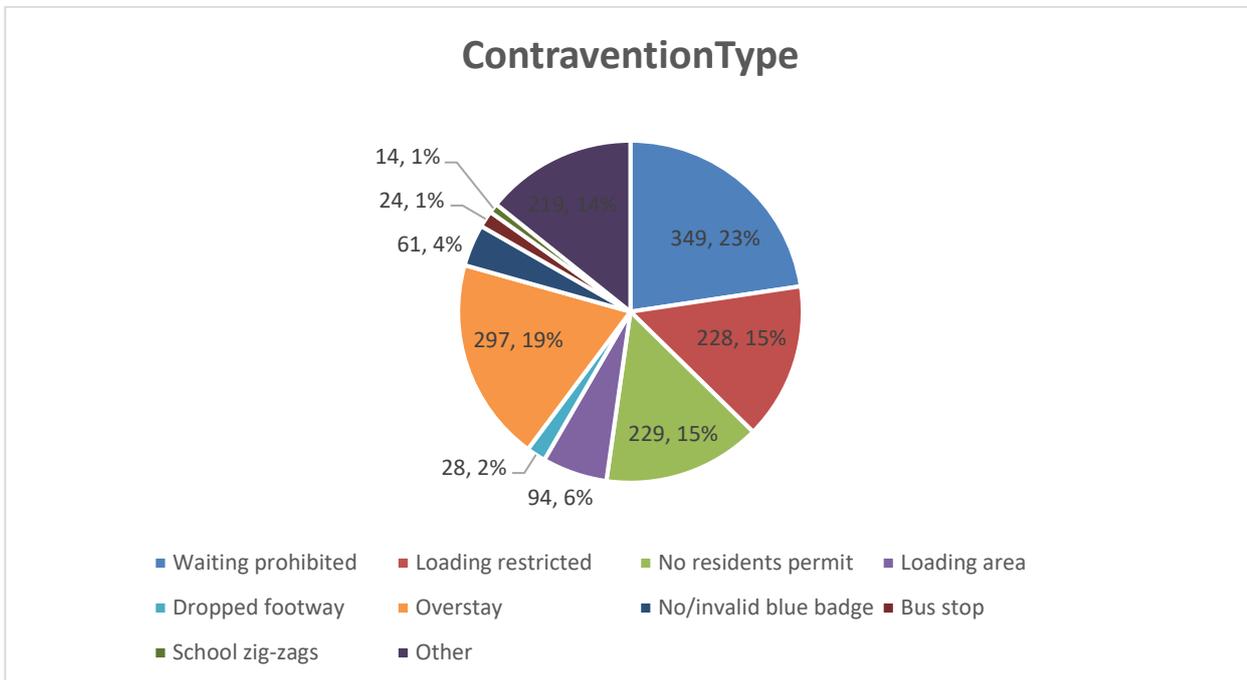
8. Newbridge PCN Data



9. Risca PCN data



10. Ystrad Mynach PCN Data



Appendix 2 – Summary of requests for parking enforcement by ward 2019/20

Ward	Total
Aber Valley	23
Aberbargoed	19
Abercarn	60
Argoed	1
Bargoed	85
Bedwas, Trethomas and Machen	41
Blackwood	136
Cefn Fforest	22
Crosskeys	19
Crumlin	9
Darran Valley	16
Gilfach	11
Hengoed	12
Llanbradach	11
Maesycwmmmer	15
Morgan Jones	65
Moriah	4
Nelson	29

Ward	Total
New Tredegar	6
Newbridge	26
Pengam	12
Penmaen	9
Penyrheol	2
Pontllanfraith	37
Pontlottyn	8
Risca East	92
Risca West	6
St Cattwg	11
St James	67
St Martins	308
Twyn Carno	8
Ynysddu	18
Ystrad Mynach	57

OVERALL TOTAL = 514

These requests can be broken down in to type (i.e. double yellow lines, loading bay, schools, resident parking, obstruction at junctions, disabled bays, limited waiting bays, blocking of access and bus stops).