

CIVIL PARKING ENFORCEMENT (CPE) – SOUTH AND EAST CAMBRIDGESHIRE

To: **Cabinet**

Date: **13th December 2011**

From: **Executive Director: Environment Services**

Electoral division(s): **Divisions in East and South Cambridgeshire**

Forward Plan ref: **2011/036** *Key decision:* **Yes**

Purpose: **To determine whether to extend the operation of Civil Parking Enforcement CPE to areas outside of Cambridge.**

Recommendation: **Cabinet is recommended to defer a decision on extending CPE:**

a) to East Cambridgeshire to allow further collaboration with the District Council and the Police in support of the introduction off-street parking charges in Ely; and

b) to South Cambridgeshire to allow further engagement with local communities and the Police.

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1. BACKGROUND

- 1.1 At its meeting on 15th March 2011, Cabinet considered a further report on the potential to extend CPE beyond its current operation in Cambridge to other district areas.
- 1.2 Cabinet resolved to
- (a) support an application to the Department for Transport (DfT) for powers to introduce civil parking enforcement in East and South Cambridgeshire, as the next phase in achieving a countywide scheme;
 - (b) delegate responsibility for agreeing a service level agreement with East Cambridgeshire District Council for off-street parking enforcement to the Executive Director for Environment Services in consultation with the portfolio holder for Customer Service and Transformation ; and
 - [c] support the need for on-street parking charges in Ely to support the financing of parking management and enforcement, as part of a co-ordinated parking plan with East Cambridgeshire District Council.
- 1.3 The report identified a requirement to consult with stakeholders on the transfer of enforcement powers from the police to the council as part of the process for applying for extended CPE powers. Consultation was undertaken in May and June on a draft application for each of the two districts. The draft applications are available as source documents.

2. CONSULTATION

- 2.1 A range of stakeholders were consulted including county and district councillors, relevant members of parliament, parish councils, the emergency services, neighbouring authorities, transport providers, the haulage industry and the Highways Agency along with various government agencies who facilitate the CPE process.

3. COLLABORATION WITH EAST CAMBRIDGESHIRE DISTRICT COUNCIL

- 3.1 Earlier work on financial modelling demonstrated the need for a joint approach on CPE and parking charges to enable the county to operate CPE in a financially viable way with district council parking income being required to support an expected operational deficit.
- 3.2 Following the district council elections in May, the new district administration reviewed its approach to car park management and following further engagement with the County Council involving the Service Director and Portfolio Holder, it has significantly revised its parking charge proposals for Ely and has reviewed its earlier support for CPE.
- 3.3 Earlier this month, the District Council's Development and Transport Committee resolved to:
- Consult on a pre-pay and day 'pay and display' permit parking scheme for its off-street car parks
 - To rescind the council's resolution supporting CPE
 - Support the retention of free on street car parking

The Committee also asked for proposals:

- to enhance on and off street parking enforcement, in consultation with the County Council and the Police
- to enhance on street car parking in the Ely city centre in consultation with the County Council
- for joined up car parking infrastructure procurement with the County Council.

RESPONSE TO CPE CONSULTATION

- 4.1 A summary of the replies received, set out on a themed basis, is shown in **Appendix A**. The response was disappointing, particularly in South Cambridgeshire, and indicates very limited support for extending CPE at the present time, despite the concerns that have been raised in the past over the lack of enforcement undertaking by the Police. Table 1 sets out the number of parking tickets issued by the police in East and South Cambridgeshire in 2008/9 and 2009/10.

Table 1: Parking tickets issued by the Police

	South Cambs.		East Cambs.	
	Apr 08- Mar 09	Apr 09- Mar 10	Apr 08- Mar 09	Apr 09- Mar 10
Incorrectly parked at bay	1	0	0	7
Class of vehicle not permitted	0	0	51	21
Parking at suspended bay	0	0	8	0
No waiting	121	92	409	252
Limited waiting	4	8	163	91
Stopping on bus stop clearway	2	0	2	5
Parking on cab rank	0	0	2	6
Parking without displaying blue badge	2	0	183	119
TOTAL	130	92	818	501

- 4.2 Many responses focus more on parking charges than CPE which is perhaps not surprising for East Cambridgeshire where the press coverage of the consultation focussed on the link with the proposed introduction of parking charges in Ely.

5. GOVERNMENT GUIDANCE

- 5.1 In August this year, Government wrote to all highway authorities to bring to their attention the views of the House of Commons all party Transport Committee on parking policy and enforcement which identified significant advantages that the CPE system has over police led enforcement. Highway authorities were encouraged to seriously consider taking on CPE powers in conjunction with district councils but the letter stressed that ultimately this was a matter for highway authorities to determine.

6. COMMENT

- 6.1 Given that CPE in East Cambridgeshire is only considered to be financially viable if on and off street parking charges are introduced and that the District Council agrees to underwrite any CPE operational deficit, the recent decisions taken by the District Council must bring into question the proposal to move to CPE in the district.
- 6.2 Through further collaboration with the District Council and the Police, it may be possible to strengthen existing arrangements for enforcement in the district although it will be important to manage expectations as the level of improvement that might be achieved may be modest. The possible introduction of an off-street parking charge regime does have the potential to transfer parking demand from off-street car parks to the surrounding streets which could increase congestion and undermine safety. This risk has to be set aside the financial risks associated with introducing CPE without on-street parking charges.
- 6.3 Based on a limited response to consultation, there appears very little appetite for CPE in South Cambridgeshire at the present time. The financial risks associated with operating CPE in this area are much less but its introduction would require significant capital investment up front. Given the pressures on council budgets, there must be a question over the priority that should be given to CPE at this time.

7. THE WAY FORWARD

- 7.1 Cabinet is recommended to defer a decision on extending CPE to East Cambridgeshire to allow further collaboration with the District Council and the Police in support of the introduction off-street parking charges in Ely. This work will need to address the risk of a detrimental impact on on-street parking if parking is transferred from off-street car parks.
- 7.2 Cabinet is also recommended to support joint working with the District Council to increase on street parking on the understanding that the District Council will fund any works required. The desire by the District Council for a joined up approach to parking infrastructure procurement is sensible and should be supported.
- 7.3 In South Cambridgeshire, it is also recommended that Cabinet defers a decision to introduce CPE to allow further engagement with local communities and the Police to determine what further priority this should have for council spending.
- 7.4 A joint review of on and off-street parking arrangements in the market towns in Huntingdonshire is planned for next year and as part of this further discussion between county and district lead members is anticipated. The opportunity will be taken to seek further comment from the District Council on any need for CPE.
- 7.5 Earlier engagement in Fenland does not indicate any support from the District Council for the introduction of CPE.
- 7.6 In Cambridge, where CPE has been in operation since 2004, future work will focus on the restructuring of the parking enforcement team to reduce operational costs with the aim of achieving cost neutral service delivery.

8. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING

8.1 The following bullet points set out details of implications identified by officers:

Supporting and protecting vulnerable people when they need it most

- Effective parking enforcement allows parking spaces to be utilised in the intended way which can facilitate access by those with disabilities when using blue badge parking spaces.

Helping people live healthy and independent lives in their communities

- There are no significant implications for this priority

Developing the local economy for the benefit of all

- Effective parking enforcement allows parking spaces to be utilised in the intended way which can facilitate access to shops and businesses which will support local economic activity and contribute towards the vitality of streets.

Ways of Working

- Collaboration with East Cambridgeshire District Council and the Police will allow parking capacity to be utilised more effectively
- Joint procurement of parking infrastructure will provide better value for money for the taxpayer.

9. SIGNIFICANT IMPLICATIONS

Resources & performance

Finance

9.1 In both areas CPE would operate with a deficit which would need to be managed either through on-street parking charge income or through the revenue budget. Full details of the financial predictions are available in the Cabinet report of 15th March 2011.

Performance

9.2 CPE has the potential for improving parking enforcement in East and South Cambridgeshire, freeing up police resource currently deployed to parking enforcement duties.

Statutory, Legal and Risk Implications

Key Risks

9.3 CPE carries the key risks shown below:

- a) Failure to adequately manage parking enforcement will increase congestion and undermine road safety;

- b) Failure to cover the costs associated with parking enforcement will impact on budgets; and
- c) Failure to adequately manage parking enforcement will undermine demand management and modal shift strategies
- d) Failure to implement CPE could result in an enforcement vacuum if the police decide to withdraw from parking enforcement.

9.4 In order to manage these risks the mitigating actions shown below are to be taken:

Risk (a)+(c): Continue to engage with the Police to determine ways in which current enforcement regimes can be improved and supported but retaining the option of moving forward with CPE if required.

Risk (b): Apply suitable parking charges, where appropriate, to ensure that any CPE operational deficit can be covered.

Statutory

9.5 Legislation allows Government to require Highway Authorities to adopt CPE powers. Currently, over 200 authorities have taken on CPE powers and there is the possibility that at some time Government may make CPE a requirement.

Equality and Diversity Implications

9.6 No significant implications identified.

Engagement and consultation

9.7 Further dialogue with local communities to clarify the implications of CPE for users of the highway should form part of any plans to extend CPE to other areas.

Source Documents

Cabinet Agenda and Minutes 27/01/04, 10/07/08, 15/01/09, 07/07/09, 29/09/09, 16/03/10, 15/03/11

County Council on-street parking policy

CPE draft applications

Location

CC1309
Castle Court
Cambridge

SUMMARY OF CONSULTATION RESPONSES

In support of the proposals

- Cambridgeshire Constabulary
- South Cambridgeshire District Council
- Cambridge City Council
- Hertfordshire County Council
- Stapleford Parish Council
- North Hertfordshire District Council
- St Edmundsbury Borough Council
- Haddenham Parish Council

City of Ely Council

Support the application based on evidence derived from Neighbourhood Panel meetings in Ely and public surgeries held by Councillors at which we have received considerable vocal concerns regarding civil disobedience by parking on double yellow lines, blue badge abuse, obstruction, parking in residential areas, and overstaying on on-street designated parking areas. In addition there are concerns regarding frequent abuse by drivers in defined pedestrian areas of the City. These issues have been given a high priority by the Council but because of police resources and their priorities have not effectively been enforced and the Council accepts that Civil Parking Enforcement powers are the only way forward.

Coton Parish Council

Would like to become involved, if it may, as parking is a problem in the village.

Suffolk County Council

Supports the application to the Secretary of State to extend CPE.

In due course would wish to extend its own powers and would wish to have an opportunity to explore collaborative working.

Andrew Lansley MP

Supports the proposal on the basis that the council is responding to villages asking for this transition.

Opposed to the proposals**Witchford PC**

Concern re Witchford and addressing ongoing issue with congestion on Main Street during 'school run' hours. Feel parking charges for Ely will have a detrimental effect on the town centre and on Witchford residents

Teversham Parish Council

Strongly oppose the scheme. Decision to apply for powers already been made before the consultation. No current justification for introducing this change, as there are no controlled car parks and few TROs to enforce. The rationale appears to be that there will be a big future demand for residents parking permit schemes in South Cambridgeshire – but nowhere do they explain or provide any evidence as to how they have come to this

conclusion.

Little Downham Parish Council

Concern regarding the cost to implement the service and the additional employment at a time when the District and County Council are making cutbacks.

Comberton PC

Not clear how Comberton will be affected by the new arrangements. Have noted 'light touch' arrangements.

Burwell Parish Council

Feel that bringing in a private company to deal with parking issues will undermine the role of the PCSOs within the community.

Histon Parish Council

The adoption of these powers and the application of current guidelines for the City of Cambridge to its rural surrounding populations could result in acts and policies being implemented in communities that are more reliant on private transport than the City of Cambridge, because of the lack of provision by the major public transport provider and abolition of subsidies necessary to sustain the local community transport infrastructure.

Hardwick Parish Council

It is clear that any application for parking enforcement powers is largely irrelevant to the residents of Hardwick perhaps with the exception of the parking of vehicles on footpaths, limiting access by families with pushchairs or wheelchair users and the parking of vehicles inconsiderately across or directly opposite driveways but it is questionable whether this approach is an appropriate response to what remains a minor problem.

Soham Town Forum.

Concerns are not only the ones that have already been expressed at our Town Council and with our traders but also from the residents of Soham. To bring this enforcement in will finish any hope of Town Centre regeneration and add to the cost of all users of the High Street and surrounding area. We are already paying enough for everything. Soham will turn into a commuter town and if this is in your long term plan then this will be against all the hopes and wishes of all who enjoy living here.

No comment

- Eltisley Parish Council
- Dry Drayton Parish Council
- Croxton Parish Council
- Caxton Parish Council
- Guilden Morden Parish Council
- Bourn Parish Council
- Mepal Parish Council

Cllr Hazel Smith (Milton)

Suggests two part time officers for South Cambs may be more flexible than one full time. Concerned about the sections of the report that suggest that yellow lines will be the rule in new (urban) developments, and allowable parking will only be in marked bays. This is

not normally the case in villages, where yellow lines are only put down where absolutely necessary. What constitutes 'urban'? Village centres? All of Northstowe?

Government Agency comments

DVLA

We have no objection to Cambridgeshire County Council's proposals to apply for decriminalised parking enforcement powers under the provisions of the Traffic Management Act 2004 on behalf of East and South Cambridgeshire District Councils.

TEC – Northampton County Court

Please note that the legal requirements for registering with the TEC are the responsibility of the local authority. The only confirmation required by TEC is that a successful application has been made with the DFT for CPE.

Residents against parking charges

Ely

Resident of Annesdale concerned how the proposed changes will affect them. Is Annesdale likely to become an area where parking is chargeable? And what is being done to provide for residents requirements? Will there be resident's permits?

Doesn't believe that paying for parking in Ely is a good idea. Works in Ely, and drives there every day due to inconvenience of bus service... Would there be any kind of display for cars that work in the city to be able to show in cars?

Objects to parking charges being introduced in Ely, will only result in more shoppers parking in residential streets. Lives in Deacons Lane and finds it impossible to park now. Saturdays & Thursday unable to go out unless they return after 5pm. Cars are now parking both sides of the road causing obstructions to larger vehicles

Lived in March for 30 years and a more recent attempt to bring in charges there was abandoned, believed in the current Recession, it was the right decision. At present have been given the choice of 2 and 4 hour free parking, which is very generous, and maybe to put a charge after those times could be one idea.

Already pays road tax and council tax - why should they pay to park outside their own house? The car share option assumes that neighbours know each other and lead similar lives.

Wants to know if the road-by parking in Cambridge Road around 41-49 will be affected. If so, will there be permits for residents and their visitors. Will there be free parking for disabled within Ely, close to the middle and with space for wheel chairs.

Lives on Barton Square well within the City centre. 'A very limited use is made of permitted parking for residents in Ely.' Does this mean that residents do not require parking permits or that very limited provision is the current policy?

There are far more important things to spend the money on like improving facilities locally such as funding for leisure centres and keeping libraries open that introducing a costly

parking scheme that does not benefit the local people.

The implementation of CPE with people actively looking for parking infringements (however minor) will obviously reduce the quality of life for both residents and visitors. Especially as the draft application states "that parking is not a major issue in the District.

Strongly believes that by imposing parking fees will drive people to retail parks where parking is free and deter some tourist from visiting too.

Witchford

Parking charges will not do Ely any favours and will be a heavy burden for those who have to use a car. There is a two hour bus service that sometimes, without warning goes to four hours as the bus is too full to take any more passengers. As you can imagine how stressful this is for anyone who has a doctor or dentist appointment.

East Cambs

My main objection to the scheme is that it hits hardest those least able to pay. It is my view that a more judicious and practical approach to parking in East Cambs could achieve all that is required to satisfy the needs of the public and the free and safe movement of traffic. The proposals are unnecessary and overbearing to an unacceptable level. They are a clear display of all that is bad in local governance!

Soham

I guess parking charge will be forced upon us as you cannot be seen to back down whatever your voters say

Residents supporting parking charges and residents permit schemes

Ely

Welcomes the proposal to introduce charges for car parking in Ely. Surprised that it has taken this long to consider the idea since almost every other town and city has long ago introduced them. The income should be used to maintain existing parking and to eventually provide out of town parking with free transport to the centre of Ely thus reducing traffic and pollution in the city.

Wholehearted support for the proposal. The County and District Councils established a clear mandate from the residents of Ely in the last two consultations on the Ely Transport Strategy, that parking charges were acceptable on the condition that the income was then reinvested in improved facilities for residents and visitors to access the city centre.

The provision of parking in Ely has long been inadequate and it is clear that early action must be taken. If the County Council will undertake to grasp this nettle, then residents should applaud the initiative. The problem in West End is relatively easy to solve and no doubt other streets can be dealt with in a similar way.

Problem in Clay Street re residents parking. Even if they had a permit there is not enough on street parking! There is a need for a number of spaces in Clay Street car park that are allocated to permit holders or perhaps some could be leased to residents and would be happy to pay.

Milton

Will there be powers sought for the County Council to deal with cars parking on

pavements in Milton?

Littleport

This situation cannot go on if you want a viable town centre. Understands that the draft plan for the future of the village has now been approved and one of the comments was that they want to maintain and increase the number of retail outlets. Not a chance if parking charges are introduced. All the plans will have been discussed and approved in vain if your proposals go ahead.

Residents Permits

Lives on Newnham Street, Ely and request that residents be consulted on possibility of residents permit scheme. Would like to see a permit made available to residents for a small fee to either park in the space outside their property or to park as a priority in the long stay car parks.

Blue Badges

Reassurance that for blue disabled parking cards, the regulations will be as they are in Cambridge where the first three hours are free.

Business against parking charges

Ely

Implementation will lead to the reduction in the ability of all residents and, in particular the disadvantaged, to use the services provided by the Paradise Centre.

The implementation will add to the costs arising from, and related to, maintenance of off-street (car parks) and on-street parking and introduce a parking regime that will severely inhibit the economic well-being and growth of Ely. The consultation is an empty exercise as, according to the submission itself, the decisions have already been made.

Runs a small franchise and use the paradise sports centre 3 days a week, if their customers have to pay for parking on top of my fees, some will think twice about coming, cannot afford to cut their prices to compensate for the parking charges

Soham

Has a charity shop on Churchgate Street which is vital in order to sustain their organisation and parking charges would certainly have a disastrous effect on footfall and sales for us. As it is there is no parking available for some distance either side of the shop and they do not have a car park of our own. Staff and volunteers working in the shop would have to pay parking charges for up to seven hours a day in order to work there and casual passers-by in cars will no longer park in the nearest available space and walk back to the shop to have a look, if they have to pay to do so.