

**ANNUAL PARKING REPORT 2014/15**

*To:* **Highways and Community Infrastructure Committee**

*Meeting Date:* **1<sup>st</sup> December 2015**

*From:* **Executive Director: Economy, Transport & Environment**

*Electoral division(s):* **All**

*Forward Plan ref:* **N/A** *Key decision:* **No**

*Purpose:* **To report the financial and operational performance of Parking Services in 2014/15**

*Recommendation:* **The Committee is asked to note the report.**

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## **1. BACKGROUND**

- 1.1 Cambridgeshire County Council manages on-street parking provision and carries out bus lane enforcement in accordance with the Traffic Management Act 2004.
- 1.2 Producing an annual report has allowed the County Council to set the foundation against which it can create, monitor and measure success. It also helps stakeholders understand what the council is doing, how it is being done and how it contributes to the achievement of real improvements for local communities and businesses.

## **2. MAIN ISSUES**

- 2.1 The Parking Services Annual Report at Appendix 1 summarises the parking and traffic enforcement responsibilities conducted by the Council in 2014-2015, and provides details of activities and related financial information.
- 2.1 The report covers on-street parking, bus lane enforcement and residents' parking schemes.

## **3. ALIGNMENT WITH CORPORATE PRIORITIES**

### **3.1 Developing the local economy for the benefit of all**

Effective on-street parking control is essential to traffic management which helps to support the development of the local economy and keep Cambridgeshire moving.

### **3.2 Helping people live healthy and independent lives**

There are no significant implications for this priority.

### **3.3 Supporting and protecting vulnerable people**

There are no significant implications for this priority.

## **4. SIGNIFICANT IMPLICATIONS**

### **4.1 Resource Implications**

Raising revenue should not be the object of Civil Parking Enforcement, nor may the authority set targets for revenue or the number of Penalty Charge Notices issued. Any surplus from On-Street Parking can be used for general transport measures and other purposes on which the Local Authority lawfully incurs expenditure.

Revenue raised from bus lane enforcement penalty charge notices should initially be used to recover the costs of setting up, operating and maintaining the bus lane enforcement scheme. Any surplus revenue raised should be spent in accordance with regulation 36 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005.

#### **4.2 Statutory, Risk and Legal Implications**

This annual review is published in accordance with Traffic Management Act 2004.

#### **4.3 Equality and Diversity Implications**

There are no significant implications within this category.

#### **4.4 Engagement and Consultation Implications**

There are no significant implications within this category.

#### **4.5 Localism and Local Member Involvement**

There are no significant implications within this category.

#### **4.6 Public Health Implications**

There are no significant implications within this category.

<b>Source Documents</b>	<b>Location</b>
<b>Traffic Management Act 2004</b> <b>Transparency Code 2014</b>	

## **Appendix 1**

### **Cambridgeshire County Council Annual Parking Report 2014/2015**

#### **Introduction**

Welcome to Cambridgeshire County Council's Parking Services Annual Report, which summarises the parking and traffic enforcement responsibilities conducted by the Council in 2014-2015, and provides details of activities and related financial information.

The key objective of the enforcement policy is to maintain an appropriate balance between the requirements of residents, visitors, businesses and access for disabled people and thereby contributing to the economic growth and success of the City. Enforcement is conducted both on- and off- street by Cambridgeshire County Council Parking Services and Civil Enforcement Officers employed through a term contract. These officers actively patrol and enforce parking restrictions supporting traffic management and safety responsibilities imposed on local authorities by legislation, directing patrol efforts to strategically important routes, areas of high contravention and sensitive locations in response to public demand.

We seek to enforce the various parking restrictions across the City in a fair and reasonable manner, and continual care is taken when dealing with representations from the public against the Penalty Charge Notices to ensure that all the circumstances are fully considered on a case by case basis. We are fully committed to being transparent about our Parking Services and enforcement activity.

In October 2014 the Department for Communities and Local Government issued guidance on the Local Government Transparency Code. The Local Government Transparency Code was issued to meet the government's desire to place more power into citizens' hands to increase democratic accountability. It will make it easier for local people to contribute to the local decision making process and help shape public services.

The local Government Transparency code is a wide ranging code which includes the requirement for Local Authorities to publish data including a breakdown of income and expenditure on the authorities parking account, how the authority has spent any surplus on its parking account and the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.

This report provides an extensive record of activities during 2014/2015 financial year and explains how the service is managed and aims to develop an understanding and acceptance of such enforcement activity.

## **Parking Service Developments 2014/2015**

- Introduction of Euro Parking Collection plc who provide the opportunity for local authorities to enforce payments of Penalty Charge Notices issued to a foreign registered vehicles. During 2014/2015 EPC recovered £8450
- Procured the services of RingGo for both the On-Street pay and display and for Cambridge City Council's Off-Street car parks. RingGo is a quick, easy to use mobile phone service, which lets you pay for your parking with a credit or debit card, rather than using coins at a machine.
- Introduced Bus lane cameras and new I.T system. Data collected during August and September of 2013 at three locations showed that the number of contraventions between 7am and 7pm at these locations would equate to in excess of 600,000 per year. Since the introduction of the bus lane cameras we are projecting this number to be dramatically reduced to 30,000 contraventions a year.
- Parking Charge Review. We introduced Sunday parking charges and increased the maximum stay of a number of parking bays. We introduced Sunday charges on approximately 894 of our 1557 on-street pay and display bays. The aim was to help provide a regular turn-over of spaces for visitors and encourage support for local traders whilst preventing motorists from circulating the city centre whilst attempting to locate an available parking space. On average these chargeable bays are used by over 1600 customers each Sunday
- The previous Civil Parking Enforcement contract expired on 31<sup>st</sup> March 2015. It was felt from market investigations at the time that entering the market to procure a new contract should result in reduced costs to this authority. It was also felt that on this occasion that procuring a separate I.T system would result in a reduced cost to the authority plus a series of technical advancements that will also improve customer service and operating processes. After a full procurement the CPE contract was awarded to Legion Group, a division of OCS Group UK Ltd and the IT contract was awarded to Xerox Parking. This will have the potential to save up to £140,000 per annum.
- Parking Services procured a new Cash Collection service, not only was this framework for Parking Services this was also to include cash collection for Park and Ride, Library's, offices, Northamptonshire County Council, Northamptonshire Partnership Homes, Northampton Leisure Trust and Northampton Borough Council.

The aims of a jointly procured cash collection framework are as follows:

  - A reduced total cost of collection and processing across the participating authorities.

- Documented joint procedures, with increased use of resources and technology, where possible, for greater efficiency and consistency of approach, including clear audit trails
- A joint approach which allows for experience of “what works” and “best practice” to be shared in order to gain continuous improvement in this service through the contract life.

Jade Security Services were awarded the Cash Collection contract and as a consequence Parking Services will make a saving of over 10% per collection.

- We procured the services of two Enforcement Agents to maximise the collection of road traffic debts through the effective use of all available recovery options, to reduce the costs of collection and ensure a high quality service is provided for both Cambridgeshire County Council and Northamptonshire County Council. In 2014/2015 2,380 cases were transferred to Enforcement Agents of which 670 were paid in full recovering £65,564.

### **Parking Enforcement**

The Road Traffic Act 1991 introduced powers for Local Authorities to enforce on street parking and waiting restrictions under the term “Decriminalised Parking Enforcement”. Cambridgeshire County Council introduced a Special Parking Area within the City of Cambridge in 2004 under this legislation. This transferred responsibility for enforcement of non-endorsable parking contraventions from Cambridgeshire Constabulary to the local authority. The Traffic Management Act 2004 replaced the Road Traffic Act 1991 in 2008 and extended these powers to include the enforcement of restrictions by other methods which are now known as “Civil Parking Enforcement”. Parking offences are classified as civil offences rather than criminal offences under Civil Parking Enforcement.

The current guiding transport policy document is its Local Transport Plan (LTP) 2011-2031. The Plan is split into three main parts:

- The Policies and Strategy document sets out the Plan’s objectives, problems and challenges and the strategy to meet the challenges.
- The Long Term Transport Strategy provides a high level view of the more substantial transport infrastructure and services enhancements that are needed across the county.
- The Transport Delivery Plan is essentially a business plan detailing how we will deliver the LTP3 Strategy. It details our programmes for the delivery of improvements to the transport networks managed by the County Council, and also for the day-to-day management and maintenance of the network.

One of the challenges within the plan is “Key among the issues affecting Cambridge is the large-scale growth planned across the county, with the associated pressure on the transport network and the environment, and the risks of increased congestion and carbon dioxide emissions and worsening air quality”.

Although it is not possible to specifically measure the contribution of Civil Parking Enforcement on all objectives, as there are a wide range of other factors that influence them, it is clear that well considered and implemented enforcement will support this work.

Enforcement is conducted both on- and off-street by Cambridgeshire County Council Parking Services through Civil Enforcement Officers employed through a term contractor. Each officer receives specific training resulting in two qualifications which are:

City and Guilds 1889-001 Roles and Responsibilities of a Civil Enforcement Officer; and

City and Guilds 1889-002 Conflict Management.

Civil Enforcement Officers are salaried and are not part of any incentive scheme. Their only enforcement requirement is to ensure that any Penalty Charge Notice is issued correctly and that all the supporting evidence (including photographs) is gathered and recorded.

Cambridgeshire County Council Parking Services currently enforces on-street parking restrictions, off-street Cambridge City Council car parks and on-street resident parking schemes in Cambridge.

We have a duty to consider all aspects of a case. The Secretary of States guidance states that even when a clear contravention has occurred, the Council has discretionary power to cancel a Penalty Charge Notice, and this duty is adhered too - “under general principles of public law, authorities have a duty to act fairly and proportionately and are encouraged to exercise discretion sensibly and reasonably and with due regard to the public interest”. This exercise of discretion is approached objectively and without regard to any financial interest (in the penalty or decisions) that may have been taken at an earlier stage. However, discretion can be used to cancel or enforce a Penalty Charge Notice and some motorists who challenge their Penalty Charge Notice may not always receive the decision that they were looking for.

### **Approximate Number of Parking Spaces**

Pay and Display Bays	1557
Resident Bays	3138
Others	966
Off-Street (Park and Ride)	6243

## **Moving forward**

The management of parking forms a key part of the County Council's approach to providing a high quality transport system which supports the needs of residents, businesses, and visitors; and enables the delivery of our ambitious plans for development and economic growth in Cambridge. Due to the increasing demand on parking, a review of the current Parking Policy is being undertaken to ensure the successful supply and management of parking both in Cambridge and across the county. The aim of this review is to:

Develop a coherent and robust parking policy that is fit for purpose meeting the needs of communities across Cambridgeshire.

And will include;

- Ensuring on-street parking controls minimise danger caused by obstructive parking, safeguard the free movement of traffic, offer a fair distribution of suitable on-street parking spaces and reduce the need for private travel by encouraging alternative means.
- Establish a clear and robust policy residents' parking policy which guarantees the introduction of residents' parking schemes are dealt with in a fair, consistent and transparent way balancing the needs of those who live, work and visit Cambridge and Cambridgeshire.
- Ensure there is adequate and specific parking provision for those with special needs including blue badge holders and health workers.

## **Bus Lanes**

Cambridgeshire County Council and its partners want to make public transport reliable and punctual. Bus lanes, when operating properly, help improve journey times, punctuality and reliability which may help make public transport a more attractive option and in turn relieve congestion.

When bus lanes are misused they are less effective, hence the need for effective enforcement. When people ignore bus lanes they can cause delays to public transport and increase the risk of accidents as other road users are unlikely to be aware of their presence.



In October 2005, powers were introduced under the Transport Act 2000 that made it possible for Cambridgeshire County Council to enforce the regulations governing the use of bus lanes in the County. The Police may still take action against persons driving in bus lanes or ignoring road signs, however, Cambridgeshire Council's enforcement by approved device camera's has substantially increased the likelihood of those abusing bus lanes being caught out.

The penalty for being caught in a bus lane is a £60 Penalty Charge Notice. Cameras record vehicles using bus lanes and penalties are issued based on this information. Enforcement officers check the recordings to determine whether a contravention of the rules has taken place or if there may be other circumstances e.g. to avoid an accident. It is possible to make a representation against the Penalty Charge Notice within 28 days of it being issued.

In November 2014, the Council introduced four approved device cameras on the network with an unprecedented 4 week period of issuing warning notices.

### **Resident Parking Schemes**

Resident Permit Parking Zones first came to Cambridge in 1977 with the intention to enable residents to park in streets that would have otherwise been occupied by shoppers or commuters. As levels of car ownership and traffic patterns have developed, the zones have spread away from central Cambridge to other parts of the City affected by parking problems. There are currently 14 Resident Parking Zones providing approximately 3138 spaces.

There are currently three main types of permits available, resident, visitor and business, however, temporary permits and other discretionary permits are also available.

Resident Parking Schemes are initiated following requests from residents who have been unable to find parking spaces close to their own properties due to the parking of commuters, shoppers and visitors. It should be emphasised that resident parking schemes are never forced on unwilling communities. There is a long consultation process before a scheme is brought in, and all affected parties can give their views prior to a vote of affected residents being taken. The scheme gives priority to residents, their visitors and businesses located in a zone. It does not guarantee that a space will be available for permit holders to park but it gives permit holders priority and it does significantly improve the ability of the residents to find a parking space.

The financial objectives of the TMA 2004 state charges should be set so that the cost of the permit covers the enforcement and administration of the scheme. Currently in Cambridge, the pricing structure is £1 a week for Monday to Saturday 9am-5pm with an additional £1 for every extra hour thereafter.

The statutory Guidance states that for good governance, enforcement authorities need to forecast revenue in advance. Raising revenue should not be the objective of Civil Parking Enforcement, nor may the authority set targets for revenue or the number of Penalty Charge Notices issued.

The purpose of penalty charges is to deter motorists from contravening parking restrictions. Payments received must only be used in accordance with Section 55 (as amended) of the Road Traffic Regulation Act 1984. This Act limits the purposes to which a Local Authority may apply any surplus resulting from income derived from on-street parking spaces. This was however, amended by the Traffic Management Act and restrictions on Councils that do not require further off-street parking were relaxed to permit any surplus to be used for general transport measures and other purposes on which the Local Authority lawfully incurs expenditure.

### **On-Street Pay and Display**

Cambridgeshire County Council is responsible for approximately 1562 on-street pay and display bays. These parking spaces play a key role in combating congestion within Cambridge.

A number of factors have come together to create an almost perfect storm which prohibits access to traditional urban centres for car users. To begin with, the vast majority of our traditional urban centres pre-date the existence of cars and common car ownership. They are not purpose-built to accommodate the car and their density and high concentration of land use along with multiple land ownership make them difficult and expensive to adapt. What adaptation has taken place allows for a finite number of car users at any one time to drive into the centre. Once upon a time, this finite number may have been adequate to accommodate everyone who wanted to drive into the centre, but two important developments now prevent this.

- 1. High Levels of Car Ownership** – The RAC Foundation have stated that the cost of the family car today is the equivalent of just 20 months average annual salary compared to four years average annual salary in 1952. Consequently, the number of vehicles on Britain's roads has gone from 2.5 million to 34.5 million.
- 2. Cars are Nearly Always Parked** – Parking is performed at the beginning and end of nearly every journey. In fact, cars are estimated to spend an average of only 3 to 4% of its time in transit, spending about 80% of the duration parked at home and the remaining 16% parked at a destination.

Accommodating all car users is simply impossible in the modern day for our town centres. Parking management and enforcement has become a necessity in many busy locations. However, the nature of management and enforcement has caused conflict between the car user and the town centre.

As stated above, today's levels of car ownership are extremely problematic for town centres. Unrestricted parking will lead to congestion, obstructions, pollution and spaces being occupied by the wrong users at inappropriate times. Well thought out parking management can be used to moderate demand, target specific types of users at different times of the day. For example, parking management has been used to ensure disabled car users benefit from convenient and free access to the city centre. Parking management has been used to suppress demand during peak-time and encourage demand during off-peak.

Over time, parking has proved to be a good tool for generating revenue for local authorities. This is during an era in which public finances find themselves under increasing pressure. However, local authorities do not have complete freedom to spend this revenue on what they want. Legislation prescribes how income from on-street parking can be used by local authorities, this dictates that any incidental operating surplus from on-street parking is spent on transport and environmental improvements.

### **Financial Information**

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### **End of Year Parking Accounts**

<b>EXPENDITURE</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
Employee Costs	£537,213	£378,637	£344,959
Cash Collection Costs	£30,110	£43,474	£34,798
Traffic Penalty Tribunal Levy	£27,106	£18,743	£24,865
Traffic Enforcement Court Fees	£16,016	£15,000	£20,500
Premises	£2,600	£5,750	£0
Office Supplies and Internal Services	£10,741	£22,304	£27,471
Contractor Costs	£721,680	£776,364	£787,641



charges. These regulations, The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 and three supplementary instruments are now in place.

Section 144 includes the following key provisions that are relevant to authorities outside London:

- a) Only County Councils, Metropolitan District Councils and Unitary Authorities with decriminalised parking enforcement powers can be given approval to use these enforcement powers;
- b) It defines, for the purpose of the Act, what constitutes a bus lane;
- c) It provides for the setting, administering and application of penalty charge notices;
- d) a penalty charge can be imposed only on the basis of a record produced by an appropriate device, which means an approved unattended camera enforcement system or approved equipment for recording the evidence from attended camera systems; and
- e) there can be no double jeopardy for the same contravention between any criminal proceedings by police (including by a fixed penalty notice) and a bus lane contravention

It should be noted that bus lane offences are not decriminalised and that, where civil enforcement of bus lanes applies in an area, contraventions of bus lane orders may continue to be enforced as a criminal offence as well as through the civil procedure.

## **Funding issues**

Each local authority operating bus lane enforcement needs to ensure that the operations are not only effective, in that they deliver transport objectives, but are carried out efficiently and economically. To help monitor this, the authority must set up a separate bus lane account in which they record expenditure on and income from bus lane enforcement.

Revenue raised from bus lane enforcement penalty charge notices should initially be used to recover the costs of setting up, operating and maintaining the bus lane enforcement scheme. Any surplus revenue raised should be spent in accordance with regulation 36 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. The purposes set out are:

- a) returning to the general fund any money provided to cover a deficit in the bus lane enforcement account in the four years immediately before the financial year in question;

- b) meeting costs incurred, by the authority or some other person, to provide or operate public transport services or facilities; and
- c) highway improvements in the authority's area.

#### **EXPENDITURE**

Employee Costs	£29,660
Contractor costs	£30,854
IT Support	£27,352
Internal services	£117
Signs and Lines	£356
<b>Total</b>	<b>£88,339</b>

#### **Income**

<b>Penalty Charge Notices</b>	£251,182
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<b>Surplus</b>	£162,843
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#### **Allocation of Surplus**

Recharge within service	£17,301
Contribution to reserves	£145,539