

## Civil Parking Enforcement Policy

To: Highways and Transport Committee

Meeting Date: 3<sup>rd</sup> October 2023

From: Frank Jordan, Executive Director of Place and Sustainability

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2023/010

Outcome: The Committee is recommended to approve the Civil Parking Enforcement Policy for consultation and delegate authority to the Executive Director of Place and Sustainability to approve the policy following consultation. If approved this would provide a Policy to support parking enforcement consistently across all districts with Civil Parking Enforcement.

Recommendation: The Committee is recommended to:

a) Approve the updated the Civil Parking Enforcement Policy for consultation, as set out in Appendix 1.

b) Delegate authority to the Executive Director of Place and Sustainability in consultation with the Chair and Vice Chair of the Highways and Transport Committee to make minor amendments to the Civil Parking Enforcement Policy following the consultation and in future.

### Officer contact:

Name: David Allatt

Post: Assistant Director, Transport Strategy and Network Management

Email: [David.Allatt@Cambridgeshire.gov.uk](mailto:David.Allatt@Cambridgeshire.gov.uk)

Tel: 07411 962132

## 1. Background

- 1.1 The County Council has been operating Civil Parking Enforcement and decriminalised Bus Lane Camera Enforcement in Cambridge City since 2004. Civil Parking Enforcement enables local authorities to effectively manage and enforce on and off-street parking, which in turn ensures the highway network operates effectively. By preventing inconsiderate and obstructive parking, access for all who use the highway is improved, local businesses are supported and the Council's overarching environmental objective to reduce congestion and improve air quality strengthened.
- 1.2 There is a statutory requirement for the County Council to have an appropriate Corporate Enforcement Policy in respect of the regulatory services that it provides. This overarching policy defines the Council's role and details its responsibilities, approach, and powers.
- 1.3 The report seeks the Committee's approval of the County Council's updated Civil Parking Enforcement Policy (The Policy). This service-specific policy would replace the existing Enforcement Manual and aims to provide a single policy which will support enforcement consistency, transparency, and clarity across those Districts where enforcement has been decriminalised.
- 1.4 It is to be noted that applications for Civil Parking Enforcement are currently being progressed for South Cambridgeshire District Council, Fenland District Council and Huntingdonshire District Council, as updated at Committee on 7<sup>th</sup> March 2023. The County Council is supporting these authorities with the required assessments and application.

## 2. Main Issues

- 2.1 A review of the existing Enforcement Manual (2015) has considered changes in national legislation and guidance and incorporated local and national good practices.
- 2.2 The Policy builds on the basic enforcement practices seen in the Enforcement Manual. It expands those practices to incorporate a more diverse inventory of discretionary and highway parking along with additional guidance and policy surrounding enforcement principles and requirements, mitigation, and the life cycle of a Penalty Charge Notice. These changes are set out in appendix 2.
- 2.3 The revised policy formalises the approach for the delivery of on-street and Council owned off-street parking enforcement. It focuses on quality of service, operational protocols and demonstrates consistency in enforcing parking controls such as yellow lines and defined parking bays for example disabled parking bay.
- 2.4 The objective of this policy is to support the underlying mechanisms for enforcement and notice processing as set out in national legislation. To ensure the County Council's principles and approach to enforcement and notice processing are clear and transparent and that all aspects from the issuing of a Penalty Charge Notice to dealing with and subsequent challenges or appeals, are delivered in a timely, fair and consistent manner.
- 2.5 The advice contained within this document aims to both assist the public in understanding how parking is enforced and supports the Council and their contracted employees when

undertaking Civil Parking Enforcement. This Policy is not intended to replace or replicate national guidance but to complement it.

- 2.6 The document may be subject to review, variation, and amendment if parking patterns and/or other circumstances change.
- 2.7 The adoption of the County Council enforcement and operational policies will form part of any Agency Agreements with those Districts which choose to pursue Civil Parking Enforcement. It is acknowledged that there may be circumstances where local amendments to the policies may be necessary. The County Council, in consultation with the Districts, will ensure that there is the necessary flexibility in place to support Civil Parking Enforcement across the Districts.
- 2.8 The aim of enforcement is to promote compliance with highway regulations as our ambition is for motorists to be compliant with local parking restrictions. This outcome is supported through the adoption of both clear, legally enforceable parking controls and a local policy for enforcement to be transparent and consistent. Adoption of this policy will ensure that the Council has a clear statement on the rules applying to parking enforcement and operational practices.

### 3. Alignment with ambitions

- 3.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

The Policy supports the effective management and enforcement of on and off-street parking areas which in turn supports/encourages a move towards more sustainable and low carbon transport options and by helping to keep traffic moving, reduces vehicle emissions.

- 3.2 Travel across the county is safer and more environmentally sustainable.

There are no significant implications for this ambition at this stage as currently Civil Parking Enforcement has only been adopted in Cambridge, though wider roll out is anticipated to prevent inconsiderate and obstructive parking to support achievement of Council's overarching environmental objective to reduce congestion and improve air quality.

- 3.3 Health inequalities are reduced.

The Policy supports the effective management and enforcement of on- and off-street parking areas. By addressing inconsiderate and obstructive parking, access for all who use the highway and those that use pavements will be improved. In addition, a highway network which operates effectively will reduce congestion and improve air quality.

- 3.4 People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs.

There are no significant implications for this ambition.

- 3.5 Helping people out of poverty and income inequality.  
There are no significant implications for this ambition.
- 3.6 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised.

The Policy supports the effective management and enforcement of on and off-street parking areas which aims to protect neighbourhood safety and amenity against inconsiderate and obstructive parking which in turn helps to improve alternative transport choices for both residents and visitors.

- 3.7 Children and young people have opportunities to thrive.  
There are no significant implications for this ambition.

## 4. Significant Implications

- 4.1 Resource Implications  
There are no significant implications within this category.
- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications  
There are no significant implications within this category.
- 4.3 Statutory, Legal and Risk Implications  
The Council must comply with the legislative guidance on Civil Parking Enforcement and the policy aims to provide clarity and application for the county of Cambridgeshire. The Council is compliant with the statutory requirements and the Policy assists both officers and members of the public. There are not statutory, legal or risk concerns identified with the Policy proposed.
- 4.4 Equality and Diversity Implications  
The Policy covers the Council's approach to civil parking enforcement as set out in legislation and statutory guidance. There are no equalities implications which have been identified through the development of the Policy.
- 4.5 Engagement and Communications Implications  
There are no significant implications within this category. A Members briefing session was held on the new policy document. The revised document will be uploaded onto the Council website.
- 4.6 Localism and Local Member Involvement  
If approved, the approval of minor amendments to the Policy will be delegated to the Executive Director Place and Sustainability, in consultation with the Chair and Vice Chair of the Highways and Transport Committee.
- 4.7 Public Health Implications  
The Policy supports the effective management and enforcement of on- and off-street parking areas which in turn aims to improve access for all who use the highway and those that use pavements, support the economic growth of market towns, reduce congestion, improve air quality and encourage the use of more sustainable modes of transport.

#### 4.8 Climate Change and Environment Implications on Priority Areas

##### 4.8.1 Implication 1: Energy efficient, low carbon buildings.

neutral/negative Status: Neutral

Explanation:

##### 4.8.2 Implication 2: Low carbon transport.

Positive/neutral/negative Status: Positive

Explanation: The Policy supports to effective management and enforcement of on and off-street parking areas which in turn supports/encourages a move towards more sustainable and low carbon transport options.

##### 4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Positive/neutral/negative Status: Neutral

Explanation:

##### 4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

Positive/neutral/negative Status: Neutral

Explanation:

##### 4.8.5 Implication 5: Water use, availability and management:

Positive/neutral/negative Status: Neutral

Explanation:

##### 4.8.6 Implication 6: Air Pollution.

Positive/neutral/negative Status: Positive

Explanation: The Policy supports to effective management and enforcement of on and off-street parking areas by addressing inconsiderate and obstructive parking will helps to keep traffic moving and reduces vehicle emissions

##### 4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.

Positive/neutral/negative Status: Neutral

Explanation:

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Sarah Heywood

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement and Commercial? Yes

Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or Pathfinder Legal? Yes

Name of Legal Officer: Emma Duncan

Have the equality and diversity implications been cleared by your EqIA Super User?

Yes

Name of Officer: David Allatt

Have any engagement and communication implications been cleared by Communications?  
Yes

Name of Officer: Sarah Silk

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes

Name of Officer: David Allatt

Have any Public Health implications been cleared by Public Health?  
Yes

Name of Officer: Iain Green

If a Key decision, have any Climate Change and Environment implications been cleared by the Climate Change Officer?

Yes

Name of Officer: Emily Bolton

## 5. Source documents

### 5.1 Source documents

- Guidance Manual for the Cambridge Parking Scheme – Enforcement
- Road Traffic Regulation Act (1984)
- Road Traffic Act (1991)
- Traffic Management Act (2004)
- The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015
- The Civil Enforcement of Parking Contraventions (England) General (Amendment No. 2) Regulations 2015
- Civil Enforcement of Parking (England) Representations and Appeals Regulations 2022
- Statutory guidance for local authorities in England on civil enforcement of parking contraventions
- The Highway Code

### 5.2 Location

- [County TMA Enforcement Manual - May 2015 \(cambridgeshire.gov.uk\)](https://www.cambridgeshire.gov.uk)
- <https://www.legislation.gov.uk/>
- [Statutory guidance for local authorities in England on civil enforcement of parking contraventions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/statutory-guidance-for-local-authorities-in-england-on-civil-enforcement-of-parking-contraventions)
- [The Highway Code - Road markings - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/the-highway-code)

Appendix 1 – Civil Parking Enforcement Policy

Appendix 2 – Policy Additions

Appendix 3 – Equality Impact Assessment

## **Appendix 1 – Civil Parking Enforcement Policy**

### **Appendix 2 –Policy Additions**

Below is a list of the key additions to the policy. These changes build on the basic enforcement practices seen in the Enforcement Manual, incorporates current practices, national legalisation and reflects the Council's approach to enforcement.

Body Worn Cameras	Bus Stops	Caravans & Trailers
Clamping & Removal	Complaints	Controlled Parking Zone
Dispensation	Doctor/Medical Parking	Double Parking
Drivers in Vehicles	Dropped Kerb Crossing	Electric Vehicle Charging
Limited waiting Bays	Loading Bays	Mitigation
Pedestrian Crossing	Pedestrian Zone	Public Assistance
Representation, Appeals & PCN Progression	Taxi & Private Hire	Requests for Enforcement
School & School Zigzags	Vehicle Drive Away	Tradesperson
Trunk Roads		Warning notices

## Appendix 3 – Equality Impact Assessment

# EQUALITY IMPACT ASSESSMENT - CCC515846118

Which service and directorate are you submitting this for (this may not be your service and directorate):

Directorate	Service	Team
Highways & Transport - Trans, Strat & Dev	Traffic Management	Traffic

**Your name:** Nicola Gardner

**Your job title:** Parking Policy Manager

**Your directorate, service and team:**

Directorate	Service	Team
Highways & Transport - Trans, Strat & Dev	Traffic Management	Traffic

**Your phone:** 01223 727912

**Your email:** Nicola.Gardner@Cambridgeshire.gov.uk

**Proposal being assessed:** Civil Parking Enforcement Policy

**Business plan proposal number:**

**Key service delivery objectives and outcomes:** Objective: The objective of the Civil Parking Enforcement Policy is to support the underlying mechanisms for enforcement and notice processing as set out in legislation and to help ensure the highway network operates effectively. By preventing inconsiderate and obstructive parking, access for all who use the highway is improved, local economies and business are supported and the Council's overarching environmental objective to reduce congestion and improve air quality strengthened. This service-specific policy aims to provide a single Countywide policy which will support enforcement consistency, transparency, and clarity across those Districts where enforcement has been decentralised. Outcome: To ensure the County Council's principles and approach to enforcement and notice processing are clear and transparent and that all aspects from the issuing of a penalty charge notice to dealing with and subsequent challenges or appeals, are delivered in a timely, fair and consistent manner.

**What is the proposal:** A review of the existing Enforcement Manual which was last reviewed in 2015 has been undertaken. This review has considered changes in relevant legislation and guidance and the revised policy formalises the approach for the delivery of on- street and Council owned off-street parking enforcement. It focuses on quality of service, operational protocols and demonstrates consistency in enforcing parking controls.

**What information did you use to assess who would be affected by this proposal?:** This document formalises the underlying mechanisms for enforcement and notice processing as set out in legislation. No changes to that mechanism or parking restrictions are being proposed.



**Are there any gaps in the information you used to assess who would be affected by this proposal?:** No

**Does the proposal cover:** All service users/customers/service provision in specific areas/for specific categories of user

**Which particular employee groups/service user groups will be affected by this proposal?:**

The advice contained within this document aims to both assist the public in understanding how parking is enforced and supports the council and their contracted employees when undertaking Civil Parking Enforcement (CPE). The Civil Parking Enforcement Policy supports the effective management and enforcement of on and off-street parking areas which in turn aims to improve traffic flow, reduced congestion and air pollution as well as improving access to local amenities for those with a blue badge and greater parking opportunities particularly close to local facilities.

**Does the proposal relate to the equality objectives set by the Council's Single Equality Strategy?:** Yes

**Will people with particular protected characteristics or people experiencing socio-economic inequalities be over/under represented in affected groups:** Don't know

**Does the proposal relate to services that have been identified as being important to people with particular protected characteristics/who are experiencing socio-economic inequalities?:** Yes

**Does the proposal relate to an area with known inequalities?:** Don't know

**What is the significance of the impact on affected persons?:** The proposal does not change legislation or parking controls that are already in place, nor access to parking provisions.

**Category of the work being planned:** Policy

**Is it foreseeable that people from any protected characteristic group(s) or people experiencing socio-economic inequalities will be impacted by the implementation of this proposal (including during the change management process)?:** No

**Age:** The proposal formalises the approach for the delivery of on- street and Council owned off-street parking enforcement. This does not change legislation or parking controls that are already in place, nor access to parking provisions.

**Disability:** As per 'Age' above. And for those who hold a valid blue badge, greater opportunities particularly close to local facilities.

**Gender reassignment:**

As per 'Age' above

**Marriage and civil partnership:** As per 'Age' above

**Pregnancy and maternity:** As per 'Age' above

**Race:** As per 'Age' above

**Religion or belief (including no belief):** As per 'Age' above