

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

### TOWN AND COMMUNITY COUNCIL FORUM

22 JULY 2013

#### CIVIL PARKING ENFORCEMENT UPDATE

##### 1. Purpose of Report

The purpose of this report is to provide an update on the current experience post implementation of Civil Parking Enforcement (CPE).

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The issue of illegal and obstructive parking cross-cuts a number of aims in the Corporate Plan. This includes the Strategic Themes *Strong Communities* where the aim is to 'build safe and inclusive communities' and *Young Voices* where we want all children and young people to be safe. Road safety also forms part of the aims of the Community Strategy to have Strong Communities where there is a reduction in crime and people feel safer in their communities.

##### 3. Background

- 3.1 Civil Parking Enforcement has been implemented in accordance with national requirements as detailed in the relevant statutory instruments and associated guidance documentation. Revenue raised through penalty charge notices is first used to off-set the cost of providing the enforcement provision with any surplus having to be used in accordance with the legislative requirements.
- 3.2 A Designation Order has been made by Welsh Government which decriminalised parking enforcement across the whole of the County Borough and made it a Civil Enforcement Area/Special Enforcement Area (CEA/SEA) (to include enforcement powers in respect of double parking and obstruction of pedestrian dropped kerb crossings). However, moving traffic offences such as obstruction in turning heads, and locations such as footways other than marked waiting restrictions remain solely enforceable by South Wales Police. The application of civil parking enforcement is strictly defined in legislation and therefore there is no ability to deviate from this.
- 3.3 A collaborative approach to the delivery of CPE has been undertaken with the Vale of Glamorgan for a combined service delivery with a proportion of the staffing being allocated to the Vale of Glamorgan. Staff have been recruited to oversee the operational management delivery of the civil parking enforcement with appointees undertaking an intensive two week training course and examination to qualify to undertake the duties of Civil Enforcement.

- 3.4 The service for both authorities is delivered by an establishment of a Parking Manager, 1 Administrative Support Officer, 2 Operational Supervisors, and 15 Civil Enforcement Officers (CEO's). Several of the staff are employed under temporary contracts to provide the ability to make appropriate adjustments in staffing after the first year of operation.
- 3.5 A penalty band of £70/50 has been set for offences for the on-street and parking infringements with these bands derived from the legislative guidance and in line with neighbouring Authorities who are currently undertaking CPE. Such charges are reduced by 50% if paid within 14 days.
- 3.6 For persons wishing to appeal against an issued Penalty Enforcement Charge they can do so through the Wales Penalty Processing Partnership who processes payments and appeals on behalf of Bridgend CBC, and is a part of Denbighshire County Council, working on behalf of 9 Welsh authorities to support the enforcement operation by dealing with challenges, payments and processing of all penalty charge notices that are issued.
- 3.10 In addition to the Authorities shared appeals service, if an applicant is not satisfied with the outcome from this process they may be able to take their appeal to the independent Traffic Penalty Tribunal (TPT).

#### **4. Current Situation**

- 4.1 Consultation on the implementation of CPE within Bridgend CBC determined an initial priority for the deployment of staff would be at key town centres such as Porthcawl, Maesteg and Bridgend as well as other high traffic generating areas such as school gate parking. In addition to these significant areas a mobile patrol is in use to address the needs of the wider borough.
- 4.2 In delivering the above service CPE seeks to encourage parking compliance in order to reduce traffic congestion and maintain road safety. Often this has to be to the detriment of individual parking preferences, but will also have a positive impact on the business community. There is already anecdotal evidence that time limited parking facilities (i.e. up to 1hr) are now used as intended, generating the routine turn over in trade required to support the businesses.
- 4.3 Also during the period the Council has received a number of requests to undertake a review of some localised parking restrictions and these are on-going, as it is recognised that we need to ensure restrictions continue to be relevant to local circumstances as needs and usage can change over time.
- 4.4 In addressing School gate parking infringements, CEO's have been present at school opening and closing times and their presence has been welcomed as a deterrent to itinerant parking, but generally does not result in the issuing of a PCN.
- 4.5 Unfortunately, it has been reported that every CEO has received some form of verbal abuse by drivers, who have been in receipt of a PCN.
- 4.6 Civil parking enforcement has the potential to deliver positive environmental impacts. The presence on the street provide a front facing public service which

removes itinerant parking which in turn may assist traffic move more freely and mitigate against traffic congestion and air quality issues. Also the presence within the community can provide information of environmental issues such as fly tipping and may act as a deterrent against such incidences.

- 4.7 A communication received from the Welsh Government of 29<sup>th</sup> April 2013 advised the introduction of new regulations that can expand CPE to bus lanes and some moving traffic contraventions subject to application to the Welsh Government.

## **5. Effect upon Policy Framework & Procedure Rules**

- 5.1 There is no effect from the introduction of CPE upon Policy Framework and Procedural Rules.

## **6. Equalities Impact Assessment**

- 6.1 The Council's Equalities Impact Assessment Toolkit has been utilised which indicates that the proposal to introduce CPE would have no impact on specific equality groups and disability duties, however it would benefit all sections of the community by improving highway safety and reducing congestion.

## **7. Financial Implications**

- 7.1 The implementation of this scheme is in response to the decision of the Police to withdraw its warden service which impacts on enforcement of inappropriate on-street parking. As such the Council had to fund start-up costs for such a scheme but with the intention that any such scheme should be self-financing.
- 7.2 As the scheme only commenced as of the 1<sup>st</sup> April 2013 it is too early to determine if the scheme will meet its objective to be self-financing and this may be more evident after the first year of operation.

## **8. Recommendation**

The Forum is recommended to note the report.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR - COMMUNITIES**  
**July 2013**

### **Contact:**

Kevin Mulcahy, Group Manager Highways

Tel. No. 01656 642535

E-mail: [Kevin.Mulcahy@bridgend.gov.uk](mailto:Kevin.Mulcahy@bridgend.gov.uk)

### **Background papers:**

Equalities Impact Assessment Toolkit