

Local Members Interest
N/A

Joint Staffordshire Parking Board

15th December 2014

Civil Parking Enforcement - On-street Enforcement Priority

Recommendations of Staffordshire County Council Cabinet Member for Economy, Environment and Transport:

1. Note the content of this report.
2. Seek the views of key stakeholders on the proposed on-street enforcement priorities post April 2015.

Report of Director for Place and Deputy Chief Executive

PART A

Why is it coming here – what decisions are required

3. The Joint Staffordshire Parking Board (JSPB) is currently responsible for the adoption of general policies, strategies and guidance for the introduction and on-going operation of civil parking enforcement. Local Parking Committees (LPC's) are responsible for setting deployment strategies for all on-street enforcement activity.
4. The JSPB and LPC's are part of the current agreement with District Councils for the delivery of on-street parking controls which ends on 31st March 2015.
5. As part of the forthcoming changes to civil parking enforcement from April 2015, the County Council is reviewing a number of policies associated with parking enforcement and the views of key stakeholders are therefore being sought on the future on-street enforcement priorities.

Reasons for recommendations:

6. The aim of on-street enforcement is to deliver the required outcomes for 'Clear Streets' by maximising compliance with regulations. 'Clear Streets' will:

- maintain and where possible improve the flow of traffic thereby making the County a more pleasant and environmentally safe place to live and visit make our streets safer for all road users;
 - take into account the needs of local residents, shops and businesses, thereby sustaining the County and District Council's economic growth;
 - actively support the needs of disabled people; and actively discourage indiscriminate parking that causes obstruction to other motorists, public transport, pedestrians, cyclists and people with disabilities.
7. Raising revenue is not the objective for 'Clear Streets' but the service is expected to be financially sustainable at a level that supports the required outcomes.
8. The basis for this is fair, consistent, transparent, policy-driven and quality-led operational on-street enforcement.

PART B

Background

9. As competing parking demands intensify and conflict, the need for skilled and effective on-street parking management based on clearly defined priorities increases. The on-street parking enforcement priorities shall generally be as follows:

Highway Safety

Preventing dangers due to parking:

- Near Accident locations such as junctions
- Near Pedestrian Crossings
- Dangerously or double parking
- Pedestrian areas

Aid to Movement

Preventing obstruction and congestion on:

- Strategically sensitive roads
- Town Centre shopping streets
- Public Transport routes
- Main traffic routes (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

Obstruction & Nuisance

Preventing hindrance to road users at:

- Bus stops
- Schools
- Vehicle access (dropped kerbs)
- Pedestrian areas
- Taxi Ranks
- Grass verges & pavements / walkways
- Special entertainment events

Deliveries & Servicing

Control and enable the conveyance of goods at:

- Service yards
- Permitted loading areas

Parking Bays

Control effective use of permitted parking areas in:

- Disabled Badge Holder Bays
- On-street Pay & Display
- Residents parking & controlled parking zones
- Limited waiting

10. The Parking Enforcement priorities are set out in greater detail in Annexe 2 and are based on the current arrangements with the following key changes.
 - 'Aids to Movement' – change of focus from main routes to 'strategically sensitive' (traffic sensitive) roads. This designation will bring enforcement in line with the wider management of access to the network i.e. the planning and co-ordination of highway and utility works and the changes planned as part of the introduction of a highway permit scheme in Staffordshire.
 - 'Preventing hindrance to road users at vehicle access crossings' – changed to incorporate legislative changes since the enforcement priorities were last reviewed.
 - Reference to Borough/District Council off-street car parks removed in 'Control effective use of permitted parking areas'.
11. Other enforcement requests will be balanced and prioritised depending upon the location, frequency of patrols and resources available. In many of these circumstances, for example outside schools, enforcement activity is only one of a number of techniques available to reduce unsafe, obstructive and inconsiderate parking. In these cases, the focus will be on changing behaviours through education and information to press the message home that unsafe parking is unacceptable backed up, where required by enforcement.
12. In considering where to deploy available resources, additional priority will be given to enforcement activities that support the following:

- The needs of disabled people and effective enforcement of parking regulations to enable easy access to activities and facilities;
- Road safety initiatives (especially for pedestrians, cyclists and other vulnerable road users), and emergency access requirements;
- Managing local parking problem areas around schools in support of education campaigns; and
- Enforcement against observed parking patterns of demand to allow targeting of known problem areas.

13. Inconsiderate parking contravenes the Highway Code, which requires drivers to show consideration for all road users. Certain parking contraventions remain the responsibility of the Police. A small number can be enforced by the Police as criminal offences or by the local authority as a civil parking infringement.

Civil Enforcement Officers are responsible for enforcing:

- limited waiting bays
- double/single yellow lines
- on street pay and display bays
- residents' parking zones
- Blue Badge bays
- loading bays
- bus stops
- taxi bays
- school keep clears
- clearways
- dropped kerb access (also police)
- double parking (also police)
- pedestrian crossings (also police)

The police are responsible for enforcing:

- double white lines
- obstruction – for example, pavements with no parking restrictions
- dangerous parking where there are no restrictions in place, for example, on bends, brows of hills and junctions
- dropped kerb access (also CEOs)
- double parking (also CEOs)
- one-way traffic
- box junctions
- access only
- white-hatched areas
- pedestrian crossings (also CEOs)

14. The Clear Streets Partnership will continue to work with the Office of the Police and Crime Commissioner and Staffordshire Police in order to communicate relevant information between both stakeholders.

15. In some roads, parked vehicles dominate the street scene and can cause dangerous obstruction to other road users, such as parents with pushchairs and visually/mobility impaired people and wheelchair users. The Clear Streets Partnership will seek to minimise inappropriate footway parking in the Partnership area where enforceable, (i.e. where there are parking restrictions or at places where dropped kerbs can be enforced) to ensure that local pedestrian access and amenity is not adversely affected.
16. Special enforcement powers provide the ability to enforce when vehicles are parked where the footway has been lowered and where double parking occurs. The introduction of Part 6 (CPE) of the Traffic Management Act 2004 on 31 March 2008 gave Councils in England the power to issue Penalty Charge Notices (PCN) to motorists who parked at dropped kerbs or double parked (i.e. more than 50 cm from the edge of the carriageway) in Special Enforcement Areas without the need to promote individual Traffic Regulation Orders. The powers were not intended for use as a matter of course but only when either (i) local authorities were formally requested to take enforcement action against parked vehicles by owners/occupiers of premises served by crossings and; (ii) crossings in place to assist pedestrians and cyclists were blocked by parked vehicles.
17. Statutory Instrument 2009 No. 1116 which came into force on 31 June 2009, clarified the situation for local authorities outside London with Civil Parking Enforcement powers, allowing them to enforce parking restrictions at dropped kerbs or against double parking without the need for traffic signs or road markings indicating the restriction in place.
18. The Joint Staffordshire Parking Board approved the use of these powers on 13th July 2009 including changes to the policy for the processing of penalty charges and, an appropriate publicity campaign. These powers will continue to be applied across the county post April 2015 and will be included in the publicity campaign prior to that date. The Enforcement Hierarchy has been updated to reflect these powers. The contravention does not apply where a vehicle is parked outside residential premises by or with the consent of the occupier of the premises. Enforcement action will not generally be taken outside residential premises unless and until the enforcement authority is requested to do so by the occupier.
19. It is not generally an offence for a vehicle to be parked on a footway, the exceptions being Heavy Goods Vehicles (Section 19, Road Traffic Act 1988); Cycle Tracks (Section 21, Road Traffic Act 1988); where a Traffic Regulation Order (TRO) exists. Driving on the footway and obstruction of the footway (subject to certain exceptions) remain endorsable offences and may be enforced by the Police. Civil enforcement powers can therefore only be used where the parking contravenes a relevant Traffic Regulation Order.
20. It should be noted that although the County Council has civil parking enforcement and special enforcement powers for the majority of the highway

network not all roads in Staffordshire are covered. Excluded roads are generally those that are the responsibility of the Highways Agency. Maps of the enforcement areas are provided in Annexe 3.

Annexe 1 : Community Impact Assessment for Civil Parking Enforcement On-street
– Enforcement Priority

Name of Policy/Project/Proposal: Civil Parking Enforcement On-street – Enforcement Priority		
Responsible officer: David Walters		
Commencement date & expected duration: Annual		
	Impact Assessment	
	+ve/ neutral/ -ve	Degree of impact and signpost to where implications reflected
Outcomes plus		
Prosperity, knowledge, skills, aspirations	+ve	Transport, parking and highway operations support the planned economy; with parking enforcement improving traffic flows supporting businesses and communities; Improved public realm.
Living safely	+ve	Road safety: reductions in road casualties and antisocial use of vehicles.
Supporting vulnerable people	+ve	Poorly and inconsiderately parked vehicles can often obstruct pavements badly affecting the passage of wheelchair users.
Supporting healthier living	+ve	Sustainable transport / accessibility options; enhanced public realm.
Highways and transport networks	Neutral	
Learning, education and culture	Neutral	
Children and young people	+ve	Road safety: reductions in road casualties and antisocial use of vehicles.
Citizens & decision making/improved	Neutral	

community involvement		
Physical environment including climate change	Neutral	
Maximisation of use of community property portfolio	Neutral	.
<p>Equalities impact: This report has been prepared in accordance with the County Council's policies on Equal Opportunities and in fact CPE strongly supports social inclusion as the needs of those with disabilities, vulnerable adults and children, as well as economic regeneration are specifically met by a well-managed system of car parking provision and controls.</p>		
Age	+ve	Improved transportation for those too young to drive: Walking, cycling and public transport delivery.
Disability	+ve	Provision of integrated transport infrastructure compliant with DDA requirements.
Ethnicity	Neutral	
Gender	Neutral	
Religion/Belief	Neutral	
Sexuality	Neutral	
	Impact/implications	
<p>Resource and Value for money</p> <p>In consultation with finance representative</p>	<p>Raising revenue is not the objective for 'Clear Streets' but the service is expected to be financially sustainable at a level that supports the required outcomes.</p>	
Risks identified and	There are no specific risks arising from this report	

mitigation offered	
Legal imperative to change In consultation with legal representative	There are no specific legal implications arising from this report. Parking enforcement should be fair, consistent, transparent, policy-driven and quality-led.

Health Impact Assessment screening:

- In summary no significant negative impacts on public health have been identified in respect to the outcomes of this report.

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List of background papers

1. Keeping Staffordshire Moving : Civil Parking Enforcement – Staffordshire County Council Cabinet, 16th October 2013
2. Keeping Staffordshire Moving : Highway Permit Scheme – Staffordshire County Council Cabinet, 16th October 2013
3. Traffic sensitive streets – Regulation 16 of The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007
4. Introduction of New Dropped Kerb Enforcement Powers - Joint Staffordshire Parking Board – 13th July 2009
5. Statutory Instrument 2009 No. 1116 - The Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) (England) Regulations 2009

Annexe 2 : Enforcement Hierarchy

Highway Safety			
Preventing dangers due to parking:	Near Accident locations such as junctions.	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	PRIORITY HIGH	Mainly preventing danger to pedestrians at crossing places.
	Dangerous or double parking	PRIORITY HIGH	Mainly where drivers are parked on the carriageway but in a manner that is likely to cause a hazard to other drivers and road users.
	On Pedestrian Footways	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users.
Aid to Movement			
Preventing obstruction and congestion on:	Strategically sensitive roads (during period of sensitivity) .	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions, loading restrictions and double parking to enable traffic to flow freely and not be hindered by parked vehicles
	Strategically sensitive roads (outside period of sensitivity)	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions, loading restrictions and double parking to enable traffic to flow freely and not be hindered by parked vehicles

	Town Centre shopping streets	PRIORITY HIGH	Mainly enforcement of double yellow line restrictions, loading restrictions and double parking to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.
	Public Transport routes (not strategically sensitive)	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions, loading restrictions and double parking to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.
	Other routes (non-strategically sensitive)	LOW PRIORITY	Mainly enforcement of single and double yellow line restrictions, loading restrictions and double parking to enable traffic to flow freely and not be hindered by illegally parked vehicles.
	Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions and double parking to enable traffic to flow freely and not be hindered by illegally parked vehicles.
Obstruction & Nuisance			
Preventing hindrance to road users at:	Bus stops	PRIORITY HIGH	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.
	Dropped kerb (with waiting restrictions)	PRIORITY MEDIUM	Mainly prevention of obstruction at dropped kerbs.

	Dropped kerb (without waiting restrictions)	PRIORITY LOW	Obstruction of dropped kerbs without yellow line restrictions. The contravention does not apply where a vehicle is parked outside residential premises by or with the consent of the occupier of the premises. Enforcement action will not generally be taken outside residential premises unless and until the enforcement authority is requested to do so by the occupier.
	Pedestrian access routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
	Taxi Ranks	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
	Grass verges	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.
	Special entertainment events	PRIORITY LOW	This is primarily where large events such as football or firework displays cause short term visitors to park vehicles in side/residential streets contravention of waiting restrictions, excluding temporary No Waiting cones placed at such events, which is still a police function.
Deliveries & Servicing			

Control and enable the conveyance of goods at:	Servicing yards	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to service yards.
	Permitted loading areas	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.
Parking Bays			
Control effective use of permitted parking areas in:	On-street Pay & Display	PRIORITY MEDIUM	Issue PCN for infringement of on street parking Orders
	Disabled Badge Holder Bays	PRIORITY MEDIUM	Enforce infringement of on street disabled only parking places where there is time a restriction and where vehicle is not displaying a blue Disabled Driver Badge
	Residents parking & controlled parking zones	PRIORITY MEDIUM	Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.
	Limited waiting	PRIORITY LOW	Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.

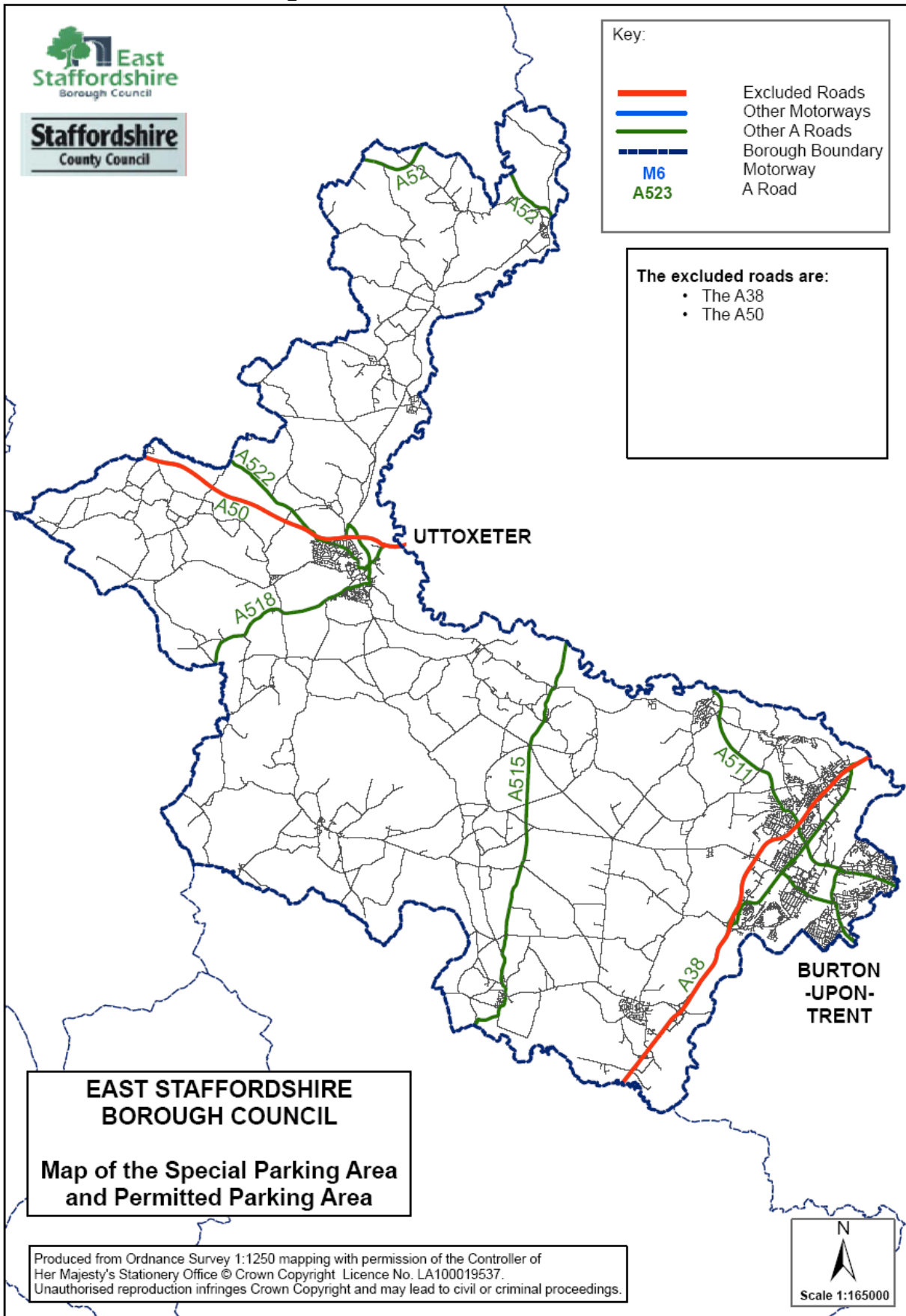
Strategically significant streets

Traffic sensitive streets – Regulation 16 of The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007:

- is one on which at any time the street authority estimate the traffic flow to be greater than 500 vehicles per hour per lane of carriageway, disregarding bus or cycle lanes;

- is a single carriageway two-way road, the carriageway of which is less than 6.5 metres wide, having a traffic flow in both directions of not less than 600 vehicles per hour;
- is one on which more than 25% of the traffic flow in both directions consists of heavy commercial vehicles;
- is one on which the traffic flow in both directions includes more than eight buses per hour;
- is designated by the local highway authority, as part of its winter maintenance programme, as one requiring the treatment of any part of it with salt or other chemicals, when low temperatures are expected, to prevent the formation of ice;
- is within 100 metres of a critical signalised junction or a critical gyratory or roundabout system;
- has a pedestrian traffic flow of at least 1300 people per hour, per metre width of footway; or
- is on a tourist route or within an area where international, national or significant major local events take place.

Annexe 3 – Maps of the Enforcement Areas East Staffordshire Borough



Newcastle under Lyme District

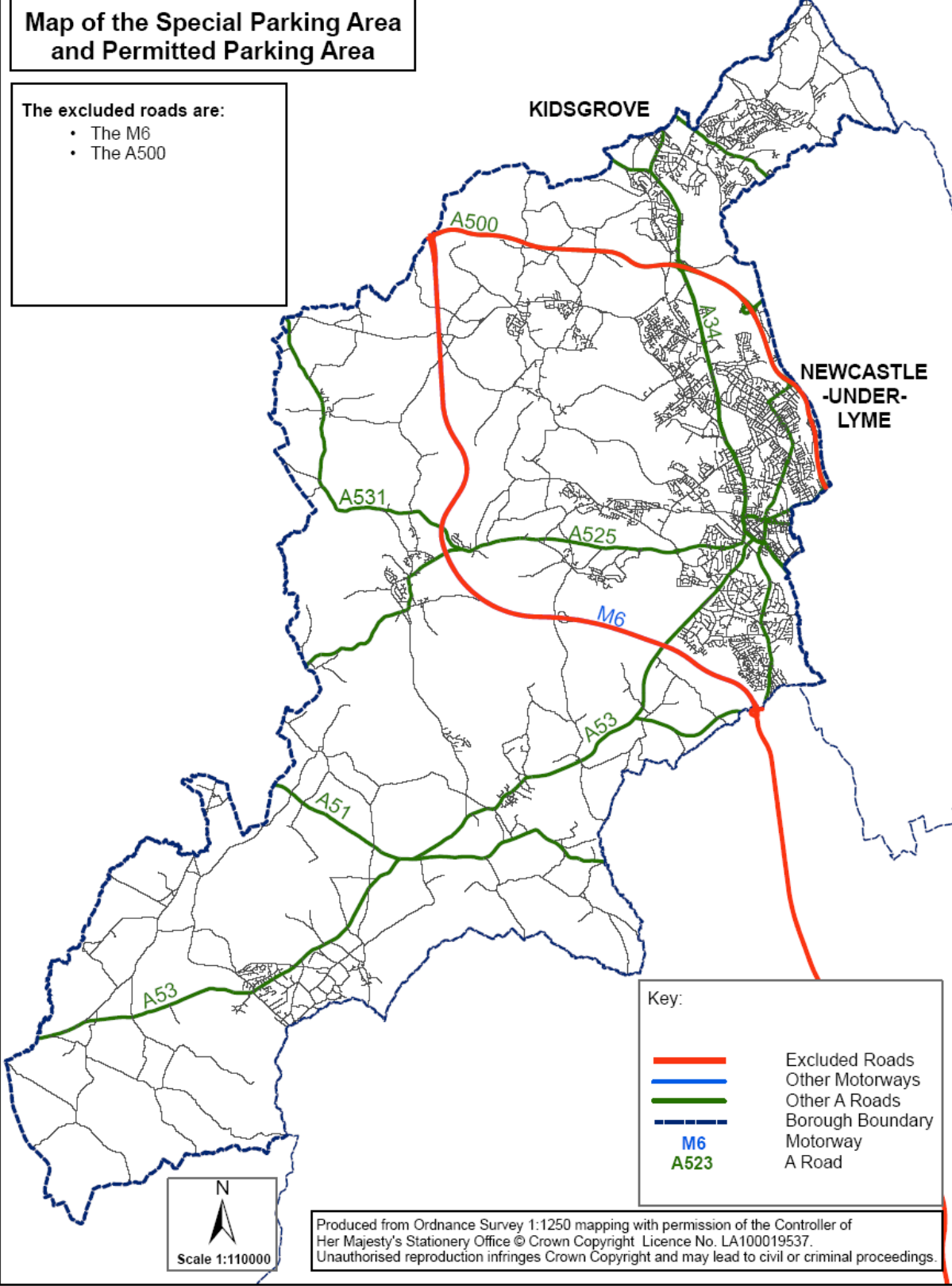
**NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL**

**Map of the Special Parking Area
and Permitted Parking Area**



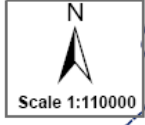
The excluded roads are:

- The M6
- The A500



Key:

	Excluded Roads
	Other Motorways
	Other A Roads
	Borough Boundary
	Motorway
	A Road









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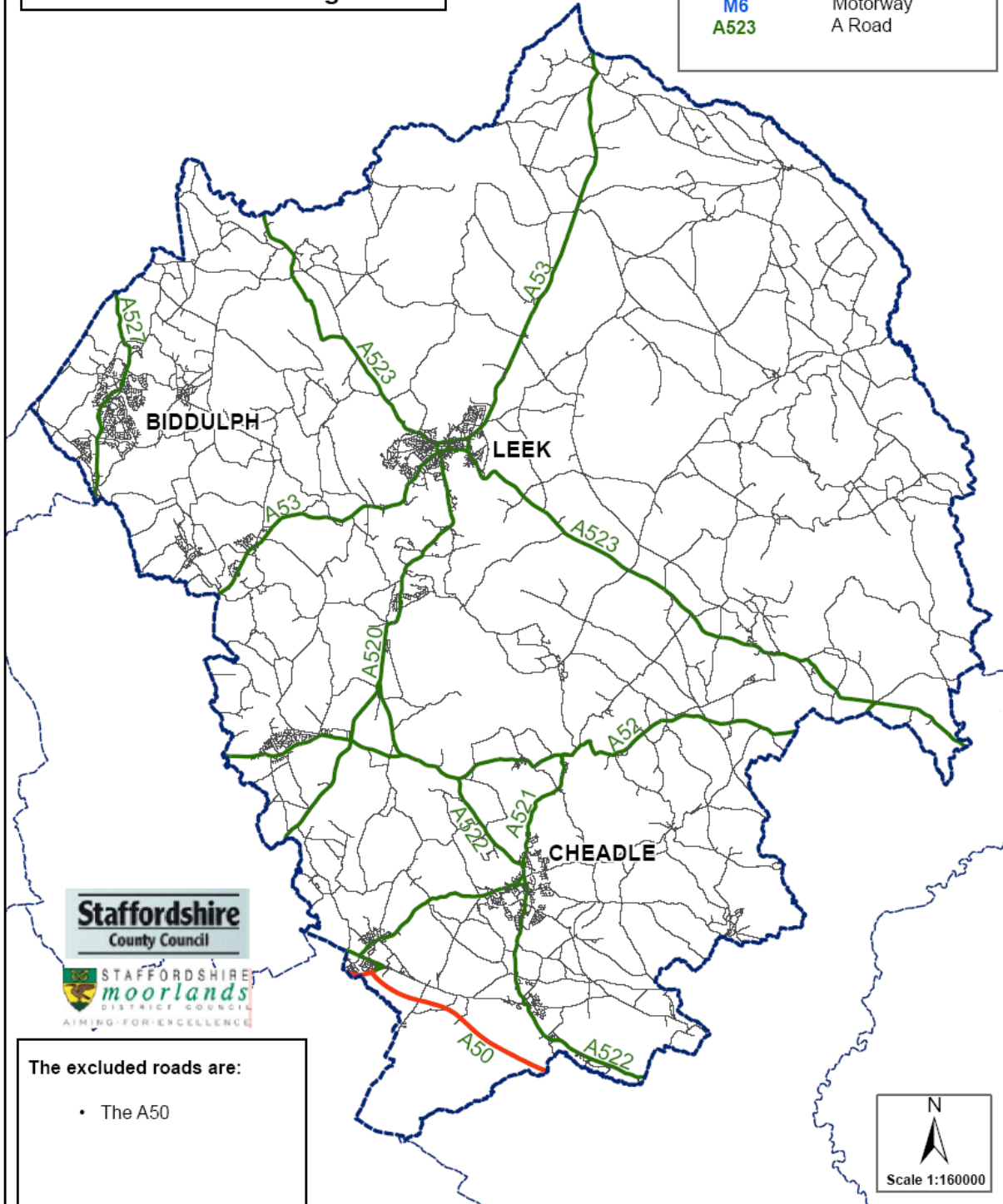
Staffordshire Moorlands District

**STAFFORDSHIRE MOORLANDS
DISTRICT COUNCIL**

**Map of the Special Parking Area
and Permitted Parking Area**

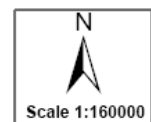
Key:

	Excluded Roads
	Other Motorways
	Other A Roads
	Borough Boundary
	Motorway
	A Road



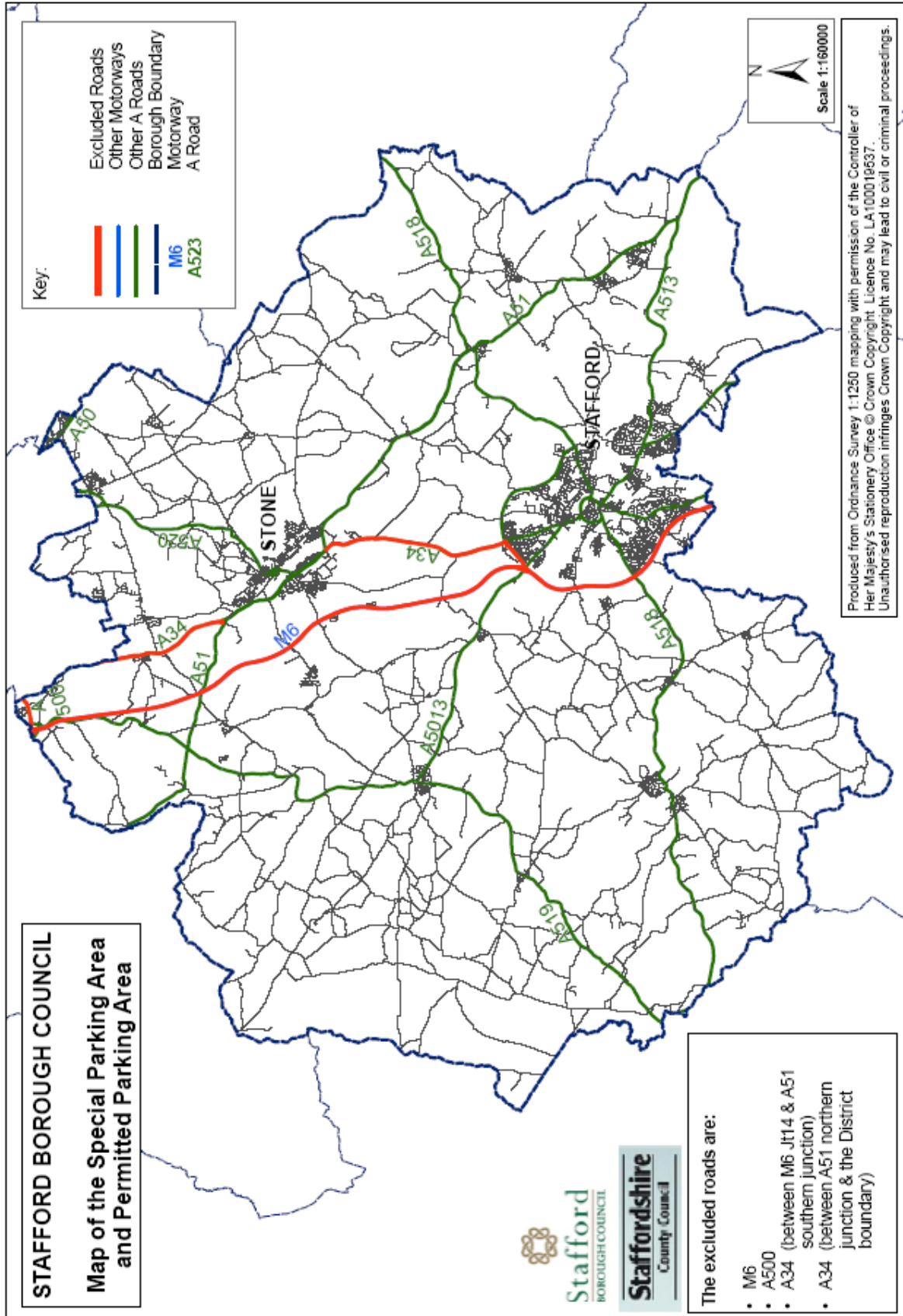
The excluded roads are:

- The A50



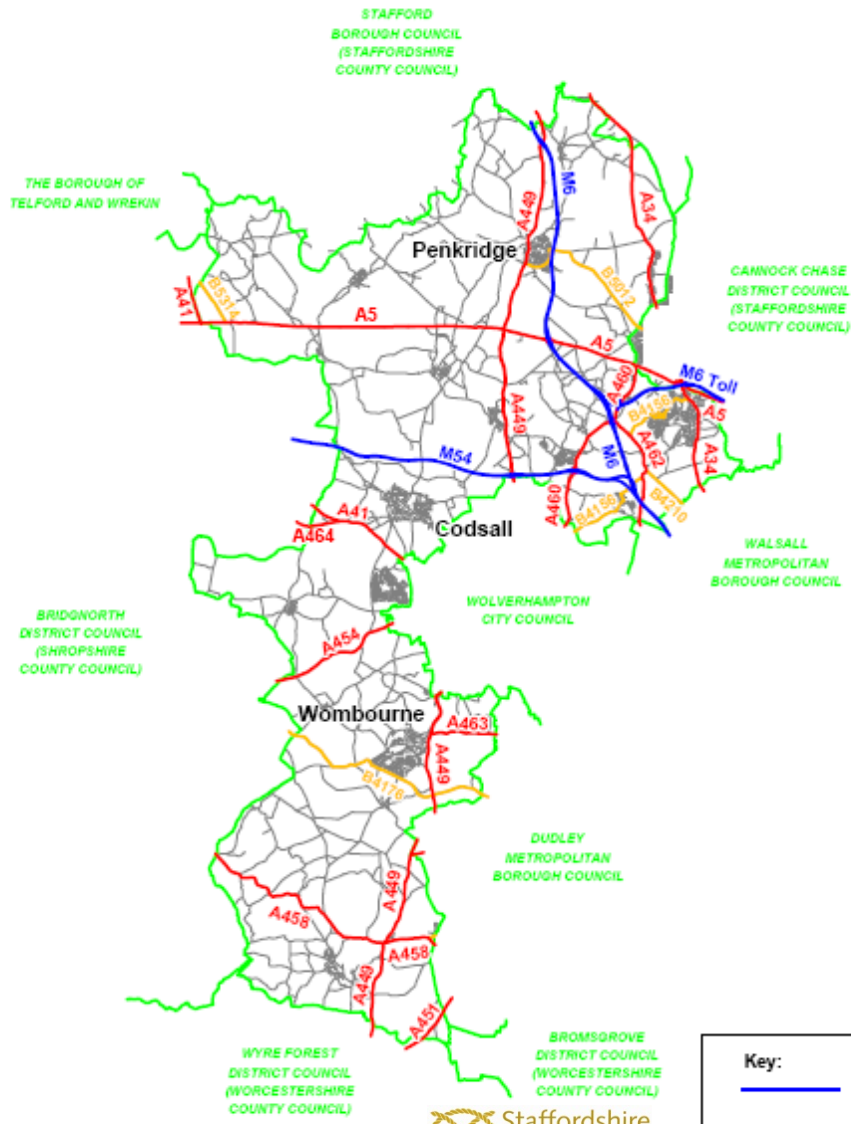
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Stafford Borough



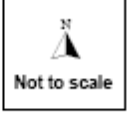
South Staffordshire

SOUTH STAFFORDSHIRE DISTRICT COUNCIL Map of the Civil Enforcement Area and Special Enforcement Area



The excluded roads are:

- the M6 including its on and off slip roads, for its entire length through the District
- the M6 Toll including its on and off slip roads, for its entire length through the District
- the M54 including its on and off slip roads, for its entire length through the District

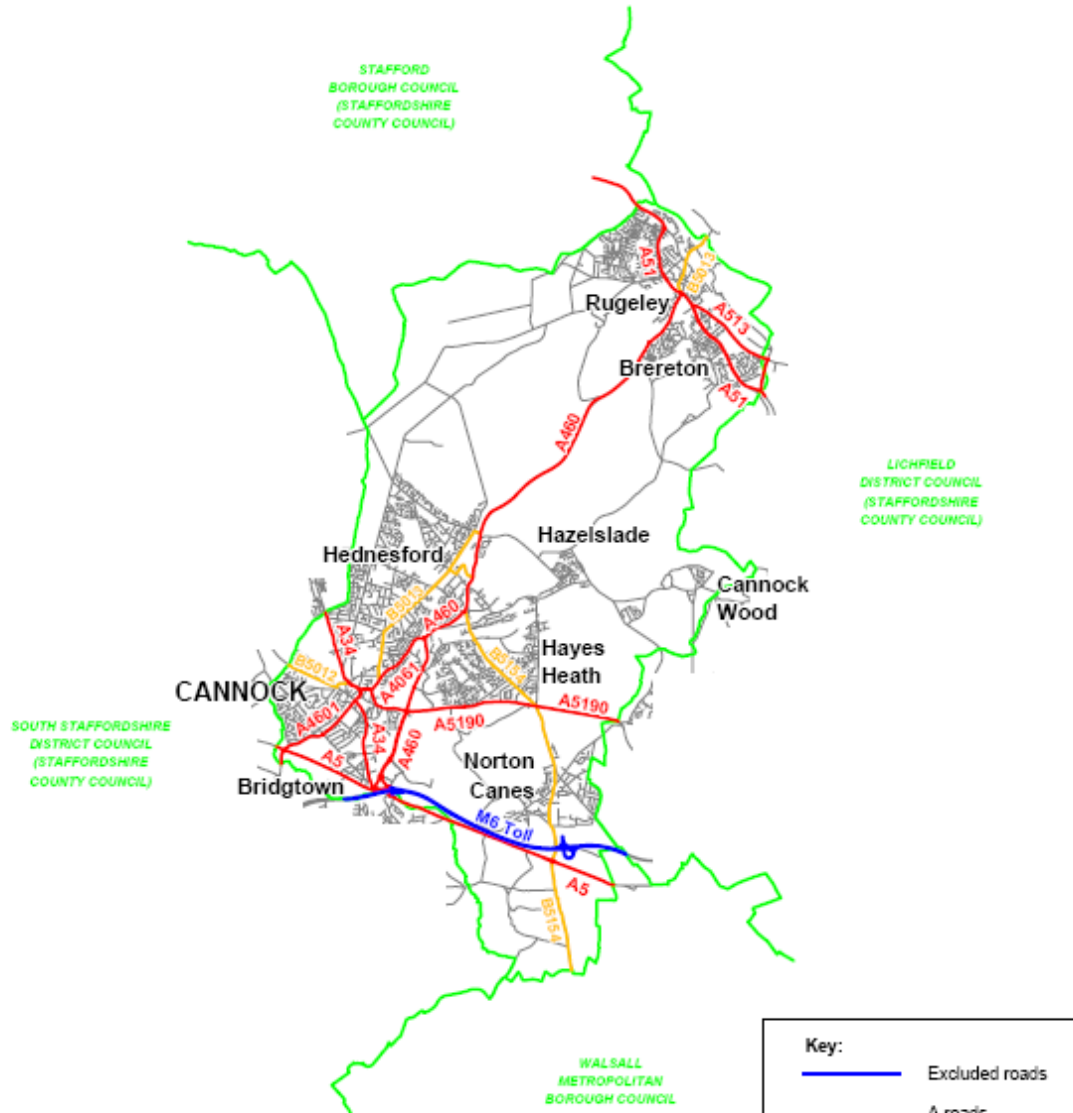


Key:	
—	Excluded roads
—	A roads
—	B roads
—	Borough boundary
M6	Excluded roads
A5	A roads
B4176	B roads

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Cannock Chase

CANNOCK CHASE DISTRICT COUNCIL Map of the Civil Enforcement Area and Special Enforcement Area










The excluded roads are:
- the M6 Toll including its on and off slip roads, for its entire distance through the District


Staffordshire
County Council


 Not to scale

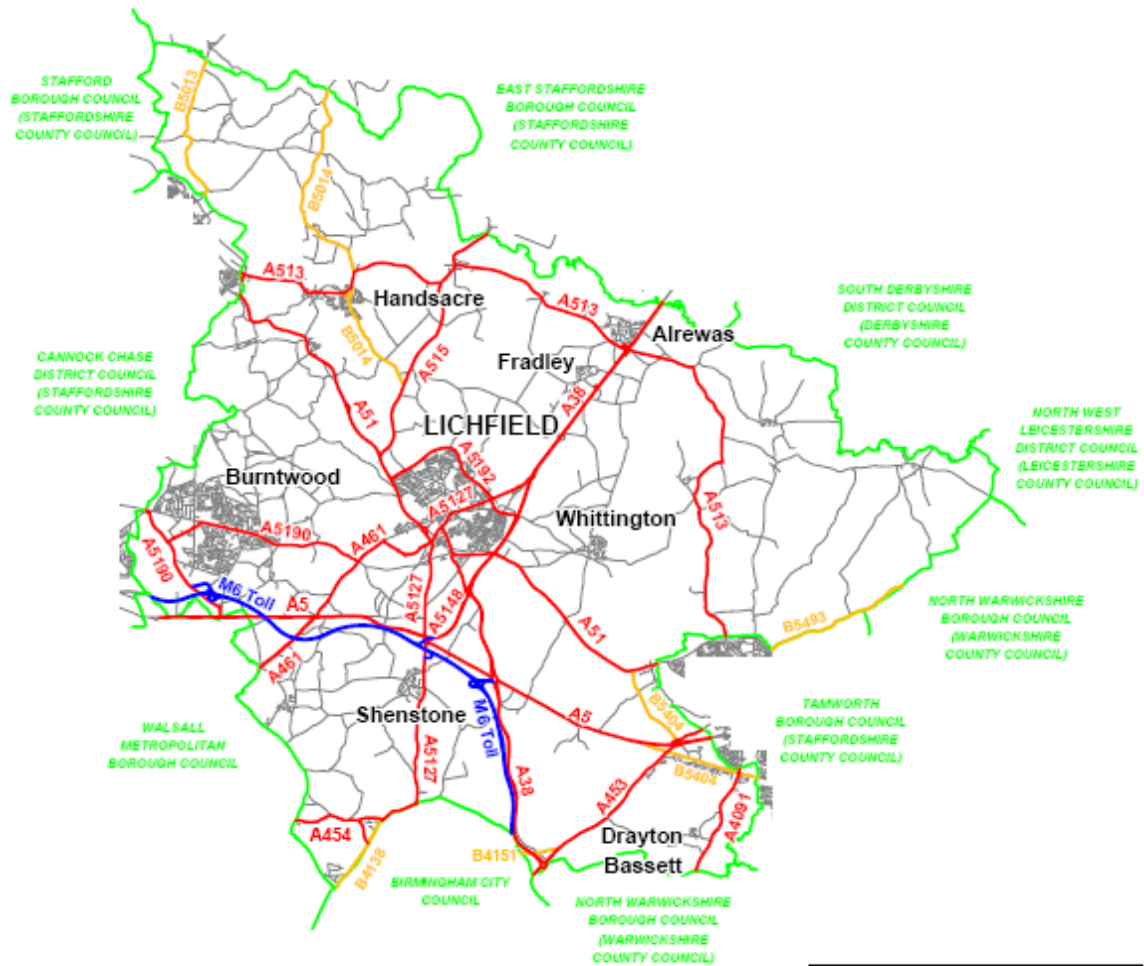


Key:	
	Excluded roads
	A roads
	B roads
	Borough boundary
	Excluded roads
	A roads
	B roads

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Lichfield District

LICHFIELD DISTRICT COUNCIL Map of the Civil Enforcement Area and Special Enforcement Area



The excluded roads are:
- the M6 Toll including its on and off slip roads, for its entire distance through the District



Staffordshire County Council



Not to scale



Lichfield District Council

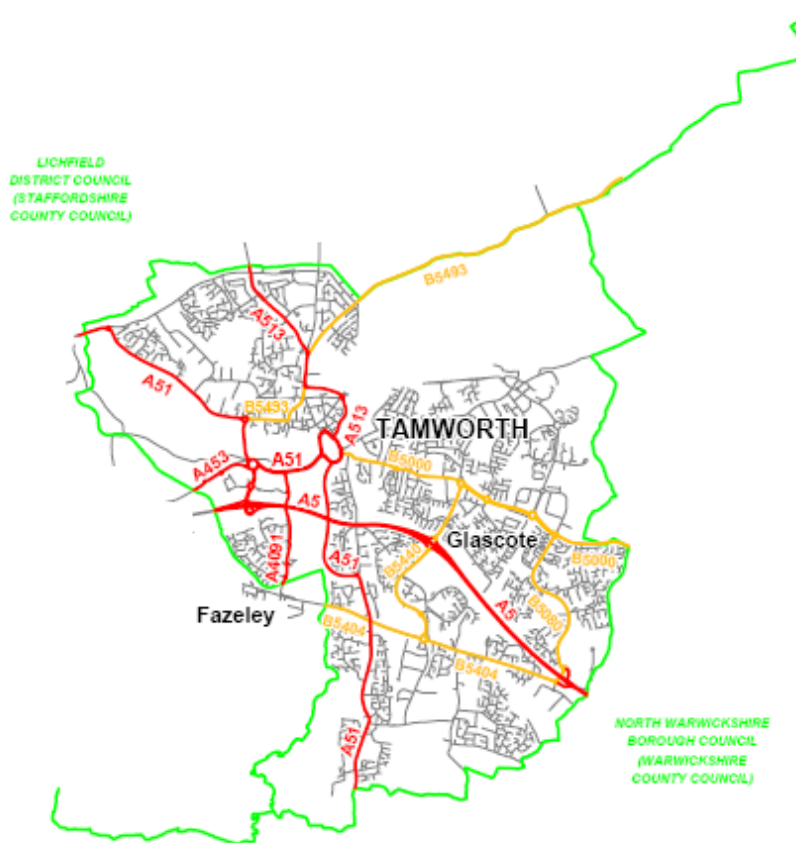
Key:	
	Excluded roads
	A roads
	B roads
	District boundary
	M6 Toll Excluded roads
	A38 A roads
	B5014 B roads

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Tamworth Borough

TAMWORTH BOROUGH COUNCIL

Map of the Civil Enforcement Area and Special Enforcement Area










The excluded roads are:

-


Staffordshire
 County Council


 Not to scale



Key:	
	Excluded roads
	A roads
	B roads
	Borough boundary
	Excluded roads
	A roads
	B roads

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