

MUNICIPAL YEAR 2014/2015 REPORT NO. **54**

MEETING TITLE AND DATE:
Cabinet 17th September 2014

REPORT OF:
Director – Regeneration &
Environment

Contact officer and telephone number:
David Morris x 8379 6556

Agenda - Part: 1	Item: 11
Subject: To apply to London Councils to change the Penalty Charge Notice banding to secure a higher level of compliance to parking and traffic restrictions in Enfield. KD 3970	
Cabinet Member consulted: Chris Bond	

1. EXECUTIVE SUMMARY

- 1.1 Compliance with parking and traffic controls are necessary to ensure effective traffic management on Enfield's road network. Over the past 4 years effective enforcement of these restrictions has not resulted in an increased level of compliance and consequently no reduction in the number of Penalty Charge Notices issued, which actually increased in 2013/14 by 10%.
- 1.2 It is clear that the penalty level is not providing an effective deterrent to reduce the number of vehicles parked in contravention, it is recommended that an application be made to London Councils to change our Penalty Charge Notice bands from B to band A.

2. RECOMMENDATIONS

To agree that the Council apply to London Councils' Traffic Enforcement Committee to increase parking and traffic Penalty Charge Notice bands from band B to band A.

In the event that the application is successful a further report will be forthcoming to recommend the implementation of the higher Band.

3. BACKGROUND

3.1 The level of Penalty Charge Notices (PCNs) is set by London Councils with the approval of the Mayor for London and the Secretary of State for Transport. All penalties issued in Enfield are currently Band B (£110 or £60 dependent of the contravention), except those issued for Bus Lane and Moving Traffic contraventions which are Band A (£130).

3.2 Over the past 4 years effective enforcement of parking and traffic restrictions has not seen any reduction in the number of PCNs being issued. In fact during the last financial year we saw an increase of 10% in the numbers issued:

Year	On-Street	Off Street	Total
2010-11	80,947	4,479	85,426
2011-12	81,545	5,338	86,883
2012-13	79,887	4,463	84,350
2013-14	89,413	4,676	94,089

3.3 The Council operates 15 Controlled Parking Zones (CPZs) across the borough. Waiting and loading restrictions also apply in many locations outside CPZs. Planning policy is also used to minimise additional parking pressures arising from developments in some areas.

3.4 Despite those measures, and deploying a robust parking and traffic enforcement regime, the borough continues to experience high levels of noncompliance with its parking regulations.

3.5 The London Boroughs of Haringey and Waltham Forest have already successfully applied to London Councils to implement Band A PCNs to help with their parking and traffic enforcement and have shown significant reductions in non-compliance.

3.6 The Council's enforcement regime consists of Civil Enforcement Officers (CEOs) deployed on mopeds, mobile enforcement units and on foot. In addition we use a network of 36 CCTV cameras that are strategically placed to enforce a range of parking and traffic contraventions across the borough. We also deploy three mobile CCTV units daily and operate well established removal operations.

3.7 The change of PCN bands from B to band A is considered essential to act as an effective deterrent and reduce the number of vehicles parking in contravention. Band A charges will be £130 or £80 dependent on the contravention. Bus Lane and Moving Traffic contraventions remain the same.

- 3.8 The Council is also aware of the need to enforce the south of the borough near the borough boundary with Haringey during the match-days of Tottenham Hotspur Football Club. This requires extensive traffic management and enforcement.
- 3.9 All other major event stadiums in London already operate at Band A level in their surrounding areas. This includes Tottenham Hotspur (the Haringey area), the Emirates in Islington, Stamford Bridge in Hammersmith and Fulham, Wembley Stadium in Brent and also the Millennium Dome in Greenwich.

4. ALTERNATIVE OPTIONS CONSIDERED

Continue with the current levels of enforcement and penalty values, in the hope that compliance will improve.

5. REASONS FOR RECOMMENDATIONS

- 5.1 London Councils Traffic Enforcement Committee determines the parking enforcement band enforceable in the London Borough of Enfield dependant on the demand of parking in the area. The higher level of penalty may, subject to a successful application being made to London Councils apply to contraventions enforced in the borough.
- 5.2 The failure to address the current issue of non-compliance will only result in even greater pressure on the road network, including residential streets in the very near future.
- 5.3 The London Borough of Waltham Forest applied to London Councils for a PCN banding change to the south of the borough in 2009. Approval was granted by London Councils and was subsequently implemented in 2010.
- 5.4 During 2010/11, the first year of issuing Band A PCNs, the area saw a reduction of just under 9000 PCNs compared to 2009/10. During the same period, the north of the borough (where Band B PCNs were still being issued) saw an increase of 5000 PCNs.
- 5.5 Since April 2013, the London Borough of Waltham Forest have issued all PCNs using the Band A tariff. They have experienced a 3.3% drop in the number of PCNs issued in 2013/14 compared to 2012/13. However, comparing the first quarter figures 2013/14 with 2014/15 there has been a 31% reduction in PCNs.
- 5.6 The London Borough of Haringey introduced a band change on 1st October 2013. Whilst this has been in operation for less than a year, the first 10 months of operation has resulted in a reduction of PCNs being issued from 14,953 to 10,186. This represents a reduction of 32%.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

The change of tariff is being sought to enable effective enforcement against vehicles unlawfully parked and involved in moving traffic contraventions. If successful, the number of PCNs issued will decline and potentially the receipts.

6.2 Legal Implications

- 6.2.1 Enforcement of all parking restrictions is governed by the statutory regime set out under Part 6 of the Traffic Management Act 2004 and is subject to the provisions set out in the statutory Guidance to Local Authorities on The Civil Enforcement of Parking Contraventions. Section 87 of the 2004 Act provides that a local authority must have regard to the guidance when exercising functions in connection with the civil enforcement of traffic contraventions.

Paragraph 21 of the Guidance sets out the main purpose of penalty charges and the approach to be adopted to setting the level of charges, as follows:-

“The primary purpose of penalty charges is to encourage compliance with parking restrictions. In pursuit of this, enforcement authorities should adopt the lowest charge level consistent with a high level of public acceptability and compliance.”

The London Councils will take account of the Guidance when deciding whether to approve this Council’s application.

- 6.2.2 The recommendation contained within this report is within the Council’s power.

6.3 Property Implications

There are no property implications.

7. KEY RISKS

The government has stated that it intends to restrict the Council’s use of CCTV for some parking contraventions. This presents a clear risk that there will be increased non-compliance, which could not be countered without an increase in the penalty charge band.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Parking enforcement, whilst highly contentious, is an essential element of improved road safety for all road users in the borough. Bus lane enforcement

facilitates the use of alternative, greener transport, as does the enforcement of restrictions in cycle lanes. It also reduces the travelling and response times of emergency services vehicles

8.2 Growth and Sustainability

Over the coming years Enfield will see a growth in population and employment due to the number of regeneration projects taking place. This growth will lead to more traffic, increasing stress on the boroughs main roads, increasing journey times, worsening bus reliability. In addition, the Council has been successful in attracting £27m of funding from Transport for London to transform cycling in the borough. Over the next 5 years our Cycle Enfield project will provide a network of safe and convenient cycle routes, including segregated cycle lanes on many of our main roads. Improved compliance will be essential to successfully increase the level of cycling in the Borough. Moving PCNs from band A to band B will support this objective.

8.3 Strong Communities

Enforcement of parking contraventions ensures that roads are safe for all stakeholders; not just motorists but also the disabled, cyclists and pedestrians. All users may experience difficulties if parking enforcement is not carried out effectively.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 The provision of a parking enforcement service has benefits for all sections of our community. In particular, the disabled through the use of the Blue Badge scheme
- 9.2 The change would be borough wide and is aimed to deter motorists from parking illegally and not at any particular community.
- 9.3 After the Council has paid for parking enforcement costs, any surplus revenue received from PCNs goes towards paying for Freedom Passes for old aged pensioners and young people.
- 9.4 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment/analysis is neither relevant nor proportionate for the approval of this report.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 Over the past 4 years the Council has not seen any significant drop in the number of PCNs being issued. In fact during the last financial year we saw an increase of 10% in the numbers issued.
- 10.2 The change of PCN bands from B to band A will complement a number of other initiatives to promote other modes of transport which the borough is

introducing and to hopefully reduce the number of vehicles parking in contravention.

11. PUBLIC HEALTH IMPLICATIONS

The provision of an efficient and effective parking enforcement policy and operations supports reduced traffic congestion. This has a positive effect on the Council's longer-term objective of reducing its carbon footprint and improving air quality leading to a healthier place to live and work.

Background Papers

None.