

## MUNICIPAL YEAR 2018/2019 REPORT NO. 15

### MEETING TITLE AND DATE

Cabinet – 4 July 2018

### REPORT OF:

Executive Director – Place

Contact officer and telephone number:  
David Morris x 8379 6556

<b>Agenda - Part: 1</b>	<b>Item - 7</b>
<b>Subject:</b> Penalty Charge Notice Change - Implementation	
<b>Wards: All</b> <b>Key Decision No: 4696</b>	
<b>Cabinet Member consulted:</b> Cllr Guney Dogan	

### 1. EXECUTIVE SUMMARY

- 1.1 Compliance with parking and traffic controls are necessary to ensure effective traffic management on Enfield's road network
- 1.2 An application was made and approved to proceed to London Councils, the Mayor of London and Secretary of State for Transport to change our Penalty Charge Notice bands from B to band A
- 1.3 Approval was given by the Mayor of London on 21 December 2017 and no objection was received from the Secretary of State for Transport during the one-month period from the date of the letter.
- 1.4 An original report went to Cabinet on 17 September 2014 and it was agreed (a) that the Council apply to increase the fee band; and (b) in the event the application was successful a further report would be forthcoming to recommend the implementation of the higher band.
- 1.5 The implementation of the band change is being done to secure a higher level of compliance to parking and traffic restrictions in Enfield.

### 2. RECOMMENDATIONS

Cabinet to agree to implement the higher band from 1 August 2018.

### 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 for 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 The current on and off-street parking penalty charges for Greater London are:

	Higher level	Lower level
Band A	£130	£80
Band B	£110	£60

3.3 Band A areas have traditionally been focused in Central London and urban centre's where the pressures on parking and congestion are often greatest. Band B areas have historically concentrated in outer London where pressures on parking have tended to not be as significant.

3.5 Parking Services sent a report to London Councils Transport and Environment Committee to consider changing the level of Additional Parking Charges on borough roads in the borough of Enfield. London Councils considered this request and subsequently wrote to the Mayor of London on 15 December 2016 seeking his approval of the change to the current charges from Band B to Band A.

3.6 The GLA replied to this by letter dated 24 February 2017 requesting further information and the Deputy Mayor for Transport subsequently wrote to Enfield Council requesting evidence of a consultation on the proposal. We returned this information in October 2017.

3.7 The Mayor approved the proposed level of charges on 21 December 2017. Paragraph 4 of Schedule 9 of the Traffic Management Act provides that the Mayor of London must then notify the Secretary of State of the levels of charges so approved. The levels of charges cannot be put into force until the expiration of either the period of one month beginning with the date on which the notification is given, or such shorter period as the Secretary of State may allow.

3.8 As no objection was received, the new PCN bands can now be implemented.

3.9 We (LB Enfield) intend to advertise the band change for 21 days prior to implementation.

#### **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**

Approval is sought to implement the scheme. The approval to seek the increase in the PCN bands was approved on KD3970 in 2014/15.

#### **6. COMMENTS OF THE EXECUTIVE DIRECTOR RESOURCES 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.

##### **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 guide.

6.2.2 London Councils determines the parking enforcement band enforceable in the London Borough of Enfield dependant on the demand of parking in the area.

6.2.3 The recommendation contained within this report is within the Council's power.

##### **6.3 Property Implications**

There are no property implications.

#### **7. KEY RISKS**

As the cost of paying a Penalty Charge Notice increases, there is a possibility that more motorists will be unable to pay. However, this should not deter the Council from robustly enforcing against illegally parked vehicles.

#### **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 implementing cycle routes in the borough, 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 PCN's 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 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report to implement the higher penalty band from 1 June 2018. The change will be borough wide, and is aimed at deterring all motorists from parking illegally.
- 9.2 The provision of a parking enforcement service has benefits for all sections of our community. In particular disabled motorists through the use of the Blue Badge scheme.
- 9.3 After the Councils 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 and other Highways improvements.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

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 parked contravening restrictions.

## **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 healthier place to live and work.

**Background Papers**

None.