

Internal Scrutiny Committee

Meeting to be held on Friday, 21 September 2018

Electoral Division affected: (All Divisions);
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Lancashire Parking Services (Appendix 'A' refers)

Contact for further information:

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Executive Summary

This report provides an overview of Lancashire parking services provision of school and village enforcement, the centralisation of permit administration and the differences of on and off street enforcement.

Recommendation

The Internal Scrutiny Committee is requested to:

- i. Note and comment on the report
- ii. Discuss and agree any further recommendations as required.

Background

Since 1995 local authorities in England have had the ability to assume control for parking enforcement in their areas from the police. Almost all local authorities have now assumed these powers. This means that parking offences on the public highway are not dealt with by the police and the courts but by the civil authorities – the local authority and an independent traffic tribunal which hears appeals. The law on civil parking enforcement was revised and consolidated through the Traffic Management Act in 2004, and the current arrangements came into force in 2008.

Lancashire County Council adopted decriminalised parking enforcement (DPE) powers on the 6th September 2004. Initially it was implemented through the Parkwise partnership, a collaboration between the county council and the 12 district councils in Lancashire, which undertook enforcement of both on and off street parking regulations. Parking agency agreements were established in each district council area. Penalty charge notices (PCNs) issued under DPE were valued at £60.

In 2008 the Traffic Management Act 2004 converted the existing DPE into Civil Parking Enforcement (CPE) and parking attendants became civil enforcement officers (CEO). The value of a PCN also changed with two tiers of contravention being introduced. Higher rate contraventions are generally for parking somewhere that you shouldn't, for example on a double yellow line. A lower rate contravention is

generally for not complying with the rules that allow parking, for example expiry of paid for time. Councils could choose higher/lower rates within two bands either £70/£50 or £60/£40. Lancashire opted to set PCNs at £70/£50 for higher and lower rate contraventions respectively.

In 2009 the Parkwise partnership was terminated and Parkwise no longer exists. The county council established a new on street parking enforcement scheme rolled out across the county to be known as Lancashire Parking Services. The district councils retained responsibility for their off street car parks. Lancaster, South Ribble and Wyre district councils opted to collaborate with the county council for the procurement of an enforcement contractor and the county council currently undertakes enforcement and processes PCNs on their behalf. Burnley, Pendle, Preston, Ribble Valley, Chorley, Fylde, Hyndburn and West Lancashire district councils chose to collaborate in the procurement of a separate off street enforcement contract for their car parks. This partnership is known as Chipside Lancashire.

On and off street enforcement

Irrespective of the local management and 'back office' arrangements associated with parking enforcement, the legislation that governs it is the same for on and off street regimes. The county council as the highway authority operates parking enforcement on street whilst the districts enforce their off street car parks, all Penalty charge notices must identify the authority that has issued them. An exception to the off street enforcement is Preston Bus Station car park which the county council is responsible for. Penalty charges must also identify the authority whose responsibility it is to enforce. Whilst, for example, Lancaster use the county council enforcement contract Penalty charge notices on their car parks will be issued by CEOs identifiable as working on behalf of the City council and PCNs will have a unique pre-fix that shows they are from Lancaster city council. These tickets are then processed by the county council using the policies set by the city council for their PCNs.

Under the current contract with NSL (our enforcement provider) the county council purchases 63,000 hours of enforcement per annum. This equates to daily deployment of around 20 CEOs covering the county. CEOs are deployed from four bases located in Preston, Blackpool, Burnley and Lancaster. Officers for the district councils that utilise the county contract are also deployed from these bases. Each District purchases their own enforcement hours based on their own enforcement requirements.

Targeted enforcement

Deployment of CEOs, had over the years settled into a regular pattern. In recent months the opportunity to review the deployment and operation of the service has been taken. The service is now more reactive and responsive to complaints and feedback about parking contraventions. Whilst the core of the service still deploys to those areas where parking restrictions are most prevalent and where the observance of them will have the greatest impact on network management, the service now uses the intelligence that is provided from complaints and feedback to tackle any identified problems. A list of locations that have benefitted from targeted enforcement is included in the appendix of this report.

Patrols are also undertaken outside of the most regularly patrolled areas to discourage motorists from contravening restrictions on the basis that this creates a heightened awareness of risk of enforcement leading to less abuse of restrictions. Targeted enforcement is undertaken using a redistribution of the core contract hours for the enforcement contract.

School Enforcement

Contravention of parking restrictions and inconsiderate parking in and around schools at the beginning and end of the school day is a regular complaint that is received by the county council. In order to tackle this problem a six month trial was implemented at the beginning of 2018. The county council purchased 2000 hours of additional enforcement to provide enhanced enforcement for approximately 125 enforceable days to be deployed at schools that requested enforcement of restrictions adjacent to them, in particular school keep clear markings.

Contact with schools was made through the schools portal and county councillors were advised of the initiative.

Of the 600 or so schools that were sent the letter, an initial 121 schools 'signed up' for the enforcement. During the following 6 months complaints were regularly received that related to schools that had not expressed interest in the enforcement trial. By the end of the trial period 160 schools had received enforcement under this scheme. The breakdown by district as a result of this trial are shown below:

District	Number of Schools requested	Total Visits	PCN issued am	PCN issued pm	Total PCN's Issued
Burnley	15	32	14	9	23
Chorley	9	12	1	0	1
Fylde	8	11	2	2	4
Hyndburn	11	18	1	2	3
Pendle	12	25	3	13	16
Lancaster	20	56	1	3	4
Preston	26	56	2	9	11
Ribble Valley	7	8	3	2	5
Rossendale	12	16	2	3	5
South Ribble	15	21	1	1	2
West Lancashire	10	12	0	0	0
Wyre	15	19	0	2	2
Total	160	286	30	46	76

For this school year it is planned to carry on with school enforcement and the county council will aim to visit all schools that have an enforceable school keep clear marking with the aim of ensuring that the restrictions are better observed. This will be communicated to school head teachers through the schools portal.

Residents parking permit administration

Within Lancashire there are 90 residents parking schemes with only the Wyre district not having one. Historically permits have been issued by the county council direct, or through an agreement, by district councils. Following a consolidation of the legal orders that underpin residents parking schemes the county council made a decision to undertake all permit administration in the interests of equity, efficiency and consistency across the county. As part of this process a review of permit prices was also undertaken. Within the 90 schemes permits were available at 22 different price points ranging from free of charge to £125. The schemes directly administered by the county council (Burnley, Fylde, Ribble Valley and West Lancs) were standardised to a £25 permit fee in April 2016.

In 2017, Preston City Council served notice on the county council resulting in permits being issued by the county council from April of that year.

The county council served notice on Pendle, Lancaster and Chorley district councils in January 2018 advising them that permit administration would be undertaken by the county council direct. The Lancaster and Pendle changes took place in April and Chorley in June 2018.

Lancaster resident parking schemes have run with annual resident's permits and 30 use visitor cards for a number of years requiring residents to visit the city council to replace full cards on a regular basis. Permit administration to the county means that such face to face transactions are not practicable. The arrangement elsewhere in the county comprises resident and visitor permits being issued annually at a cost £25 per permit. A traffic regulation order is required to set the price and permit types which is subject to statutory consultation.

Consultation has been delayed until the future of carer's permits in Lancaster has been resolved. Carer permits have only been available in Preston and Lancaster, with Lancaster permits currently the only ones in operation. These permits are available to organisations that provide care services which allow their staff to park whilst visiting residents within schemes. Across the remainder of the county the care provider utilises the resident's visitor permit.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no risks raised by this report

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Tel
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Reason for inclusion in Part II, if appropriate		
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