

North Yorkshire County Council
Overview and Scrutiny Committee

21 January 2015

On-Street Countywide Civil Parking Enforcement Review 2013/14

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of Report

1.1 To provide a review of countywide Civil Parking Enforcement in 2013/14.

2.0 Background

2.1 Countywide Civil Parking Enforcement (CPE) went live on the 30 May 2013. The analysis in this review therefore covers the 10 month period to 31 March 2014.

3.0 Traffic Management Benefits

3.1 The implementation of countywide CPE enables the County Council to better manage the network particularly in locations where there is an identified traffic management problem.

3.2 The ultimate aim is for 100% compliance with parking restrictions and the purpose of issuing a Penalty Charge Notice (PCN) for a contravention is to influence driver behaviour in the future.

3.3 It is important to remember that motorists parking in contravention of parking restrictions can have a negative impact on:

- road safety
- traffic flow and therefore localised congestion
- the turnover of short-stay parking spaces
- the ability of residents to parking in residents parking zones
- the ability of Blue Badge Holders to park in designated disabled bays

4.0 Financial Position

4.1 The business case projected that in year 1 the operation in the new districts would run at a deficit of circa £53K.

4.2 In the first ten months the operation in the new districts has actually generated a surplus of £68,733 (**see Appendix 1**).

- 4.3 The actual expenditure is broadly in line with the business case projections. However, it should be noted that in Hambleton, Richmondshire and Ryedale the expenditure figures are based on the agreed business case and so are not fully reflective of actual costs incurred. The actual costs are likely to be higher because more enforcement time has been spent on-street in response to the nature of the issues. However, as a counterbalance to this the 2013/14 figures for all the 'new' districts include start-up costs which will not be applicable in future years. In future year's actual expenditure will be reported.
- 4.4 The surplus position is the result of higher than projected income from Penalty Charge Notices (PCNs). The PCN issue rate and payment rate are both higher than projected.

5.0 Penalty Charge Notice Analysis

5.1 Issue rate

The assumption in the business case was that 3,750 PCNs would be issued in year 1 in the 'new' districts. This figure was chosen following benchmarking with a number of other authorities, but was deliberately intended to be prudent in order to highlight the potential financial implications of implementing countywide CPE.

- 5.2 The number of PCNs issued in the first 10 months of the new operation is 9,553 (**see Appendix 1**). There are considered to be a number of factors that have contributed to this figure being higher than the projection:

- The projection in the business case was deliberately on the low side to ensure the potential financial implications of implementing countywide CPE were fully understood.
- Other operations have reported a spike in PCN issue rates after going live with CPE whilst motorists get used to the new enforcement regime. This is particularly true in North Yorkshire where there has previously been very limited enforcement.
- The level of resource agreed in the business case (one FTE on-street enforcement officer per district) is generally considered to be appropriate to deal with the nature of the issues. However, it does mean that we are not saturating the county with enforcement officers and motorists do appear to be prepared to take a chance.
- The level of on-street resource in Hambleton, Richmondshire and Ryedale has been higher than the business case in response to the nature of the issues. This helps to explain the differences in on-street PCN issue rate between the districts managed by Scarborough and Harrogate Borough Councils.

5.3 **Penalty Charge Notices issued by location**

The public consultation undertaken in 2011 demonstrated that people believe enforcement should mainly be carried out in places where the most parking offences occur.

5.4 The Parking Strategy therefore states that enforcement activity will have to be prioritised. This prioritisation identifies market towns, tourist locations, schools and other locations only where there is a body of evidence to justify action.

5.5 The locations where 10 or more PCNs have been issued are listed in **Appendix 1**. In line with the strategy and agreed prioritisation the majority of PCNs have been issued in the market towns.

5.6 Both Harrogate and Scarborough Borough Councils still respond to reports of parking infringements in other locations and act accordingly where there is a body of evidence to justify action. There have not been concerns of any significance raised by the community about a lack of enforcement activity in particular locations.

5.7 **Penalty Charge Notices per visit**

The PCN/per visit indicator is a good way of monitoring compliance with parking restrictions. The PCN/per visit for each of the locations where 10 or more PCNs have been issued is set out in **Appendix 1**.

5.8 Of significant note are the figures for PCN/ per visit for Bedale and Northallerton, which are much higher than other towns. It is important to note that the approach to enforcement is consistently applied in all towns and the restrictions in these two towns are compliant with the Traffic Signs Regulations and General Directions.

5.9 One partial explanation is that the majority of enforcement is carried out on the High Street in Northallerton and the Market Place in Bedale and when visiting these would be logged as one visit, whereas in some other locations the restrictions are spread across more streets. However, this does not provide a full explanation and there has clearly been an issue with non-compliance.

5.10 The figures for Northallerton and Bedale will be monitored closely and it is expected that they will reduce as motorists become accustomed to the enforcement and compliance with the restrictions improves.

5.11 **Payment rates**

Payment rates in the 'new' districts are very high as can be seen in **Appendix 1**. This would suggest that motorists are accepting the penalty and hopefully means that they will not commit the infringement again.

6.0 Criticism of the countywide CPE operation

6.1 Since the implementation of CPE there has been criticism from a number of communities about enforcement activity. This is to be expected given the very limited level of enforcement undertaken prior to CPE. Much of the initial criticism has now died down, but there continues to be criticism of the number of PCNs issued and accusations of “over zealousness” by enforcement officers.

6.2 Both Harrogate and Scarborough Borough Councils operate in accordance with the relevant legislation and DfT statutory guidance. The extract below is from the DfT’s Statutory Guidance:

“The Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against PCNs and representations against Notice to Owners. This is to protect Civil Enforcement Officers from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations.”

6.3 Both Councils apply observation periods for contraventions where appropriate to ascertain whether an infringement has occurred and grace periods after the expiry of paid for parking and free on-street parking. A review has recently been undertaken to ensure compliance with the commitments outlined in the Government ‘Response to consultation on local authority parking’ published in June 2014.

7.0 Financial implications

7.1 The financial implications are detailed in paragraph 4.

8.0 Legal implications

8.1 The County Council ensures that the operations in North Yorkshire are delivered in accordance with the legislation and statutory guidance governing CPE.

9.0 Equalities implications

9.1 It is the view of officers that the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.

10.0 Recommendations

- 10.1 That the Committee note the content of the review of countywide Civil Parking Enforcement in 2013/14.

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Background Documents: None

Appendix 1 2013/14 On-street CPE summary

District*	Income (£)	Expenditure (£)	District balance (£)	Overall commitments** (£)	Overall balance (£)	N.o. of PCNs issued	Locations (10 or more PCNs)				Payment rate (%)						
							Locations	PCNs	Visits	PCN per visit							
Craven	35,018	34,943	75	1,579,172 Includes: *Concessionary travel *Scarborough Park & Ride *CCTV *Signing and lining	823,157	1,192	Skipton	1,081	11,665	0.09	76						
							High Bentham	52	459	0.11							
							Settle	39	284	0.14							
							Bentham	13	154	0.08							
Selby	37,188	35,511	1,677			823,157	823,157	1,248	Selby	1,151	8,029	0.14	76				
									Tadcaster	88	626	0.14					
Hambleton***	71,569	36,082	35,487					823,157	823,157	3,010	Northallerton	1,987	2,417	0.82	86		
											Bedale	603	313	1.93			
											Thirsk	225	1,167	0.19			
											Stokesley	133	706	0.19			
Richmondshire***	55,466	36,553	18,913							823,157	823,157	2,398	Easingwold	17	82	0.21	82
													Richmond	2,083	5,663	0.37	
				Leyburn	128								444	0.29			
Ryedale***	48,479	35,898	12,581	823,157	823,157							1,705	Richmondshire other****	187	521	0.36	83
													Malton	880	5,504	0.16	
													Pickering	402	3,027	0.13	
						Helmsley	154						1,661	0.09			
Scarborough	1,415,210	766,668	648,542			823,157	823,157					15,253	Ryedale other*****	269	2,603	0.10	73
								Scarborough town	11,247				74,205	0.15			
								Area surrounding Scarborough town	1,651				7,827	0.21			
								Whitby	1,430				12,093	0.12			
								Filey	790				5,081	0.16			
								Northern rural villages (surrounding Whitby)	100	641	0.16						
Harrogate	2,483,966	798,912	1,685,054					823,157	823,157	19,973	Southern area (surrounding Filey)	35	1,238	0.03	80		
											Harrogate town	17,492	104,447	0.17			
				Knaresborough	1,476						12,654	0.12					
				Ripon	649						8,184	0.08					
				Boroughbridge	329						1,344	0.24					
Total	4,146,896	1,744,567	2402329	1,579,172	823,157					44,779	n/a	n/a					

* Countywide CPE went live on 30 May 2013 therefore these figures represent 10 months of operation in the new districts

**Additional annual commitments from 2014/15	
Contribution towards Harrogate major rail scheme	330,000
Maintenance	350,000
Underwriting district councils	100,000 (potentially)
Total	780,000

*** The expenditure figures are based on the agreed business case and so are not fully reflective of costs incurred which are likely to be higher because more enforcement time has been spent on-street in response to the nature of the issues . In future years actual expenditure will be reported.

****Includes Hawes, Reeth, Catterick Garrison, Colburn, Middleton Tyas, Croft on Tees and Barton

*****Includes Thornton le Dale, Norton, Sheriff Hutton, Kirkbymoorside, Hutton le Hole and Staxton