



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

21st NOVEMBER 2018

CIVIL PARKING ENFORCEMENT (CPE)

REPORT OF GROUP DIRECTOR CORPORATE AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER OF THE COUNCIL, CLLR A MORGAN.

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval from Cabinet for the Council to provide civil parking enforcement back-office Penalty Charge Notice (PCN) processing functions on behalf of additional Local Authorities across South Wales. This regional collaboration, (which currently includes Rhondda Cynon Taf CBC and Merthyr Tydfil CBC), is known as the South Wales Parking Group, (SWPG).
- 1.2 The report will also provide a brief update with regards to the Council's mobile camera parking enforcement service, which has recently been introduced to help tackle problem parking outside schools, adjacent to pedestrian crossing points and in bus stop clearways.

2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
 1. Agree that a regional hub for the processing of Penalty Charge Notices issued by Local Authorities across South Wales, be established, with RCT as the lead Authority.
 2. Agree to support implementation requirements for the new regional service, including the appointment of appropriate additional staff resources in Highways and Streetcare Services.
 3. Duly notes the update provided regarding the mobile camera parking enforcement service.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Councils in the former Gwent region, (Caerphilly CBC, Newport CC, Torfaen CBC, Monmouthshire CBC and Blaenau Gwent CBC), have all resolved to apply for Civil Parking Enforcement (CPE) powers across their individual County Boroughs, with some commencing enforcement operations from as soon as April 2019. However, not only have all the Council's agreed to pursue an external back-office processing solution, but they have also all expressed a desire for RCT to undertake such work on their behalf.
- 3.2 The centralisation of back-office PCN processing work, including, but not exclusive to: the processing of payments, responding to challenges, cancelling PCNs and the generation of all statutory correspondence contained therein, will help reduce costs due to the centralising of staff and procurement of consumables etc., as well as ensuring the consistency of functions, all the time following the Welsh Government's collaboration agenda.
- 3.3 RCT has significant experience of operating a CPE service and, since April 2018, has been providing back-office PCN processing services for Merthyr Tydfil CBC. Moreover, in addition to the stated desire of the former Gwent Councils to externalise their back-office processing, there may also be scope for RCT to offer such services for other Local Councils as well.
- 3.4 The main focus of the mobile camera parking enforcement service is tackling the abuse of parking restrictions outside of our schools, and the commencement of the service has appropriately coincided with the beginning of the new academic year.
- 3.5 In light of the continued growth of the Parking Services function, it is appropriate to review the management arrangements.

4. BACKGROUND

- 4.1 Following the demise of the former South Wales Police Traffic Warden service in December 2010, the CPE Service, a combined on and off-street parking enforcement service, was introduced by the Council in Rhondda Cynon Taf in August 2012.
- 4.2 There are over 1600 Traffic Regulation Orders, (marked and / or signed traffic restrictions), installed across the County Borough and in addition to such on-street restrictions, the Council also provides high quality and well maintained car parking facilities in all our town centres; these require regular enforcement in order to ensure the effectiveness and continued success of the Service.
- 4.3 The back office PCN processing function was undertaken by colleagues in Merthyr Tydfil CBC from the inception of the service in 2012 until April 2018, at which time, the Service Level Agreement (SLA) underpinning the arrangement was reversed, with RCT now providing the function on behalf both Authorities.

- 4.4 Gwent Police, in a similar vein to the South Wales Police back in 2010, have duly informed Councils in their area, that their Traffic Warden service has ceased and that from April 2019, Council Civil Parking Enforcement operations across the area are being phased in accordingly.
- 4.5 A key role that the Civil Enforcement Officers (CEOs) undertake is in relation to, dealing with complaints of vehicles parked on Keep Clear markings outside schools, on zig-zag lines approaching pedestrian crossings and in Clearways at bus stops, their physical presence prevents parking only whilst they are there. Once CEOs leave the area, indiscriminate parking re-occurs. Consequently, the Council resolved to implement a mobile camera parking enforcement solution to help tackle these issues more effectively (Please see link to a previous Cabinet Report [here](#) for further information). This report will also provide an update on this initiative and its success to date.

5. BACK-OFFICE PCN PROCESSING FUNCTION

- 5.1 The back-office PCN processing function is a vital part of the civil parking enforcement service with many items of correspondence associated with the parking penalty enforcement process, (including responses to formal representations, DVLA queries and Traffic Enforcement Centre debt registrations), having legislative timescales to be adhered to.
- 5.2 If PCN timescales are not met, then cases expire; Councils may not be able to recoup any outstanding debts associated with PCNs and the PCN payment rate, a key metric of the success of the service, drops in line with a reduction in income.
- 5.3 From the inception of their respective civil parking enforcement plans, all of the following Councils: Caerphilly CBC, Newport CC, Torfaen CBC, Monmouthshire CBC and Blaenau Gwent CBC, have stated a desire to externalise the back-office PCN processing function.
- 5.4 Subsequently, discussions with RCT took place via a number of joint meetings whereby all Councils stated their intent to utilise RCT as their preferred back-office PCN processing provider. Following these meetings, the Council has been mentoring / guiding each of the Councils listed in section 5.3 individually through the process of applying for CPE powers, with all now signed-up in principal to an overarching SLA expanding the South Wales Parking Group collaboration across 7 Local Authorities. (Please see Appendix A).
- 5.5 Latest indications from the former Gwent Authorities suggest that Caerphilly CBC, Newport CC and Monmouthshire CBC will be commencing CPE enforcement operations from April 2019, with Torfaen CBC and Blaenau Gwent CBC following suit later in the year.
- 5.5 Since assuming responsibility for the back-office PCN Processing function from Merthyr Tydfil CBC earlier in the year, the Council has demonstrated the ability to successfully deliver this key service function on behalf of both Councils.

- 5.6 The Council's Parking Services team already possesses considerable administrative skills and subject knowledge in this area and, with some limited additional staffing resources and a new computer software system, it is envisaged that the team will be able to deliver this service on behalf of all Councils starting from April 2019.

6. MOBILE CAMERA PARKING ENFORCEMENT

- 6.1 Following Cabinet approval to pursue a mobile camera parking enforcement solution in October 2017, the Council successfully procured a new enforcement vehicle earlier this year, which is fully equipped with an Automatic Number Plate Recognition (ANPR) camera, utilising cutting edge infra-red technology to capture clearly defined images of vehicles parking unlawfully outside our schools, in bus stops and on pedestrian crossings.
- 6.2 Officers have spent the summer months mapping hundreds of Traffic Regulation Orders onto the vehicle's software system, undertaking remedial works on those sets of restrictions that required additional signage or refreshed carriageway markings, and thoroughly testing enforcement schedules.
- 6.3 In addition, following a presentation to Full Council in July 2018, which outlined that the new service would be active from the start of the 2018/19 academic year in September 2018, a communications / public relations campaign has been ongoing, with numerous positive messages of support being received by the Council.
- 6.4 Having received formal approval from the Welsh Government, which permits the Council to use a so-called "approved device" parking enforcement methodology, the Council has been enforcing the restrictions detailed above since 3rd September 2018, (via warning Notices during the first two weeks of operation).
- 6.5 Preliminary data indicates that almost 822 motorists have already been caught parking unlawfully by the Council's Parking Enforcement Vehicle up to the end of October.6.6 Motorists observed parking unlawfully were issued with formal warning Notices for the first 2 weeks, with PCNs only being issued from the third week of operation. Over this period, 172 warning Notices were initially issued.
- 6.7 Whilst it is too early to assess the effectiveness of the service based on two months data, a further update on this matter will be delivered to the Public Service Delivery, Communities and Prosperity Scrutiny Committee later in the year.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 An Equality Impact Assessment screening form has been prepared for the purpose of this report. It has been found that a full report is not required. There are no negative or adverse equality or diversity implications associated with this report.

- 7.2 From a camera enforcement perspective, as such a service enhancement is primarily concentrated on enforcement outside schools, the equality impact assessment has identified an improvement for people with disabilities, and vulnerable road users such as children.
- 7.3 In having a more effective enforcement regime outside schools, the number of unlawfully parked vehicles at such locations will likely reduce over time and as such, school environments and pedestrian crossing facilities will be made safer and easier to use, not to mention that it could also promote healthier lifestyles amongst parents by encouraging more walking.
- 7.4 Additionally, it is envisaged that the enhanced enforcement of bus stops will enable buses to pull up in a stop more readily, thus setting-down and picking-up passengers at the most convenient location. Consequently, this will afford passengers with mobility issues a greater chance of embarking and disembarking via a level access point and reducing the dwell time at the stop.

8. FINANCIAL IMPLICATION(S)

- 8.1 A detailed financial analysis of the administrative tasks undertaken with respect to the processing of PCNs has helped to inform a SLA offer to all participating Local Authorities. The operation of the SLA will be kept under review as part of implementing the new arrangements, but all costs are expected to be fully met by the additional income generated.
- 8.2 A centralised arrangement of this type will lead to a reduction in administrative costs. For example, the cost of procuring the requisite software licences, consumables and even uniforms are all expected to be reduced, in some cases significantly, after negotiations with suppliers.
- 8.3 In terms of resource requirements, the Council has purchased an updated software system as part of work to set-up the aforementioned mobile parking enforcement solution, which will allow for the expected increase in workload. It will however need to appoint additional staffing resources to ensure that capacity exists for the expanded service and two additional posts within Highways and Streetcare are required. It is likely that a review of the management arrangements will result in additional costs, but these will be offset against the income from the additional back office functions.
- 8.4 Specifically in relation to income with respect to the Council's fledgling mobile camera enforcement service, it is currently anticipated that all costs will be fully met by the additional income generated.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 The Traffic Management Act 2004 (TMA 2004): The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions prescribes that back-office PCN processing functions can be contracted out, (albeit decisions with regard to formal representations cannot).

9.2 Local Authorities have a duty to tackle dangerous parking and the TMA 2004 duly confers responsibilities upon Local Authorities with Civil Enforcement Area status to enforce civil parking contraventions accordingly.

9.3 In Wales, such contraventions are enforced under the auspices of The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013, with the Welsh Government further legislating for the enforcement of parking contraventions by “approved devices” under the terms of The Civil Enforcement of Parking Restrictions (Approved Devices) (Wales) Order 2013.

10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

10.1 The expansion of a regional collaboration to efficiently process PCNs will help to deliver a greater consistency of parking enforcement practices across the region and, as such, can be seen to contribute the delivery of the Council’s Corporate Priorities with respect to the theme of “place”: creating neighbourhoods where people are proud to live and work by making Rhondda Cynon Taf’s local environment clean and attractive.

10.2 This report has considered the potential long-term impact of collaborating with other Local Authorities to provide a more sustainable PCN processing function, with a clear responsibility for the Council to guide and inform other Local Authorities as to their own policies and procedures to help ensure fair standards of parking enforcement across a wide area.

10.3 With the aim of balancing the business needs of all Local Authorities, whilst helping to alleviate the problems caused by inconsiderate and dangerous parking practices, the Council can be seen to be collaborating with others to consider the needs of all users of the Highway.

10.4 The mobile camera parking enforcement measures outlined in this report will help to improve traffic flow and road safety, improve public transport reliability and reduce parking problems in town centres, residential areas and, particularly, outside our schools. The creation of safe walking environments outside schools is also likely to lead to healthier lifestyles.

10.5 An expanded partnership between a number of Local Authorities across south-east Wales, which shares common aspirations, best practice and consistency of service provision, will help support the delivery of a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture and thriving Welsh Language.

11. CONCLUSION

- 11.1 The CPE Service ensures that Traffic Regulation Orders are better enforced, which maintains the highways in a condition that are free of vehicles which would otherwise be restricting the traffic flow and thus the highways would be better able to undertake their primary purpose of the unrestricted passage of vehicles in a safe manner.
- 11.2 The former Gwent Authorities will be implementing their own CPE operations from April 2019 and have signed-up in principal to RCT undertaking back-office PCN processing duties on their collective behalf. Combined with the work RCT also does for Merthyr Tydfil CBC in this regard, RCT is positioned to establish itself as a regional parking ticket processing hub.
- 11.3 All residents benefit from the services provided via the safe use of the highway and the introduction and subsequent development of the Service via the purchase and operation of a bespoke mobile camera parking enforcement vehicle has extended the Council's capability to tackle key enforcement priorities such as dangerous and unlawful parking outside schools, on pedestrian crossings and in bus stops.

Other Information:-

Relevant Scrutiny Committee

Public Services Delivery, Communities and Prosperity

Appendix A (Example Service Level Agreement)