

London Councils' Transport and Environment Committee

Additional Parking Charges

Item No: 12

Report by: Andrew Luck **Job title:** Transport Manager
Date: 8 December 2016
Contact Officer: Andrew Luck
Telephone: 020 7934 9646 **Email:** andrew.luck@londoncouncils.gov.uk

Summary: This report details the proposal by the London Borough of Enfield (LB Enfield) to amend the penalty charge banding from Band B to Band A across the borough.

Recommendations: The Committee is asked to:

- Consider the proposal to change the penalty banding in the LB Enfield
- Note the proposed implementation date for the change of 1 April 2017.

Introduction

1. Under the provisions set out in the Traffic Management Act 2004 (Schedule 9), which repealed similar provisions in the Road Traffic Act 1991, London Councils' Transport and Environment Committee is responsible, subject to agreement by the Mayor of London and the Secretary of State, for setting additional parking charges on borough roads. These additional parking charges include:
 - penalties for contraventions of parking regulations including any surcharges or discounts;
 - release from wheel clamps;
 - removals from the street;
 - storage charges and disposal fees
2. The discount payment rate for early payment has been set at 50%. The amount of any surcharge has not changed since this was set at 50% by Schedule 6(6)(1) of the Road Traffic Act 1991.
3. The Committee has reviewed the level of additional parking charges regularly since 1992, when they were first set. The Committee undertook a major review of the charges during

2006 which led to the introduction of differential penalty levels, and again in 2010 where there was an increase in the penalty levels for the more serious contraventions. The current on- and off- street parking penalty charges are as follows:

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

4. The current London banding map can be seen in appendix 2. Band A areas have traditionally been focussed in Central London and urban centres where the pressures on parking and congestion are often greatest. Band B areas have historically concentrated in outer London where pressures on parking are not as significant. However, due to issues with non-compliance, some outer London authorities with higher density parking and significant controlled parking zones have become Band A areas. Higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on a pay and display bay.
5. London Councils has no current plans for another London-wide review of the additional parking charges and are not aware of any Government plans for a review of the penalty levels for the rest of the United Kingdom.

Guidance on Additional Parking Charges

6. Under the Traffic Management Act 2004 the Secretary of State produced guidance, to which all authorities must have regard. This document is called the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions ("the Statutory Guidance") and states that; "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." (Para. 4.1).
7. It is also the Committee's policy that additional parking charges should be set in such a way as to produce a coherent pattern of policy across London.

LB Enfield Proposals for Change

8. LB Enfield is proposing to change from Band B to Band A across the whole borough (see appendix 1). They currently operate 20 controlled parking zones (CPZs) as well as loading and waiting restrictions outside of the CPZs. They have indicated that despite deploying a robust parking and traffic enforcement regime, which includes the presence of Civil Enforcement Officers (CEOs) on foot, on mopeds and in mobile enforcement units - such as removal trucks - as well as a network of over forty strategically deployed CCTV cameras, the borough continues to experience high levels of non-compliance with its parking regulations.
9. The table contained within appendix 1 indicates that between 2010-11 and 2015-16 the number of on street parking Penalty Charge Notices (PCNs) has increased from 80,947 to 93,536 which equates to a 15.6% increase. In London as a whole during this period there

has been a decrease in PCNs issued of 20.1%, clearly indicating that LB Enfield are bucking the overall trend in London.

10. LB Enfield has stated that the neighbouring boroughs of LB Haringey and LB Waltham Forest had similar issues with compliance until banding changes (from Band B to Band A in the whole of the two boroughs) were approved by the committee in 2012. LB Waltham Forest has seen a significant decrease in parking PCNs from 99,397 in 2012-13 to 67,320 in 2015-16, a fall of 47.6%. LB Haringey has seen a reduction in the same period of 44.7%.
11. LB Enfield has stated that it will see a significant population growth over the next 15 years as housing and regeneration projects take place. This growth will lead to an increase in traffic and congestion on borough roads which could have a negative impact in public transport travel times. With the Cycle Enfield project planning to provide a safe and convenient network of cycle routes and segregated cycle lanes, LB Enfield believe that it is essential to improve compliance with its parking regulations and banding changes have been proven method to achieve this.
12. LB Enfield have also stated that the recent Central Government change reducing the use CCTV cameras used for parking contraventions under the Deregulation Act 2015 has presented an increased risk of potential non-compliance. LB Enfield believes that some of this risk can be countered with an increase in the penalty band which increases the deterrent.
13. It is TEC's policy that the boundaries between areas of different penalty bands are clearly demarcated; this is to avoid the possibility of having different bands on opposing sides of the same road. LB Enfield has boundaries with LB Haringey, LB Waltham Forest and LB Barnet. There are also boundaries with the Borough of Broxbourne, Epping Forest District Council, Hertsmere Borough Council and Welwyn Hatfield Borough Council (see appendix 3). There are no boundary issues with the non-London boroughs as they do not share a highway. There are no boundary issues with LB Haringey or LB Waltham Forest as they are already Band A. There are a couple of boundary issues with LB Barnet and these are listed below:
 - Cat Hill to the east of Preston Gardens has a central border (i.e. the boundary runs down the centre of the road) with LB Barnet. Therefore Cat Hill will need to remain Band B.
 - Chase Side from the junction with Green Road until the junction with Chelmsford Road has a central border with LB Barnet. This would need to remain Band B.

Timetable for Implementation

14. Any changes to penalty levels agreed by the Committee need the approval of the Mayor. If the Mayor agrees the changes the Secretary of State has 28 days to exercise a veto over any changes. The committees' decisions will be formulated into a set of proposals to be presented to the Mayor of London for approval. If approved, they will be presented to the Secretary of State for Transport for his consideration in the New Year. The boroughs involved would then need to advertise their proposed changes for at least three weeks prior to implementation. From previous experience, this process takes around three months in total, and so London Councils propose an implementation date of 1 April 2017.

Financial Implications

15. There are no financial implications for London Councils arising from this report.

Legal Implications

16. There are no legal implications for London Councils or the boroughs arising from this report. However, members may wish to note the decision on penalties is taken by London Councils' TEC on behalf of boroughs for borough roads, and by TfL for GLA roads. The TfL member of London Councils' TEC may not take part in the proceedings of the borough decision (see Reg. 24 of the Civil Enforcement Parking Contravention Regulations 2007).

Equalities Implications

17. There are no equality implications for the boroughs or London Councils arising from this report.

Recommendations: The Committee is asked to:

- Consider the proposal to change the penalty banding in the LB Enfield
- Note the proposed implementation date for the change of 1 April 2017.

Appendices

Appendix 1: LB Enfield application to change the banding level from Band B to Band A.

Appendix 2: Existing on and off street penalty charge bands

Appendix 3: Map of LB Enfield showing boundaries with neighbouring boroughs.

Mr N Lester-Davis
 London Council's
 59½ Southwark Street
 London
 SE1 0AL

Please reply to : David Morris
 E-mail : david.morris@enfield.gov.uk

My Ref :
 Your Ref :
 Date : 20 September 2016

Dear Nick,

PCN Banding Change

Background

As you know may recall we have received political approval to apply for increasing the PCNs issued in the borough from Band B to Band A. Therefore, could you please take this letter as a formal application to the Traffic Enforcement Committee.

The change of PCN bands from B to band A is considered essential to act as an effective deterrent and to reduce the number of vehicles parking in contravention.

Over the past 5 years effective enforcement of parking and traffic restrictions has not seen any significant reduction in the number of PCNs being 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
2014-15	95,322	4,047	99,369
2015-16	93,536	3,233	96,769

Ian Davis
 Director - Environment
 Enfield Council
 Civic Centre, Silver Street
 Enfield EN1 3XY

Phone: 020 8379 1000
 Website: www.enfield.gov.uk

CUSTOMER
 SERVICE
 EXCELLENCE



The Government Standard

Existing controls

The Council operates 20 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.

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 over 40 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.

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.

Boundary comparisons

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

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.

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.

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.

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.

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.

Since April 2013, the London Borough of Waltham Forest has also issued all PCNs using the Band A tariff. They experienced a 3.3% drop in the number of PCNs issued in 2013/14 compared to 2012/13. Comparing the first quarter figures 2013/14 with 2014/15, they saw a 31% reduction in PCNs

The London Borough of Haringey introduced a band change on 1 October 2013. In the first 10 months of operation it resulted in a reduction of PCNs being issued from 14,953 to 10,186. That represented a reduction of 32%.

Conclusion

The government introduced the Deregulation Act which restricted the Council's use of CCTV for some parking contraventions. This has presented a risk that of increased non-compliance, which we believe needs to be countered with an increase in the penalty charge band. Enfield has already seen an increase in PCNs that would have been issued by CCTV before the ban which are now being enforced by Civil Enforcement Officers.

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

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 PCN's from band A to band B will support this objective.

Recommendation

London Council's Transport and Environment Committee is recommended to agree changing Enfield Council's Band B Penalty Charge band to Band A in order to achieve the goals outlined above.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'David Morris', with a stylized flourish at the end.

David Morris
Head of Parking Services

APPENDIX 2

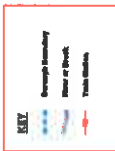
Existing on-street penalty charge bands



Existing off-street penalty charge bands



THE
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
2035
2036
2037
2038
2039
2040
2041
2042
2043
2044
2045
2046
2047
2048
2049
2050
2051
2052
2053
2054
2055
2056
2057
2058
2059
2060
2061
2062
2063
2064
2065
2066
2067
2068
2069
2070
2071
2072
2073
2074
2075
2076
2077
2078
2079
2080
2081
2082
2083
2084
2085
2086
2087
2088
2089
2090
2091
2092
2093
2094
2095
2096
2097
2098
2099
2100
2101
2102
2103
2104
2105
2106
2107
2108
2109
2110
2111
2112
2113
2114
2115
2116
2117
2118
2119
2120
2121
2122
2123
2124
2125
2126
2127
2128
2129
2130
2131
2132
2133
2134
2135
2136
2137
2138
2139
2140
2141
2142
2143
2144
2145
2146
2147
2148
2149
2150
2151
2152
2153
2154
2155
2156
2157
2158
2159
2160
2161
2162
2163
2164
2165
2166
2167
2168
2169
2170
2171
2172
2173
2174
2175
2176
2177
2178
2179
2180
2181
2182
2183
2184
2185
2186
2187
2188
2189
2190
2191
2192
2193
2194
2195
2196
2197
2198
2199
2200
2201
2202
2203
2204
2205
2206
2207
2208
2209
2210
2211
2212
2213
2214
2215
2216
2217
2218
2219
2220
2221
2222
2223
2224
2225
2226
2227
2228
2229
2230
2231
2232
2233
2234
2235
2236
2237
2238
2239
2240
2241
2242
2243
2244
2245
2246
2247
2248
2249
2250
2251
2252
2253
2254
2255
2256
2257
2258
2259
2260
2261
2262
2263
2264
2265
2266
2267
2268
2269
2270
2271
2272
2273
2274
2275
2276
2277
2278
2279
2280
2281
2282
2283
2284
2285
2286
2287
2288
2289
2290
2291
2292
2293
2294
2295
2296
2297
2298
2299
2300
2301
2302
2303
2304
2305
2306
2307
2308
2309
2310
2311
2312
2313
2314
2315
2316
2317
2318
2319
2320
2321
2322
2323
232



LONDON BOROUGH
of ENFIELD
BASE MAP



P.O. Box 68, Oakdale
Silver Street, Epsom, Middlesex EKT 3JY,
Tel 044 409 4444, Fax 044 409 4444

11/18/18 TS

01/11/1990

1:15000		AD
---------	--	----

