

<b>Subject:</b>	<b>School Parking Enforcement</b>		
<b>Date of Meeting:</b>	<b>20 March 2018</b>		
<b>Report of:</b>	<b>Executive Director, Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Paul McCann</b>	<b>Tel: 01273 293014</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE.****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Following a letter from Councillors to ETS Committee in October 2017 and subsequent agreement to bring back a report, officers have investigated and evaluated options on proposed changes to how school parking is enforced.

**2. RECOMMENDATIONS:**

- 2.1 That Committee agrees to increase by three the number of Civil Enforcement Officers (CEO) employed to cover school parking enforcement.
- 2.2 That Committee agrees that the 'Anti-social parking at schools – support and advice' webpage ([www.brighton-hove.gov.uk/school-parking-advice](http://www.brighton-hove.gov.uk/school-parking-advice)) becomes the one point of contact point and guidance for schools, residents and councillors wishing to find out steps to take if there is a problem in their area.
- 2.3 That Committee agrees to the School Travel Team making schools aware that the one point of contact webpage is available for support and advice, on an annual basis to coincide with the beginning of the school year.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 There are currently two Civil Enforcement Officers who attend schools at opening and closing times to enforce the School Keep Clear road markings and deal with any parking issues. This allows an enforcement visit to one school in the morning and one in the afternoon. In the last academic year we received requests for enforcement visits from 45 different schools.
- 3.2 We also hold pre-arranged action weeks subject to resources, the most recent being in September 2017 in Patcham. An additional three staff would allow for at least twice as many action weeks to take place.
- 3.3 The School Travel Team comprises 3 officers working 2.4 full time equivalent posts.

- 3.4 The School Travel Team works closely with the Parking Enforcement Team when issues arise to offer resources to schools to assist them with their parking issues.
- 3.5 There are requests for more parking enforcement outside of the existing Controlled Parking Zones (CPZs) and calls to the parking enforcement line, where people can report parking problems. These requests have increased by 105% from February 2015 to December 2017. The Employment of three new officers and the purchase of two new scooters would also allow more enforcement to take place outside of the CPZs when the officers were not on school enforcement duties and help to achieve a quicker response to reported problems.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

##### CCTV / Automatic Number Plate Recognition (ANPR) car

- 4.1 Whilst a car fitted with CCTV and ANPR can assist with the school parking and general enforcement, the cost is high, even for an entry level CCTV /ANPR vehicle. Costs will escalate as additional staff are required not only to staff the vehicles but as back office support.
- 4.2 For the ANPR aspect of the car to operate, the Traffic Regulation Orders (TROs) would need to be mapped onto software which is a costly exercise. We are investigating the options for a Map Based TRO but this will take time to implement and the costs will need to be identified.
- 4.3 Covering those costs via income from penalty charge notices (PCN) is doubtful. We have consulted with other local authorities, including Southampton and Manchester, and had mixed reviews.
- 4.4 One local authority informed us that their experience of using a camera car has been frustrating due to technical issues and that the car did not reach its potential until the second year of use. Another local authority considered a camera car as a good investment, but they use the car for identifying untaxed vehicles and clamp identified vehicles so is heavily subsidised by a DVLA contract, however this type of enforcement is not carried out by Brighton & Hove City Council.

##### Installation of new static CCTV

- 4.5 The costs for installation of one new camera is £15,000 and would require the additional employment costs for officers to monitor the cameras and there can be additional setting up costs. There are, at the time of writing, 71 enforceable, School Keep Clear road markings in the city; therefore, by adding cameras to cover all these sites would in the region of £1,065,000. The cameras could not be utilised outside of school opening and closing times and during holidays and weekends.
- 4.6 We have looked into the use of using existing CCTV however there are only two schools visible and only one has School Keep Clear road markings, furthermore the camera is located too far away with insufficient zoom capabilities for us to obtain the required evidence.

### Pavement / Verge parking bans by Public Spaces Protection Order (PSPOs)

- 4.7 We have consulted the London Borough of Havering who use PSPOs for school enforcement and they confirm that additional council staff are employed to carry out these duties. Where static CCTV is used to enforce a PSPO the borough had to install new cameras.
- 4.8 PSPOs are enforced by Fixed Penalty Notices (FPNs) rather than the civil penalty charge notices. Civil Enforcement Officers do not issue FPNs for traffic related offences and therefore additional staff are required for enforcement.
- 4.9 The use of PSPO or byelaws have not been recommended and, after consultation with Legal Services colleagues, it is advised that in the case of parking on the footway this could be prohibited by way of a Traffic Regulation Order (TRO).
- 4.10 The Council has existing TROs preventing parking on the footway and verges in the Surrenden and Mile Oak areas and on part of Carden Avenue.
- 4.11 Ultimately as a Council we are lobbying Central Government for powers to enforce pavement parking throughout the City which would resolve these issues.

### Body-worn cameras

- 4.12 Body worn cameras cannot be used to enforce parking restrictions. They can only be used for the recording of anti-social behaviour towards the enforcement officer such as verbal or physical abuse.

### Use of Electric bikes rather than motor scooters

- 4.13 We have considered using electric bicycles rather than motor scooters and, after successful use by NSL in the London borough of Kensington and Chelsea, have consulted with NSL.
- 4.14 NSL have stated that the bicycles are power assisted pedalling and we could not expect the same coverage that we currently get from an officer deployed on a motor scooter. The nature of enforcement by motor scooter, which is riding around large areas stopping usually, only to enforce one vehicle, could not be replicated by an electric bicycle. The city of Brighton and Hove is more spread out, and much hillier, than the borough of London where the use of electric bicycles is working relatively well.
- 4.15 In accordance with the current Key performance indicators on the parking enforcement contract, NSL are expected to attend to a parking problem, reported via the parking complaint telephone line, within one hour between the hours of 8am to 8pm. The increase in complaints from this has made this harder for NSL and it is felt that electric bicycles would not have the coverage to meet this.

## **5 CONCLUSION**

- 5.1 It is felt that increasing by three the number of Civil Enforcement Officers (CEOs) will provide the best solution to improving school parking enforcement. The officers will also be able to assist both the parking complaint telephone line and provide additional patrols to the outer parts of the city which are outside of controlled parking zones.

## 6. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 6.1 The cost for employment of three civil enforcement officers and the purchase of two new scooters, based on the current contract pricing would be just under £83,400 per year.
- 6.2 It is estimated that by the end of year 3, the costs will be fully funded by income from Penalty Charge Notices (PCNs) issued by the new civil enforcement officers whilst carrying out other enforcement duties outside of school hours. In prior years, it is estimated that 80% of the costs will be met from PCN income and the shortfall will be included in the Targeted Budget Monitoring (TBM) forecasts for the revenue budgets of Parking Services.

*Finance Officer Consulted: Gemma Jackson*

*Date: 05/02/18*

### Legal Implications:

- 6.3 Under the Traffic Management Act 2004 (the Act) in areas where civil enforcement powers are in force, civil enforcement officers may be employed directly by the enforcement authorities to enforce road traffic contraventions in that area. The council has operated civil parking enforcement since 2001. The Act places a network management duty on local traffic authorities to manage the road network with a view to securing, as far as is reasonably practicable, the expeditious, convenient and safe movement of all types of traffic. The council has the power to employ civil enforcement officers to help with the enforcement of school keep clear restrictions. Doing so will also demonstrate that the council is complying with its network management duty.

Please also see Appendix 1 Advice from Legal

*Lawyer Consulted: Stephanie Stammers*

*Date: 31/01/2018*

### Equalities Implications:

- 6.4 This is an expansion of a current service and there are no foreseen equalities implications

### Sustainability Implications:

- 6.5 We have investigated the use of electric bicycles for the purpose of providing additional enforcement, though it is not felt they can provide the same needed courage as motor scooters. We will ensure that the Motor Scooter purchased by NSL meet Euro 4 standard.

Crime & Disorder Implications:

- 6.6 Whilst most parking contraventions are decimalised and under the jurisdiction of the council, rather than the policed, the council works together with the police and holds action weeks to tackle anti-social driving and illegal parking. It is felt that having the additional enforcement officers more action weeks can be held and making the school areas safer will benefit the community.

Public Health Implications:

- 6.7 It is felt that the additional enforcement officers will provide the opportunity to reduce illegal parking around schools and promote road safety, via leaflets handed out by enforcement officer and through the work carried out by the school travel team.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Advice from Legal
2. Options table
3. Letter from Cllrs Wares and Janio

**Documents in Members' Rooms**

None

**Background Documents**

None

