

SUBJECT:	CIVIL PARKING ENFORCEMENT
MEETING:	INDIVIDUAL CABINET MEMBER DECISION
DATE:	9th MAY 2018
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

This report seeks member support for officers to proceed with applying to the Welsh Government for Monmouthshire County Council to take on Civil Parking Enforcement within the county, the approval of additional funding to validate and prepare a new consolidated order for all parking traffic regulations throughout the county, along with associated works to ensure the order is enforceable and the implementation of the necessary arrangements to manage CPE within the county.

2. RECOMMENDATIONS:

- 2.1 That Monmouthshire County Council take on the responsibility for the enforcement of on street parking.
- 2.2 That officers should prepare an application to take on Civil Parking Enforcement to the Welsh Government and funded from the Welsh Government one-off Highway Grant (£921,000) for the preparation of a consolidated order.
- 2.3 That an additional budget of £150,000 be made available from the Welsh Government one-off Highway Grant (£921,000) for works required to ensure the order may be effectively enforced.
- 2.4 That the provision of the front line of the service be provided in house i.e. by directly employed staff.
- 2.5 That the selection and commissioning of the provision of the back office service (i.e. administration of penalties, fines, appeals etc.) be delegated to the relevant Chief Officer (Head of Operations) in consultation with the Cabinet member for Operations.

3. KEY ISSUES

3.1 Gwent Police have historically undertaken enforcement of contraventions of formal Traffic Regulation Orders, such as parking restrictions. All other Welsh Police Authorities have withdrawn from on street parking enforcement with the local authorities taking up responsibility for CPE, Gwent Police have given notice that they will cease to undertake such enforcement on 31st December 2018.

3.2 In response to this, the Gwent G7 meeting of Chief Executives agreed to investigate the introduction of Civil Parking Enforcement (CPE) as a replacement for the role of the Police and

on this basis a feasibility study report was subsequently prepared as part of joint G7 initiative. Subsequently a feasibility study was commissioned jointly by the Gwent authorities. The report provides initial financial and operational information around the development of a Civil Parking Enforcement regime.

CPE will allow the Council to enforce parking contraventions within Monmouthshire County Council through a civil law regime, as opposed to enforcement by the Police in a criminal law context. Those parking contraventions that fall under a civil law regime specifically relate to traffic lines and signs (e.g. double yellow lines, parking bays, etc.). Therefore, the enforcement of vehicles contravening such lines and signs will be the responsibility of the Council, not the Police. All other parking offences, such as obstruction of the highway, parking on the footway etc.) remain with the Police to enforce.

If CPE powers are not acquired, the Council will not be able to manage and enforce Traffic Regulation Orders within the county and this would lead to a detrimental impact on the efficiency and safety of the highway network.

To acquire CPE powers, the Council must apply to the Welsh Government for a Designation Order for Monmouthshire County Council to become a Civil Enforcement Area and a Special Enforcement Area for the purposes of part 6 of the Traffic Management Act 2004.

As part of the application, it is essential that the Traffic Regulation Orders (TRO) that form the Council's Traffic Management network are correct. Work to achieve this would require reviewing the existing TROs and then proceed to incorporate a new schedule within a Consolidated Order that accurately reflects the physical signs and lining on the highway. The feasibility Report jointly commissioned by the Gwent authorities has indicated an estimated cost of £90k for this review process in Monmouthshire.

A further requirement of the application to WG to acquire CPE powers is to produce a business plan setting out how the Council proposes to operate the scheme. The options are shown within the feasibility study commissioned by the Gwent LA's (appendix 1) and should be considered based upon resilience and cost efficiency.

MCC is currently in discussions with neighboring authorities on how CPE may be delivered. The preferred option at present would be for MCC to combine the 'front line' element with the in-house off-street parking service and 'back office'; to provide the ticketing section via a collaborative arrangement using either an existing local authority back office or similar service offered by the private sector.

The outline timescale for the implementation of CPE is:

- Council Select Committee consideration of the implications for MCC introducing CPE (February 2018)
- Council approval to proceed with the development of an application to Welsh Government for the introduction of CPE (March 2018)
- Complete draft Consolidation Order (April 2018)
- Public Consultation on Consolidation Order (June 2018)
- Draft CPE application to Welsh Government (August 2018)
- Full CPE application to Welsh Government (November 2018)

4. REASONS:

The Monmouthshire County Council's Corporate Plan includes proposed actions to improve accessibility and safety to all residents and support business growth. These aims rely on benefiting from an efficient and effective highway network. The ability to enforce traffic regulations via CPE will contribute to the achievement of this goal.

Acquiring CPE powers will allow the Council to tackle wider transport and environmental issues such as traffic congestion, road safety and to safeguard the interests of residents, blue badge holders, transport operators and local businesses.

It is recommended that the decision about how the back office service might be provided be delegated to the Chief Officer in consultation with the cabinet member. This approach has been adopted as there will be numerous permutations that might be considered about how a collaborative arrangement might be structured. This would include options such as the Gwent authorities agreeing a lead authority to operate on their behalf or to agree a service level agreement with another local authority already providing back office services on behalf of itself and other local authorities. Such arrangements may be negotiated and maybe set up as interim arrangements or long term. This will be compared with private sector provision (cost and reliability being of obvious interest) but the flexibility of service without contractual commitment may be of overall benefit in the early years of service provision. The grounds of any such decision will be reported to members.

5. RESOURCE IMPLICATIONS:

The process of making an application for CPE will require financial support with the consolidation of the TROs and renewal of all signs and lining works resulting from this review. Once implemented there will be increased costs associated with running CPE such as additional enforcement officers and administrative support, as well as an upgrade of ICT software and hardware. These costs are a one off and the outline business model shows that there is a potential that these one off costs in part, as well as the future operating costs, will be covered from the increased income that CPE will generate.

A summary of the initial costs are shown below:

1. Consolidation of TROs into a single consolidated order - £90,000
2. Refurbishment of existing signing and lining £150,000.
3. Employment of 2 enforcement officers and administrative support £100,000 (ongoing)
4. Provision of equipment, software and hardware to support CPE - £50,000

The funding for items 1 and 2 will be taken from existing highways budgets in 18/19 (albeit replenished from a one off WG grant award this year to support highway projects).

Items 3 and 4 will be charged to the service revenue budget but the costs to be offset by income.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

FGEA attached – appendix 2

7. CONSULTEES:

Discussions have been held with Gwent police and neighbouring Gwent authorities.

An informal briefing for all members has been offered at a previous member workshop (Active Travel maps)

Feedback from Select Committee will be forwarded to Cabinet for information.

8. BACKGROUND PAPERS:

Feasibility study with option appraisal – appendix 1

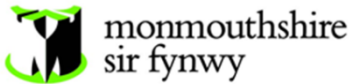
9. AUTHOR:

Paul Keeble, Group Engineer, Highways and Flooding

10. CONTACT DETAILS:

Tel: 01633 644733

E-mail: paulkeeble@monmouthshire.gov.uk



**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

MEETING AND DATE OF MEETING:

TITLE OF REPORT:

AUTHOR:

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

FACTORS IN FAVOUR OF DISCLOSURE:

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

Date:

Signed:

Post:

I accept/do not accept the recommendation made above

Proper Officer: _____

Date: _____