

All Councillor Briefing – Civil Parking Enforcement for South, Vale of White Horse and Cherwell Districts

20 October 2020

Purpose of paper

Should the proposal to implement CPE across South Oxfordshire, Vale of White Horse and Cherwell Districts be approved initially by Oxfordshire County Cabinet on 13th October (Vale and South cabinets are planned in December), the purpose of this paper is to update and advise Councillors on

- a. Progress made in investigating the feasibility of CPE for Oxfordshire and associated recommendations.
- b. An indicative timeline for delivery
- c. Frequently asked questions which may be posed by the public regarding CPE

Background

1. Oxfordshire County Council was approached formally by South Oxfordshire and Vale of White Horse District Council's in August 2018 to look into implementing CPE. This scope was expanded to also include Cherwell District Council.
2. Oxfordshire is one of the few remaining areas without CPE. There are 12 remaining districts nationwide without CPE, 3 of which are in Oxfordshire.
3. To take on powers for civil enforcement, County Councils are required on behalf of District Councils to make an application to the Department for Transport and thorough assessment is needed to understand all the elements of how CPE will be successfully introduced and operated. This information forms part of the application and demonstrates to the Department for Transport that the highway authority would provide a service that conforms and delivers benefits set out within the Traffic Management Act 2004 (TMA).
4. An Officer led working group (with representation from S&V, CDC and OCC) was established to take forward a formal feasibility study which found that CPE was appropriate for the respective districts. It should be noted CPE is already in place in Oxford City and West Oxfordshire.
5. When applying for CPE powers an authority must also state whether they request powers to carry out Civil Bus Lane Enforcement. It is considered that this is sensible to give future scope of enforcement activity if required.
6. Implementation of CPE has received support from Senior Officers at all involved Councils. Approval is now being sought from each respective Cabinet to progress an application to implement CPE.

Findings and recommendations

7. When making an application for CPE, authorities can either apply to be a Civil Enforcement Area (CEA) or a Special Enforcement Area (SEA). A CEA covers civil parking enforcement of waiting and loading restrictions whilst a SEA includes additional powers to also enforce dropped kerb obstruction and double parking offences. A SEA considered most appropriate for Oxfordshire as it will provide flexibility to react to a wider range of parking offences. It is also recommended the County Council applies for bus lane enforcement powers across the county.
8. This would also ensure continuity across the County as Oxford City and West Oxfordshire are both currently managed via SEA's. By being able to enforce dropped kerb and double parking offences we will also be able to deal with issues directly without the need to pass residents to other agencies.
9. The independent feasibility study recommended that CPE was appropriate for Oxfordshire and found the most cost-effective way to manage it was via a County led model. This model would see Oxfordshire County Councils existing on street enforcement arrangements being extended to cover the new SEA's in the respective districts. Oxfordshire County Council have entered into a new 5 year contract with Conduent Enforcement Services which subject to a legal and procurement review could

be used for the additional enforcement.

10. To ensure the cost neutrality of the scheme, officers propose additional locations for on street parking bays within market towns. Not only would the income from these bays make CPE cost neutral they would also bring wider benefits to the local economy by promote the turnover of parking spaces whilst encouraging users to think about their travel choices, especially for short journeys.
11. Each District currently has their own external provider for off street parking enforcement. The County recently entered into 5-year contracts with Conduent to manage on-street restrictions in Oxford. In the short term, utilisation of these existing contracts to provide a service is preferable, with a longer-term ambition of a single parking contract across Oxfordshire. This is subject to legal and procurement review with District support.
12. This project is considered to support later stages of 'recovery', both in helping to ensure key traffic routes, residential areas, cycling and bus corridors are free from obstructions, but also to manage a potential increase in car travel and the associated issues that can cause. .

Timescales

13. An indicative timetable for implementation is as follows (subject to Covid-19 Cabinet arrangements in both Districts and County Councils).

MILESTONE	DATE
CPE approval paper to OCC Cabinet	Oct 20
CPE approval paper to CDC Cabinet	Nov 20
CPE approval paper to SODC Cabinet	Dec 20
CPE approval paper to VWH Cabinet	Dec 20
Draft application developed for the introduction of a SEA in districts.	Oct 20-Dec 21
Commencement of review of existing signs, lines and TROs	Jan 21-Aug 21
Commencement of the Statutory Consultation process	Feb 21-April 21
Application submitted to the DfT	April 21
DfT review & parliamentary process	April 21-Nov 21
Establishment of formal 'back office'	July 21-Nov 21
Designation Order created and CPE brought into effect	Nov 21

FAQ's

What is CPE?	Civil Parking Enforcement (CPE) is when a local authority takes on responsibility from the police to enforce against illegal parking. This process means parking violations becoming civil offences. In Oxfordshire CPE will apply for on-street parking (roads and highways).
Why do we need CPE?	<p>The effective management of waiting and loading restrictions will allow us to match enforcement to our wider transport strategies.</p> <p>This will mean:</p> <ul style="list-style-type: none"> - Less blocking of major traffic routes by incorrectly parked vehicles. - Reduction in parking in disabled bays by non badge holders. - Better traffic management and improved parking restrictions. <p>It will:</p> <ul style="list-style-type: none"> - Encourage correct, sensible and safe parking across Oxfordshire. - Reduce congestion on the roads. - Help the emergency services access emergencies - Make it safer for drivers and pedestrians - Enable buses to operate more effectively - Improve air quality, health and the general environment - Keep Oxfordshire moving

What is changing?	Under the introduction of CPE parking enforcement across South Oxfordshire, Vale of White Horse and Cherwell Districts will be taken over from the Police by Oxfordshire County Council. This will result in increased, more consistent enforcement of waiting and loading restrictions, double parking offences and dropped kerb obstructions. CPE is already in effect in Oxford City and West Oxfordshire.
What are the current time scales for the implementation of CPE?	Assuming Cabinet support the Council will look to implement CPE in November 2021.
Which areas will be patrolled and how often?	All areas where there are traffic regulation orders in place will be patrolled, this includes all towns and most villages. An intelligence led approach will be taken to enforcement meaning teams will be focused on areas where illegal parking is having the most impact on road safety and congestion.
Parking restrictions in my area are outdated. How do I get them reviewed?	If CPE is implemented parking restrictions will be reviewed on a regular basis. If you feel there is an area where restrictions should be reviewed please contact the parking team via Parking@oxfordshire.gov.uk
How is CPE funded?	<p>The aim of CPE is to achieve 100% compliance of parking regulations. If that was to occur there would be no income from penalty charges. However, if drivers choose to park illegally, they should expect to receive a Penalty Charge Notice. Assumptions based on national compliance levels have been assumed.</p> <p>Fines associated with parking will be retained in Oxfordshire to support the cost of enforcement.</p> <p>Any surplus will be spent on local transport and environmental improvements in Oxfordshire.</p>
Why are the County Council proposing to introduce Pay and Display Parking as part of the rollout of CPE?	For CPE to be a success, it is important that the service is self-funding and to do this the introduction of some on-street paid parking is required to pay for enforcement etc. It should be remembered that the overall aim of civil enforcement is to achieve compliance with the restrictions in place. For this reason, revenue from PCN's shouldn't be relied upon and charging makes the service more robust and financially viable. Any surplus from the parking service is used to fund wider highway improvements and paid parking will bring wider benefits to the local economy by encouraging the turnover of parking spaces whilst encouraging users to think about their travel choices, especially for short journeys.
What will the penalty be for drivers found to be parking illegally?	<p>There are two levels of Penalty Charge:</p> <ul style="list-style-type: none"> - £70 for the more serious offences, e.g. parking on yellow lines - £50 for less serious offences, e.g. overstaying in a limited waiting bay. <p>Both charges are reduced by 50% if paid within 14 days.</p>
If CPE was introduced how would Councillors, Town Councils and members of the public report concern about parking enforcement?	Members of the public, Town Councils and Councillors would be able to report areas and incidents of illegal parking via a dedicated email address and telephone line. Officers would investigate and will take enforcement action as required.
What enforcement is currently taking place?	Parking offences in areas that are not currently covered by CPE are a criminal offence (fixed penalty notice) and enforced by Thames Valley Police.

Will the introduction of new residents parking schemes be considered once CPE is introduced?	Permit parking schemes can benefit residents and their visitors in areas where extraneous parking causes a problem. A key factor in their success is enforcement, and the introduction of CPE will open up opportunities for new schemes to be considered. Any scheme of this nature is subject evidenced local support and funding
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