

# **Cambridgeshire County Council Annual Parking Report 2022/2023**

Welcome to Cambridgeshire County Council’s Parking Services Annual Report, which summarises the parking and traffic enforcement responsibilities conducted by the Council in 2022/2023 and provides details of activities and related financial information

The provision of Resident Parking Schemes takes into account the County’s strategic and environmental objectives along with the needs of residents, local business and communities facilities. The removal of free, unlimited parking through the introduction of Resident Parking Schemes, increases the likelihood of residents being able to park close to their homes and encourages more sustainable modes of transport. It also reduces traffic movement which in turn cuts congestion and improves air quality makes options such as cycling and walking more attractive.

- In April 2019 Cambridgeshire County Council launched a pioneering “multi-vendor” phone parking service for drivers looking to park in the city’s Pay & Display bays, offering three cashless solutions for drivers to choose from at each location. Cambridge was the first city in the UK to introduce this type of multi-service scheme.

Since its introduction, cashless parking in Cambridge has grown considerably. The below table illustrates the percentage of customers now using cashless against using cash. The decrease in April 2020 and 2021 is reflected due to Covid.

April 2019	35%
April 2020	35%
April 2021	54%
October 2021	59%
April 2022	63%

- In August 2020, an Experimental Traffic Regulation Order to extend the hours of operation of the bus gate in Silver Street, Cambridge was made as part of the County Council’s response to the Covid-19 pandemic. This type of order enabled the Council to make changes to road layouts quickly to respond to the COVID-19 pandemic, within the four-week period specified by central

Government. The intention was for the changes to this busy street to help people social distance and encourage locals to travel actively by bike or on foot. The measures were funded by the Emergency Active Travel, a Government grant to promote active travel during the COVID-19 public health crisis.

This Order was made permanent in August 2021.

## **Introduction**

The key objective of the enforcement policy is to maintain an appropriate balance between the requirements of residents, visitors, businesses and access for disabled people and thereby contributing to the economic growth and success of the City. Enforcement is conducted both on- and off- street by Cambridgeshire County Council Parking Services and Civil Enforcement Officers employed through a term contract. These officers actively patrol and enforce parking restrictions supporting traffic management and safety responsibilities imposed on local authorities by legislation, directing patrol efforts to strategically important routes, areas of high contravention and sensitive locations in response to public demand.

We seek to enforce the various parking restrictions across the City in a fair and reasonable manner, and continual care is taken when dealing with representations from the public against the Penalty Charge Notices to ensure that all the circumstances are fully considered on a case-by-case basis. We are fully committed to being transparent about our Parking Services and enforcement activity.

In October 2014 the Department for Communities and Local Government issued guidance on the Local Government Transparency Code. The Local Government Transparency Code was issued to meet the government's desire to place more power into citizens' hands to increase democratic accountability. It will make it easier for local people to contribute to the local decision-making process and help shape public services.

The local Government Transparency code is a wide-ranging code which includes the requirement for Local Authorities to publish data including a breakdown of income and expenditure on the authorities parking account, how the authority has spent any surplus on its parking account and the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces.

This report provides an extensive record of activities during 2021/2022 financial year and explains how the service is managed and aims to develop an understanding and acceptance of such enforcement activity.

## **Parking Enforcement**

The Road Traffic Act 1991 introduced powers for Local Authorities to enforce on street parking and waiting restrictions under the term “Decriminalised Parking Enforcement”. Cambridgeshire County Council introduced a Special Parking Area within the City of Cambridge in 2004 under this legislation. This transferred responsibility for enforcement of non-endorsable parking contraventions from Cambridgeshire Constabulary to the local authority. The Traffic Management Act 2004 replaced the Road Traffic Act 1991 in 2008 and extended these powers to include the enforcement of restrictions by other methods which are now known as “Civil Parking Enforcement”. Parking offences are classified as civil offences rather than criminal offences under Civil Parking Enforcement.

The current guiding transport policy document is its Local Transport Plan (LTP) 2011-2031. The Plan is split into three main parts:

- The Policies and Strategy document sets out the Plan’s objectives, problems and challenges and the strategy to meet the challenges.
- The Long-Term Transport Strategy provides a high-level view of the more substantial transport infrastructure and services enhancements that are needed across the county.
- The Transport Delivery Plan is essentially a business plan detailing how we will deliver the LTP3 Strategy. It details our programmes for the delivery of improvements to the transport networks managed by the County Council, and also for the day-to-day management and maintenance of the network.

One of the challenges within the plan is “Key among the issues affecting Cambridge is the large-scale growth planned across the county, with the associated pressure on the transport network and the environment, and the risks of increased congestion and carbon dioxide emissions and worsening air quality”.

Although it is not possible to specifically measure the contribution of Civil Parking Enforcement on all objectives, as there are a wide range of other factors that influence them, it is clear that well considered and implemented enforcement will support this work.

Enforcement is conducted both on- and off-street by Cambridgeshire County Council Parking Services through Civil Enforcement Officers employed through a term contractor. Each officer receives the below specific training:

CIWM Roles and Responsibilities of a Civil Enforcement Officer; and CIWM Conflict Management

Civil Enforcement Officers are paid a set hourly rate and are not part of any incentive scheme. Their only enforcement requirement is to ensure that any Penalty Charge Notice is issued correctly and that all the supporting evidence (including photographs) is gathered and recorded.

Cambridgeshire County Council Parking Services currently enforces on-street parking restrictions, off-street Cambridge City Council car parks and on-street resident parking schemes in Cambridge.

We have a duty to consider all aspects of a case. The Secretary of States guidance states that even when a clear contravention has occurred, the Council has discretionary power to cancel a Penalty Charge Notice, and this duty is adhered too - “under general principles of public law, authorities have a duty to act fairly and proportionately and are encouraged to exercise discretion sensibly and reasonably and with due regard to the public interest”. This exercise of discretion is approached objectively and without regard to any financial interest (in the penalty or decisions) that may have been taken at an earlier stage. However, discretion can be used to cancel or enforce a Penalty Charge Notice and some motorists who challenge their Penalty Charge Notice may not always receive the decision that they were looking for.

### **Approximate Number of Parking Spaces**

Pay and Display Bays	1630
Resident Bays	5350
Others	966
Off-Street (Park and Ride)	6240

### **Bus Lane and Gate Enforcement**

Cambridgeshire County Council and its partners want to make public transport reliable and punctual. Bus lanes and gates, when operating properly, help improve journey times, punctuality and reliability which may help make public transport a more attractive option and in turn relieve congestion.

When bus lanes are misused, they are less effective, hence the need for effective enforcement. When people ignore bus lanes/gates, they can cause delays to public transport and increase the risk of accidents as other road users are unlikely to be aware of their presence.

In October 2005, powers were introduced under the Transport Act 2000 that made it possible for Cambridgeshire County Council to enforce the regulations governing the use of bus lanes in the County. The Police may still take action against persons

driving in bus lanes or ignoring road signs, however, Cambridgeshire Council's enforcement by approved device cameras has substantially increased the likelihood of those abusing bus lanes being caught out.

The penalty for being caught in a bus lane/gate is a £70 Penalty Charge Notice. Cameras record vehicles using bus lanes/gates and penalties are issued based on this information. Enforcement officers physically check the recordings to determine whether a contravention of the rules has taken place or if there may be other circumstances e.g., to avoid an accident. It is possible to make a representation against the Penalty Charge Notice within 28 days of it being issued.

### **Resident Parking Schemes**

Resident Permit Parking Zones first came to Cambridge in 1977 with the intention to enable residents to park in streets that would have otherwise been occupied by shoppers or commuters. As levels of car ownership and traffic patterns have developed, the zones have spread away from central Cambridge to other parts of the City affected by parking problems. There are currently 23 Resident Parking Zones providing approximately 5320 spaces.

There are currently three main types of permits available, resident, visitor and business, however, temporary permits and other discretionary permits are also available.

Resident Parking Schemes are initiated following requests from residents who have been unable to find parking spaces close to their own properties due to the parking of commuters, shoppers and visitors. It should be emphasised that resident parking schemes are never forced on unwilling communities. There is a long consultation process before a scheme is brought in, and all affected parties can give their views prior to a vote of affected residents being taken. The scheme gives priority to residents, their visitors and businesses located in a zone. It does not guarantee that a space will be available for permit holders to park, but it gives permit holders priority and it does significantly improve the ability of the residents to find a parking space.

The financial objectives of the TMA 2004 state charges should be set so that the cost of the permit covers the enforcement and administration of the scheme.

The statutory Guidance states that for good governance, enforcement authorities need to forecast revenue in advance. Raising revenue should not be the objective of Civil Parking Enforcement, nor may the authority set targets for revenue or the number of Penalty Charge Notices issued.

The purpose of penalty charges is to deter motorists from contravening parking restrictions. Payments received must only be used in accordance with Section 55 (as amended) of the Road Traffic Regulation Act 1984. This Act limits the purposes to which a Local Authority may apply any surplus resulting from income derived from

on-street parking spaces. This was however, amended by the Traffic Management Act and restrictions on Councils that do not require further off-street parking were relaxed to permit any surplus to be used for general transport measures and other purposes on which the Local Authority lawfully incurs expenditure.

## **On-Street Pay and Display**

Cambridgeshire County Council is responsible for approximately 1630 on-street pay and display bays. These parking spaces play a key role in combating congestion within Cambridge.

A number of factors have come together to create an almost perfect storm which prohibits access to traditional urban centres for car users. To begin with, the vast majority of our traditional urban centre's pre-date the existence of cars and common car ownership. They are not purpose-built to accommodate the car and their density and high concentration of land use along with multiple land ownership make them difficult and expensive to adapt. What adaptation has taken place allows for a finite number of car users at any one time to drive into the centre. Once upon a time, this finite number may have been adequate to accommodate everyone who wanted to drive into the centre, but two important developments now prevent this.

- 1. High Levels of Car Ownership** – The RAC Foundation have stated that the cost of the family car today is the equivalent of just 20 months average annual salary compared to four years average annual salary in 1952. Consequently, the number of vehicles on Britain's roads has gone from 2.5 million to 34.5 million.
- 2. Cars are Nearly Always Parked** – Parking is performed at the beginning and end of nearly every journey. In fact, cars are estimated to spend an average of only 3 to 4% of its time in transit, spending about 80% of the duration parked at home and the remaining 16% parked at a destination.

Accommodating all car users is simply impossible in the modern day for our town centres. Parking management and enforcement has become a necessity in many busy locations. However, the nature of management and enforcement has caused conflict between the car user and the town centre.

As stated above, today's levels of car ownership are extremely problematic for town centres. Unrestricted parking will lead to congestion, obstructions, pollution and spaces being occupied by the wrong users at inappropriate times. Well thought out parking management can be used to moderate demand, target specific types of users at different times of the day. For example, parking management has been used to ensure disabled car users benefit from convenient and free access to the city centre. Parking management has been used to suppress demand during peak-time and encourage demand during off-peak.

Over time, parking has proved to be a good tool for generating revenue for local authorities. This is during an era in which public finances find themselves under increasing pressure. However, local authorities do not have complete freedom to spend this revenue on what they want. Legislation prescribes how income from on-street parking can be used by local authorities, this dictates that any incidental operating surplus from on-street parking is spent on transport and environmental improvements.

### **Financial Information**

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### **Civil Parking Enforcement**

<b>EXPENDITURE</b>	<b>2021/2022</b>	<b>2022/2023</b>
Employee Costs	336,664	374,830
Cash Collection Costs	19,668	15,579
Traffic Enforcement Court Fees	36,00	29,000
Office Supplies and Internal Services	14,552	14,501
Traffic Penalty Tribunal Levy	22,988	13,274
Signs and Lines	10,314	1053

<b>INCOME</b>	<b>2021/2022</b>	<b>2022/2023</b>
On Street Pay and Display	-2,202,196	-2,895,475
Resident Permits	-701,837	-728,677
HDC	-2,704	-1,866
Ely Permits	0	0
Dispensations/Waivers	-92,812	-77,878
Suspensions	-236,726	-425,379
Penalty Charge Notices	-1,094,303	-1,209,819
<b>TOTALS</b>	<b>-4,330,578</b>	<b>-5,339,094</b>

<b>ALLOCATION OF PARKING SURPLUS</b>	<b>2021/2022</b>	<b>2022/2023</b>
Concessionary Fares	0	0
Rising Bollard Maintenance	0	0
IHMC and Traffic staff	283,795	460,963
Real Time Passenger Information System	0	0
Traffic Surveys	78,890	78,890
Drummer Street	14,072	0
Cambridge City Highways	418,952	535,023
South Cambs Highways	589,876	749,868
Hunts Highways	476,202	581,770
Library rent & legal	0	0
Passenger Transport	0	0
Fenland Highways	386,828	506,936
East Highways	331,053	458,657
Improving drought damaged roads	0	0
Lighting columns & signs to improve safety	0	0
General Highways maintenance	16,428	0
Signals	43,322	45,155
Safety cameras	77,548	77,548
Park and Ride	123,661	760,499
<b>TOTALS</b>	<b>2,840,627</b>	<b>4,255,309</b>

### **Bus Lane/Gate Account**

Section 144 of the transport Act 2000 provides the necessary powers to enable the Secretary of State by regulation to make provision for the imposition of penalty charges in respect of the bus lane contraventions, and the payment of such penalty charges. These regulations, The Bus Lane Contraventions (Penalty Charges,



Adjudication and Enforcement) (England) Regulations 2005 and three supplementary instruments are now in place.

Section 144 includes the following key provisions that are relevant to authorities outside London:

- a) Only County Councils, Metropolitan District Councils and Unitary Authorities with decriminalised parking enforcement powers can be given approval to use these enforcement powers;
- b) It defines, for the purpose of the Act, what constitutes a bus lane;
- c) It provides for the setting, administering and application of penalty charge notices;
- d) a penalty charge can be imposed only on the basis of a record produced by an appropriate device, which means an approved unattended camera enforcement system or approved equipment for recording the evidence from attended camera systems; and
- e) there can be no double jeopardy for the same contravention between any criminal proceedings by police (including by a fixed penalty notice) and a bus lane contravention

It should be noted that bus lane offences are not decriminalised and that, where civil enforcement of bus lanes applies in an area, contraventions of bus lane orders may continue to be enforced as a criminal offence as well as through the civil procedure.

### **Funding issues**

Each local authority operating bus lane enforcement needs to ensure that the operations are not only effective, in that they deliver transport objectives, but are carried out efficiently and economically. To help monitor this, the authority must set up a separate bus lane account in which they record expenditure on and income from bus lane enforcement.

Revenue raised from bus lane enforcement penalty charge notices should initially be used to recover the costs of setting up, operating and maintaining the bus lane enforcement scheme. Any surplus revenue raised should be spent in accordance with regulation 36 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. The purposes set out are:

- a) returning to the general fund any money provided to cover a deficit in the bus lane enforcement account in the four years immediately before the financial year in question;

b) meeting costs incurred, by the authority or some other person, to provide or operate public transport services or facilities; and

c) highway improvements in the authority's area.

<b>INCOME</b>	<b>2021/2022</b>	<b>2022/2023</b>
Penalty Charge Notices	-1,711,775	-1,477,418
<b>TOTALS</b>	<b>-1,711,775</b>	<b>-1,477,418</b>

<b>EXPENDITURE</b>	<b>2021/2022</b>	<b>2022/2023</b>
Employee Costs	256,624	267,939
Contractor costs	39,108	55,935
IT support	227,634	148,158
Traffic Penalty Tribunal Levy	9,877	31,126
Traffic Enforcement Court Fees	56,000	29,500
Contribution to Passenger Transport, Highways & Guided Busway	1,303,829	1,382,000
Signs and Lines/New Installation works Costs	6,547	0
<b>TOTALS</b>	<b>1,899,619</b>	<b>1,914,658</b>