

Subject:	School Parking Enforcement Review report		
Date of Meeting:	22 January 2019		
Report of:	Executive Director Economy, Environment & Culture		
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Ward(s) affected:	All		

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

- 1.1 The report presents a review of school parking enforcement, following on from the report submitted to Environment, Transport & Sustainability (ETS) Committee on 20th March 2018. The previous report recommended the employment of three additional Civil Enforcement Officers to assist with school parking enforcement and enforcement of areas outside the City Centre. This report demonstrates the progress of the additional Civil Enforcement Officers and the consideration of alternative options to assist in school parking enforcement.

2. RECOMMENDATIONS:

- 2.1 That Committee notes the progress of the employment of three additional Civil Enforcement Officers for school parking enforcement.
- 2.2 That Committee notes the reporting of antisocial behaviour is promoted and encouraged by School Crossing Patrol Officers and the wider school community and officers will continue to monitor trials of body worn cameras on school crossing patrols in West Sussex.
- 2.3 That Committee notes that the School Travel Team within City Transport is working with Sustrans and Living Streets to encourage behaviour change and to provide effective school parking enforcement with the Parking Strategy and Contracts Team.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A report on school parking enforcement was submitted to ETS Committee on 20th March 2018 recommending the employment of three additional Civil Enforcement Officers to assist with school parking enforcement, and to assist in tackling parking contraventions in the areas of the city not within the Controlled Parking Zones (CPZs). The recommendation was agreed by Members of this Committee and the officers were employed in June 2018. A further report on school parking enforcement was requested, and agreed, and a petition was also submitted to Committee in October 2018 regarding parking issues at Hangleton Primary School and Goldstone School. During this period the Transport Projects Team have begun work on the Hangleton Safer Routes to Schools Scheme.

- 3.2 The three additional officers work with the two other Civil Enforcement Officers who are deployed on school parking enforcement duties. The officers have been active in dealing with both school parking enforcement issues and tackling parking contraventions outside of the Controlled Parking Zones. It was projected that the officers would be 80% self-funding for the first year, issuing an estimated average of 6 Penalty Charge Notices per day. The performance of the additional officers to date has shown an average of 6.25 Penalty Charge Notices per day. The additional officers have allowed, where appropriate, a more robust enforcement approach at schools, tackling double parking and protecting school keep clear markings and restrictions.

Consideration of alternative options to assist in School Parking Enforcement

- 3.3 A number of alternative options have been suggested and this report provides an evaluation on the use of Body Worn Cameras on School Crossing Patrol Officers, Public Space Protection Orders (PSPOs), CCTV / Automatic Number Plate Recognition vehicles and the Extension of Restrictions outside Schools. The report also provides details on the work carried out by the School Travel Team and the Safer Routes to School Programme.

School Travel Team

- 3.4 The School Travel Team works on school travel plans. The School Travel Team works in partnership with schools and nurseries to help develop school travel plans. These plans provide a framework for school communities to encourage and support families to travel to school in a safe, active and sustainable way. The School Travel Team supports schools to deliver the initiatives within their travel plan, by working especially with the pupils as School Travel Ambassadors and to engage with children, parents, carers and staff to encourage travel behaviour change.
- 3.5 The School Travel Team comprises of three officers working 2.4 full time equivalent posts. The team is grant funded by the Department for Transport (DfT) through the Access Fund for Sustainable Travel until March 2020. The School Travel Team is supporting the Air Quality/Anti-Idling Project 2018/19. This is a joint initiative with East and West Sussex Councils aimed at trying to reduce engine idling outside some schools to help improve air quality within Air Quality Management areas. The delivery of the project will be from Sustrans and Living Streets. The School Travel Team will also be supporting the Sustrans led "School Streets" events in March 2019

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The main alternatives are going ahead with the further options reviewed and outlined in the report.
- 4.2 However, it is the recommendation of officers that these options are not progressed for the reasons outlined within the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

Body worn cameras on School Crossing Patrol Officers

- 5.1 There are currently 10 School Crossing Patrol Officers employed and if at full capacity the council would have 21 officers employed. Recruiting to fill these posts has proven to be difficult. Seven officers were asked if they would be happy to wear body worn cameras whilst on duty. Only three, out of the seven officers, would wish to wear and use body worn cameras. The other School Crossing Patrol Officers indicated they did not want to be involved in the prosecution process or attend the extra training required. The job description of a School Crossing Patrol Officer does not require prosecution work as a condition of duty.
- 5.2 There are financial considerations in the purchase, maintenance and administration of cameras and associated data and equipment and training of all staff to ensure policies are in place to ensure their use complies with the General Data Protection Regulation, Data Protection Act, Protection of Freedoms Act, Human Rights Act and Regulation of Investigatory Powers Act.
- 5.3 As an alternative to the wearing of body cameras, any incident can either be reported directly to the Service Manager or to the Police run Operation Crackdown. Incidents reported to Operation Crackdown can lead to prosecution, dependant on evidence, or a visit or warning letter from the Police.
- 5.4 It is planned to have closer working relationships with schools, parents and the community to look at the anti-social behaviour issues associated with driving outside schools whilst the School Crossing Patrol Officer is on duty. Additional monitoring will be carried out to identify locations where antisocial behaviour does occur and undertake targeted promotions to advertise reporting of this behaviour.
- 5.5 Legal Officers have advised that under the Human Rights Act 1998, which binds public authorities, a pressing need has to be demonstrated when surveillance is undertaken. The use of surveillance cameras must be necessary, proportionate and transparent. Body cameras must be used in a way that does not invade a person's privacy.

Public Space Protection Orders (PSPOs) for School Parking Enforcement

- 5.6 PSPOs were considered in the report submitted to ETS committee on 20th March 2018, taking guidance from Legal Officers. Consultation with the police and community representatives is required before a PSPO can be introduced. PSPOs can be resource intensive to introduce and enforce. It is doubtful that costs could be recouped so this would lead to an additional expense to the Council.
- 5.7 PSPOs have been reconsidered and there are a number of concerns on the use of such orders. PSPOs are used for school parking enforcement in the London Borough of Havering. Costs for first year in the London Borough of Havering were £728K in 2016 with ongoing annual maintenance costs of £66K. A PSPO, for example, in the Hangleton area would be of a similar size and comparable cost. There would also be the need to employ additional staff as PSPOs are enforced by Fixed Penalty Notices (FPNs) rather than the Civil Penalty Charge

Notices (PCNs). Civil Enforcement Officers do not issue FPNs for traffic related offences

- 5.8 The Local Government Association's Public Spaces Protection Orders Guidance for Councils has been reviewed. The section on "Displacing Behaviour" (on page 9 of the guide) has been noted and displacement of problems is a concern. We have looked at the plans of the PSPOs for the London Borough of Havering and a similar scheme could result in displacement of problems rather than a solution. Parking problems could displace to surrounding roads outside the area of a PSPO, this would then result in the same parking problems albeit in different residential roads.
- 5.9 Consideration has also been given to the "Assessing Potential Impact and The Equality Act 2010" of the Local Government Association Guide (on page 10 of the guide). An Equalities Impact Assessment would need to be undertaken and there is a need for an Exemption Criteria for a School PSPO.
- 5.10 This Exemption Criteria would therefore not stop all school related parking and traffic. Examples of exemptions are Blue Badge holders, persons receiving Personal Independence Payment, being in receipt of school transport assistance on medical grounds. Further examples are a medical condition that results in the restriction imposed by a PSPO being considered by a qualified medical practitioner to be detrimental to health and wellbeing, and special circumstances such as a temporary injury .e.g. a broken leg.
- 5.11 A breach of a PSPO is a criminal offence and can lead to prosecution if the Fixed Penalty Notice is not paid. Prosecution through the courts can lead to a fine of up to £1000. The criminalisation of parents dropping off children to school could be detrimental to the work carried out by the School Travel Team who work with schools, nurseries, parents and children to encourage travel behaviour change through innovative and fun projects, which encourages participation and which is sustained for the long term.

Safer Routes to School Programme

- 5.12 The Local Transport Plan provides funding for an annual Safer Routes to School Programme, which is a casualty led programme of improvements to the highway to remove risks and perceived risks in travelling to schools by walking and cycling. The Hangleton Safer Routes to Schools scheme is part of this Programme and was approved by this committee at its meeting of 27th November 2018 representing the Council's ongoing investment in improving travel to and from schools and therefore the associated parking generated by school travel.
- 5.13 It is estimated the project will be completed by late summer 2019 in time for the 2019/20 academic year. The School Travel Team and Parking Strategy and Contracts Team will continue to work together. If problems arise the teams will liaise and plan for the most effective use of resources. The Civil Enforcement Officers, deployed on school parking enforcement duties, will support the scheme and take enforcement action if road traffic contraventions occur. It is felt the success of the scheme should be analysed and reported upon before committing to further spending on additional parking enforcement options.

CCTV / Automatic Number Plate Recognition (ANPR) vehicle

- 5.14 As previously reported within the report to ETS committee on 20th March 2018, a car fitted with CCTV and ANPR would cost at least £80k for an entry level vehicle. The costs would escalate as additional staff are required not only to staff the vehicles but as back office support.
- 5.15 For the ANPR aspect of the car to operate the Traffic Regulation Orders (TRO's) would need to be mapped onto software which is both a costly and timely exercise. Covering those costs via income from the additional Penalty Charge Notices (PCNs) would not be achievable.
- 5.16 The new Parking Enforcement Contract is due to commence in January 2021. The preparation of the new contract is underway and will consider the use of new technology, including ANPR and Map Based TROs. During the interim period it would not be financially viable or time effective to bring in the use of an ANPR vehicle, but this can be reconsidered in the future.
- 5.17 Double parking at schools, especially near the entrance, is at present one of the main complaints received and the use of four enforcement officers to tackle double parking and protect school keep clear lines is now being used effectively.

Extension of restrictions outside schools

- 5.18 Outside of the Safer Routes to Schools scheme consideration has been given by the Parking Infrastructure Team to an extension of parking restrictions outside schools. However, there are difficulties in putting in additional widespread parking restrictions outside schools as this does not prevent people from driving to the schools, but displaces the traffic and parking to other roads. People may have made a decision to live in roads in close proximity to the school but without the associated difficulties that come with living on the same road as the school. Therefore, this is likely to lead to significant objections from local residents outlining that the Council are simply displacing the problem.
- 5.19 The Council are restricted to what can be implemented, school keep clears can only be used immediately outside of schools and loading restrictions can trigger a public inquiry if implemented for a certain length at peak periods. By putting in a loading ban on single yellow lines this would prevent blue badge holders (parents, children and residents) from being able to use this area to park so they would have to be carefully balanced with other issues and considered on the merits of the individual circumstance. This is a key consideration as having too many loading bans can lessen the effectiveness of double yellow lines.
- 5.20 In order to install yellow lines the widespread proposals would need to be put to the public, in the form of a draft Traffic Regulation Order, followed by the correct signing and road markings on site (or removal of them) if the proposals are approved. This would require substantial time and cost. We are looking to implement some additional restrictions in key spots, however, these would be limited to avoid displacement and would involve liaison with the Transport Projects section regarding any changes around the schools to make sure they tie in with the school travel plans.

6. CONCLUSION

- 6.1 It is felt that increasing the number of Civil Enforcement Officers deployed on school parking enforcement duties has provided a more flexible and, where appropriate, robust method to tackle school parking enforcement.
- 6.2 It is felt that bringing in PSPOs, and the required CCTV equipment, would be expensive and would only displace parking and traffic problems. The use of body worn cameras by School Crossing Patrol Officers is not considered a practical and effective way to reduce incidents and officers will continue to monitor trials of body worn cameras on school crossing patrols in West Sussex.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no additional costs to the recommendations in this report.
- 7.2 It was estimated that the cost for employment of three civil enforcement officers would be 80% self-funding for the first two years, with full funding by the end of year 3, from Penalty Charge Notices (PCNs) issued by the civil enforcement officers whilst carrying out other enforcement duties outside of school hours. Based on the current performance this estimate was accurate and the performance is just above what was projected.
- 7.3 The Hangleton Safer Routes to Schools scheme funding has been detailed within a separate report to Environment, Transport and Sustainability committee on 27th November 2018.

Finance Officer Consulted: Gemma Jackson

Date: 04/01/19

Legal Implications:

- 7.4 The Legal Implications are considered in the body of this report

Lawyer consulted: Stephanie Stammers:

Date: 21/12/18

Equalities Implications:

- 7.5 There are no foreseen equalities implications.

Sustainability Implications:

- 7.6 It is felt that the continued work by the School Travel Team, working with Sustrans, Living Streets Project and the Parking Strategy and Contracts Team will assist in improving sustainable travel options in the city.

Any Other Significant Implications:

- 7.6 There are no other foreseen significant implications.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. School Parking Enforcement report. Date of Meeting: 20 March 2018.
2. Hangleton Safer Routes to School Scheme report. Date of Meeting: 27 November 2018

