

PARKING ENFORCEMENT ACTIVITY - STATUTORY NOTICES

The Council aims to deliver its parking enforcement activities in order to support Building a Better Bromley's 'A Quality Environment' & 'Safe Bromley',

Parking Services continues to enforce the Blue Badge misuse project, (introduced across the two boroughs in 2017/18 as part of the shared service), in partnership with APCOA. In 2019/20 there were 1448 checks of disabled badges around the Borough. Out of these checks, 128 were confiscated as the badge had expired or the CEO (Civil Enforcement Officer) had reason to believe that the badge was being misused.

There were 66 cases of Blue Badge misused being taken to court for prosecution, all of these either pleaded guilty or were found guilty in their absence at court.

The main role of a CEO is to keep the traffic flowing and when the local restrictions are not being adhered to, a PCN will be issued. The table below highlights the enforcement activity in terms of PCNs served over the last 4 years.

Legislation	Description	16-17	17-18	18-19	19-20
<u>Traffic management Act 2004</u>	PCN issued, including bus lanes.	89,185	80,495	73,348	78,435

The number of PCNs year on year can fluctuate depending on policy and introduction of new technologies and on street activity. In 17/18 a new contract was awarded to APCOA which resulted in a reduction in the number of PCNs being issued. Management action and application of KPI penalties in the contract have mitigated the loss to the council. The service is continuing to work with APCOA to ensure improvements in deployment practices and performance is delivered, last year there was an increase in APCOAs performance.

There are 10 KPIs within the contract around the enforcement activity, this includes monitoring the CEOs hours on street, PCNs issued, Enforcement Request visits and checks they are using their Body Warn Video currently.

KPI	Description	Number of Defaults served in 2019/20
Enf 1	Processing of all Regulation 9 CEO issued PCNs and Warning Notices. To be processed and uploaded onto the ICT system with associated photographs, BWV within 24 hours of issue.	2

Enf 2	<p>CCTV notice Processing (PCN and Warning Notices included).</p> <p>100% of CCTV footage must be reviewed and PCN's entered and processed onto the notice processing system within three working days of the contravention being recorded, including uploading of evidence onto the public facing module of the IT system. This will be measured using the daily log sheet recorded by the CCTV Operatives.</p>	10
Enf 3	<p>Civil Enforcement Error. For the purposes of assessing performance, CEOs error which have been cancelled as part of a client processing procedures. Voids & Spoilt are not included in this KPI</p> <ul style="list-style-type: none"> • Insufficient or poor quality evidence, notes, photographs etc • Incorrect information on PCN e.g. Incorrect contravention code, incorrect street etc, • PCNs issued in error i.e. driver complied with rules and regulations • Failure to follow Enforcement Guidelines e.g. observation times, • Other errors originating with the CEO that results in a cancelled PCN, which should have been rectified by Service providers not including Performance Related Reductions 	986
Enf 4	<p>Minimum Deployment level on a given day Measured against the method statement provided or agreement throughout the contract.</p>	0
Enf 5	<p>Deployed Hours (CEOs on Street only) - (not linked to actual CEOs) Measured against the method statement provided or agreement throughout the contract.</p> <p>Permitted variation to planned hours, hours Met/Not Met. (up to - 5% and +10% each month. Up to end of March per annum 100% must be achieved).</p>	0
Enf 6	<p>Number of CEOs deployed per day</p> <p>Measured against the method statement provided or agreement throughout the contract.</p>	0

Enf 7	Compliance rate The compliance rate will be monitored by client Officers observing vehicles in the defined areas to assess if adequate enforcement coverage is being achieved. Failure to address non-compliance of parking regulations will result in a failure to meet this KPI.	0
Enf 8	Urgent enforcement requests. Service providers must attend requests within times set in the table set out in 4.7.10.	15
Enf 9	BWV quantity. 95% of PCNs must have body worn video unless the Service provider has highlighted a problem in advance. i.e. 100 PCNs issued and 10 of those do not have any BWV Video. This would result in 5 individual failures.	53
Enf 10	Quality BWV Video. This KPI will be measured by random sampling up to 100 body worn video checks in any monthly period, and the percentage of checks where the standard of body worn video has fallen below the satisfactory level cannot be lower than 95% at any time throughout the contract term. The Authorised Officer will have the final decision on what constitutes a pass or fail.	94

The KPIs are discussed monthly with the Managing Director of APCOA as well as the contract meetings and APCOA have paid a default charge as detailed in the specification for each one of the 1060 events in 19/20. KPIs were held in March 2020 due to the Covid-19 pandemic and it was agreed with Senior Management and APCOA that the average default amount from the past year would be issued.

Parking Services continue to work with APCOA to improve their performance around the Borough and this has resulted in an increase in the level of PCNs from the last couple of years. Transportation around the Borough remains a concern, APCOA have confirmed that the most productive CEOs are those on mopeds, however they have difficulty in recruiting staff with a relevant licence or those who are willing to take that licence.

Parking Services and APCOA are working together to investigate further opportunities which may help to improve enforcement, such as increasing the number of CEOs on street and virtual briefings.

Appeals Service

Bromley aims to provide accessible, affordable, fair and effective parking services and this involves enforcement activity. If Penalty Charge Notices (PCNs) are fairly issued, then the number of appeals should be low and the data in figure 1 below shows the number of appeals to have been heard by Environment & Traffic

Adjudicators (the independent appeals body) has fallen steadily from 274 in 2011/17 to only 113 in 2019/20 (a significant reduction).

Clearly Bromley wishes to win any appeals which do go to the Environment & Traffic Adjudicators The data in figure 2 shows that LB Bromley won 83% of appeals which were heard by the adjudicator, which is in line with is slightly less than previous years, however officers have seen as increase in evidence being provided at this late stage and therefore officers have had to cancel more cases at this late stage of the appeals process.

Legislation	Description	16-17	17-18	18-19	19-20
<u>Traffic management Act 2004</u>	Appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (ES8)	274	300	192	113
<u>Traffic management Act 2004</u>	ETA cases won by LBB (ES9) (% of cases heard)	81	80	90	73