

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 2020/21 7,438 badges were checked by Civil Enforcement Officers (CEOs) across the Borough, however due to COVID no physical badges were confiscated, although one badge was surrendered to a CEO.

There were 72 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 5 years.

Legislation	Description	16-17	17-18	18-19	19-20	20-21
<u>Traffic management Act 2004</u>	PCN issued, including bus lanes.	89,185	80,495	73,348	78,435	56,962

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.

Due to COVID, it was necessary to make various operational challenges to the pre - pandemic enforcement operations. These included:

- A shortening of patrol lengths to ensure that proper hygiene standards were maintained
- A focus on main thoroughfares and congestion areas
- A reduction in the number of active patrols as a result of social distancing guidelines having to be followed in the base of operations by the service supplier, and
- Patrols were also lost as a result of several CEOs having to self-isolate, as a result of contracting COVID, or being instructed to self-isolate in accordance with Government guidelines

Unsurprisingly, COVID has impacted on the number of PCNs issued for all types of traffic and parking contraventions.

The CEOs also helped with the Traffic flow at the waste sites when the Council re-opened these as less CEOs was needed on street for enforcement purposes.

There are 10 KPIs within the contract around the I 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 20/21
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	CCTV notice Processing (PCN and Warning Notices included). 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.	4
Enf 3	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 <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 	515
Enf 4	Minimum Deployment level on a given day Measured against the method statement provided or agreement throughout the contract.	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	<p>Compliance rate</p> <p>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.</p>	0
Enf 8	<p>Urgent enforcement requests.</p> <p>Service providers must attend requests within times set in the table set out in 4.7.10.</p>	0
Enf 9	<p>BWV quantity.</p> <p>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.</p>	0
Enf 10	<p>Quality BWV Video.</p> <p>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.</p>	0

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. Due to the Covid-19 pandemic it was agreed with Senior Management at the Council and APCOA that some KPIs over 20/21 would not be monitored or triggered over parts of the year.

Parking Services continues to work with APCOA to review the service and ensure that enforcement is being as efficient as it can be.

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 2011/16/17 to 176 in 2020/21 (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 86% of appeals which were heard by the adjudicator, which is a good increase from 19/20.

Legislation	Description	16-17	17-18	18-19	19-20	20-21
<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	176
<u>Traffic management Act 2004</u>	ETA cases won by LBB (ES9) (% of cases heard)	81	80	90	73	86