

London Councils

The voice of London local government

Deregulation Bill - New Clause 25

House of Commons - Monday 23 June 2014

Summary

London Councils is not in favour of NC25 on the issue of '*Civil penalties for parking contraventions: enforcement*' and we shall oppose this in the Commons and in the Lords too.

On the one hand the government has dragged its heels on this issue.

- The DfT / CLG consultation on local authority parking ran from December 2013 until 15 Feb 2014. In it the government promised that 'a summary of responses, including the next steps, will be published within three months of the consultation closing'. They have not done so.
- The minister told a 27 March 2014 Westminster Hall debate on parking that they were 'currently considering over 800 responses to the consultation, and will be responding in full in due course'.
- There is therefore no published analysis of the consultation's responses or a Government view for local authorities and others to consider.

On the other hand they now seem to be in a huge rush

- There was no mention of parking in the Queen's Speech, just two weeks ago.
- The amendment was tabled on 17 June, along with many others on this Bill. This gives MPs and local authorities just a few working days to consider all the implications of this provision
- The minister said at the BPA Parking Summit "...Let me reassure you that, despite what some press reports claim, we have not already reached a decision. I will be looking at all the responses to the consultation carefully. We will not be taking any hasty decisions."

Taking a hasty decision to table a wide-ranging, badly drafted clause with many instances of secondary powers at the last possible moment in the House of Commons stages is just what they have done. Could the minister say what the responses of local authorities and others were to the consultation? Is a CCTV ban what local authorities want? Would the minister not agree that local authorities are best placed to judge the local situation in their areas and respond in the most appropriate manner?

What London Council would want.

Whilst we are strongly against a complete CCTV ban, there may be a case for restricting the use of CCTV in some circumstances. The government must ensure that its continued use is allowed where it is judged to be essential either to prevent accidents or to reduce congestion at critical locations. As drafted, NC25 is a blanket ban on the use of CCTV and puts all the power in the hands of the Secretary of State to add or to remove exemptions. This represents an unwelcome centralising power and London Councils as well as parking industry groups, charities and the education sector are against this. In addition, we would be very concerned if NC25 also applied to 'off-street' as well as 'on-street' parking - it's not clear.

We were reassured that the minister said in the 27 March 2014 Westminster Hall debate on parking that 'we must ensure that the basic rules and regulations help councils to deliver balanced and effective parking strategies. In respect of the consultation, he said that he 'will look carefully at all the responses, and am very aware of the wide range of views among stakeholders about sensitive issues such as camera enforcement'. He also admitted that he 'believes that the majority of local authorities and parking providers are doing very good work'.

If these statements are true, why has this provision been bounced on local authorities with no advance notice and very little time to consider the provisions before they are debated?

London Councils believes that proper parking regulations are an essential element of urban transport and traffic management. Parking regulations are primarily in the motorists' interest and are needed to:

- Reduce accidents
- Reduce congestion
- Manage the use of the kerb space where demand exceeds supply

In regard to the use of CCTV, London Councils believes that:

- London Councils does not believe that CCTV use should be banned, and strongly disagrees with this proposal. CCTV cameras are a vital enforcement tool and any ban would significantly reduce the effectiveness of parking enforcement and have a negative impact on the road traffic network.
- The use of CCTV outside schools ensures the health and safety of school children. It has proved vital in changing parking habits and is supported by the vast majority of parents and teachers. Research by LB Bromley on motorists who have received a PCN shows that nearly half would park dangerously on school entrance markings again if they thought they would get away without a penalty.
- There are many locations where reliance on on-street Civil Enforcement Officer (CEO) enforcement has not proved effective, and the introduction of CCTV has been crucial in improving compliance and reducing congestion. Such areas include (not an exclusive list):
 - Major junctions
 - No waiting/loading restrictions
 - Bus stops
 - Pedestrian Crossings marked by zig-zag lines
 - Footways
- Evidence from London Borough of Camden indicates that over 86 per cent of PCNs issued are issued for contravening the above parking restrictions. CCTV is not used where vehicles are permitted to park, for example in pay and display bays or residents-only bays.
- The physical presence of a CEO often does not act as a deterrent. The use of CCTV eliminates this problem, and therefore increases compliance.
- Any CCTV ban would have negative effects on congestion and traffic management, as more motorists would take a chance and stop where it is not permitted.
- Removing the ability to enforce by CCTV would result in significantly increased costs to achieve equitable levels of compliance. Any proposed alternatives would be reverse the efficiency gains that authorities are delivering. There are significant costs at the public expense, as investment into infrastructure installed to facilitate CCTV enforcement would have to be decommissioned.
- There may be impacts on community safety where default traffic enforcement adds to the additional level of surveillance. Boroughs have reported that many interventions in crime and anti-social behaviour were initiated by operators involved in traffic enforcement.

Contact:

Oliver Hatch, Public Affairs Manager

Email: oliver.hatch@londoncouncils.gov.uk

Tel: 020 7934 9558

London Councils represents all 32 London boroughs and the City of London. The Mayor's Office for Policing and Crime and the London Fire and Emergency Planning Authority are also in membership