

From: Michael Payne, Cabinet Member for Highways and Transport

Barbara Cooper, Corporate Director for Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 18 March 2021

Subject: HGV Parking Enforcement Update

Classification: Unrestricted

Past Pathway of Paper: **n/a**

Future Pathway of Paper: **n/a**

Electoral Division: **County-wide**

Summary: This report provides an update on the Council's HGV parking enforcement activity, implemented 1st January 2021, in support of the wider Kent Resilience Forum and national government Traffic Management Plans post EU-exit transition period.

Recommendation: The Cabinet Committee is asked to note the update on the operation of the Kent County Council HGV enforcement operation.

1. Background

- 1.1 As the UK's gateway to Europe, Kent residents suffer a variety of issues arising from lorry traffic. The Council raised its concerns with the Department for Transport (DfT) in 2020 that the proposed traffic management plans to cope with the end of transition could exacerbate existing issues with inappropriate lorry parking and have a direct impact upon the lives of our residents.
- 1.2 As part of the wider post EU exit transition period plans, DfT granted Kent County Council (KCC) powers to introduce an Experimental Traffic Regulation Order (ETRO) prohibiting any heavy goods or large goods vehicle which has a gross vehicle weight in excess of 5,000kg (5 tonnes) from parking anywhere within 7 districts and boroughs, likely to be most impacted by the traffic management plans. The areas included are Ashford, Canterbury, Dover, Folkestone & Hythe, Maidstone, Swale and Thanet. The restriction covers all the areas within these districts and boroughs with the exception of lay-bys located along the A249, A299 and A256. Also exempted from enforcement are drivers who take their short statutory break (45 minutes), anywhere within the zone, in safe roadside locations.

1.3 The intent of this scheme has 2 primary objectives:

- Support the EU-Exit post transition period traffic management plans.
- Protect our residents and businesses by ensuring HGVs do not park in unsuitable locations and therefore, avoid some of the negative impacts these can cause, for example, noise, pollution, litter and anti-social behaviour.

1.4 The Parliamentary under Secretary of State for Transport has permitted first time clamping of vehicles that contravene the restriction and a £150 clamp release fee, in addition to a Penalty Charge Notice (PCN), for a period of 6 months from 1st January 2021. This permission is specific to the County Council, in the 7 named districts and boroughs. KCC appointed an agent, to carry out enforcement of this restriction, with resource providing 24 hour a day, 7 day a week coverage.

1.5 Hundreds of signs have been deployed around the 7 named districts and boroughs to define the zonal parking restriction, using entry and exit signage to inform drivers when they are entering and leaving the areas to which the restriction applies. Where HGV 'no parking' signs are in place for existing restrictions, these have been greyed out and a small repeater sign placed next to existing sign to ensure it is clear to the driver that they are in a restricted zone.

2. Enforcement Update

2.1 Whilst the restriction came into force early January, KCC's enforcement agent carried out a period of "soft enforcement" by speaking to drivers and handing out over 500 multi-language warning leaflets. Enforcement by the application of a PCN and Clamp commenced 11th January 2021.

2.2 The advert for the Experimental Traffic Regulation Order was placed on 25 December 2020. As this is an Experimental Traffic Regulation Order (ETRO), the consultation period lasts for a period of 6 months whilst the restriction is in force. The consultation for the ETRO is live on KCC's consultation webpage, with a closing date for comments of 3rd July 2021. Engagement also took place with Road Haulage Association and Logistics UK in December 2020, prior to the ETRO coming into force in January 2021.

2.3 147 responses to the Traffic Regulation Order consultation have been received to date and are summarised as follows:

Support	77	52.38%
Object	70	47.62%

2.4 Most of the responses have included comments, by both those supporting the proposal and objecting to it. These will continue to be reviewed as part of the on-going consultation process.

2.5 For the first 6 weeks of the scheme (11th January – 21st February 2021), KCC have issued a total of 1098 PCNs and clamps, with weekly distribution as follows:

Week Ending	No of clamps issued in week	Running total
17 th January	162	162
24 th January	186	348
31 st January	172	520
7 th February	172	692
14 th February	218	910
21 st February	188	1098

2.6 In addition to above, Ashford Borough Council continued with their existing clamping enforcement operation between 11th and 20th January 2021 and issued a total of 66 PCN and clamps during this time.

2.7 Of the total PCN and clamps issued by KCC to date, the majority have been along the M20 corridor from Maidstone towards Eurotunnel and the Port of Dover. Dover (31%), Ashford (30%), Maidstone (17%) and Folkestone & Hythe (13%) account for over 90% of the total volume of clamps issued. Canterbury (7%), Thanet (2%) and Swale (less than 1%) account for the remaining clamps.

2.8 Of the total PCN and clamps issued by KCC to date, 17% have been applied to UK registered vehicles found in contravention of the parking restriction with 83% made up of EU and International registered vehicles. Bulgarian, Romanian, Latvian, Polish and Spanish registered vehicles account of 50% of those EU/International registered vehicles.

2.9 Of the total PCN and clamps issued by KCC to date, the following table clearly shows the majority of clamps have been issued overnight:

Hours of Operation	% clamps applied
0600 – 1400	6%
1400 – 2200	26%
2200 – 0600	68%

2.10 During the first 6 weeks of the scheme, 70 appeals have been made to KCC against penalty charge notices issued to HGVs in contravention. These appeals have been processed with 55 rejected (79%), whilst 15 have been cancelled (21%).

2.11 With enforcement data collected over the 6 week period, there is currently not enough information to identify trends, especially, as up until early February, HGV cross-channel traffic levels were far below levels recorded in 2020. However, it is clear that contraventions of the restriction occur greater mid-week than they do at weekends. For example, the busiest day of the week are Thursdays with an average 38 clamps issued, compared to the quietest day of the week, Sundays, with an average 14 clamps issued. Also, the level of repeat contraventions by the same registered vehicle is very low (less than 1%).

3. Financial Implications

As part of operating the HGV Clamping Scheme, the County Council are permitted to use the revenue collected from the Penalty Charge Notice and clamp release fee to offset the operational costs of running the scheme. The current financial forecast for the operation of the clamping scheme for the 6 month period, will be at a net cost of between £200-300k.

4. Conclusion

The HGV Clamping scheme has been a successful operational tool over the initial 6 week period in supporting the EU Exit post transition traffic management plans, as well as protecting our local communities, and will continue to operate until 30th June 2021. The success of the scheme so far is demonstrated by the low level of repeat contraventions of the parking restriction.

5. Recommendation

The Cabinet Committee is asked to note the update on the operation of the Kent County Council HGV enforcement operation.

6. Contact Details

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