****

**Briefing on Government proposals to ban CCTV enforcement of parking and implications for buses**

**Background**

On 6th December the Government issued a consultation document on [local government parking strategies](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/263815/parking-consultation.pdf). The stated aim of the proposals is to help with the cost of living and to support local shops.

The main features of the consultation are:

* Stopping the use of CCTV for on–street parking enforcement;
* Giving local communities and businesses new rights to require authorities to review aspects of their parking strategies such as the level of parking charges and whether all double-yellow lines are appropriate and necessary at particular locations;
* Introducing limited “grace periods” where a driver has stayed in a parking place for a short period before issuing a parking ticket; and
* Updating statutory guidance to local authorities to emphasise a less heavy-handed approach to parking enforcement, and re-emphasise that parking charges and fines cannot be used to as a means to raise revenues.

75 councils currently have permission to use CCTV cameras to enforce parking restrictions, under the 2004 Traffic Management Act.

In this briefing we concentrate on the CCTV enforcement issue – and in particular its implications for buses.

**Banning use of CCTV (camera cars) for on-street parking enforcement**

It is not clear that an outright ban on CCTV enforcement can be achieved without primary legislation – and it is unlikely that both coalition partners would agree to making legislative time available.

The situation is further complicated because the consultation refers to banning use of CCTV cameras for enforcement of parking but not of moving traffic offences. Under the 2004 Traffic Management Act local government has the powers to enforce moving traffic offences in bus lanes. This suggests that CCTV could continue to be used (as it is now in some areas by local authorities) for enforcing bus lanes. However it couldn’t be used in future for enforcement of parking on bus stops.

Finally, the Government’s failure to implement Part Six of the 2004 Traffic Management Act means that local government still doesn’t have the powers to enforce some moving traffic offences such as the enforcement of cycle lanes and bans on illegal turns and yellow box junction offences.

Putting these complications to one side it’s clear that overall buses could suffer collateral damage from a set of proposals that under-estimates the importance of providing reliable bus services to town and city centres. Bus services which can be easily undermined if local authorities ability to prevent parking offences that obstruct and delay those services.

* [Recent research for Greener Journeys](http://www.greenerjourneys.com/2013/12/bus-first-choice-city-centre-visitors/) showed that 33% of city centre visitors made their most recent trip by bus; bus users spend an average £54 per city centre trip; and make up 29% of all city centre spending and 30% of shoppers rely on the bus as they have not access to a car or van
* In Nottingham seven years of camera enforcement on bus lanes has seen improved bus punctuality and journey times, but no increase in general traffic congestion levels or journey times. At the same time there has been a 40% reduction in observed offences on bus lanes
* There could be implications for disabled people (in terms of boarding buses if a bus cannot draw up to the curb at the right place because of parked cars). For example from Sept 2012 to Nov 2013 in Newcastle a mobile CCTV vehicle was used to issue 3,617 penalty notices for parking on bus stops or stands.
* There could be road safety issues, including in relation to enforcement around zebra crossings. For example in Newcastle between Sept 2012 and Nov 13 a mobile CCTV vehicle was used to issue 343 penalty notices for parking on pedestrian crossings.
* Mobile CCTV is used to enforce ‘school-keep clear markings’. A lack of enforcement could potentially put children’s safety at risk. According to insurance industry figures, more than 1,000 children a month are injured on roads around British schools and 37% of school areas (anywhere within a 500-metre radius from a school) had at least one child road injury each year from 2006-11. Experience shows that enforcement using foot based enforcement officers is less effective as a deterrent than CCTV cars. For example before the introduction of a CCTV car in Newcastle the Council issued less than 50 penalty notices for parking in restricted areas near schools over a three year period with the perception from the public and officers that little improvement was achieved despite significant resource being dedicated. Since the introduction of a CCTV camera car a total of 306 penalty notices have been issued over a 13 month period. Over this period the number of penalty notices issued has also steadily dropped by around 50% demonstrating improved compliance and fewer requests for enforcement. A recent survey undertaken by the London Borough of Bromley among recipients of penalty notices for stopping on ‘school entrance-keep clear markings’ showed that half of them would continue to do this if they thought they would not get a Penalty Notice.
* CCTV is also used for other restrictions where regular enforcement has proved difficult. This may be because street officer enforcement is not effective in ensuring compliance (where, for example, there are repeated incidents of relatively short stops at critical locations such as major junctions) or because Civil Enforcement Officers have been subject to threatening or violent behaviour.
* CCTV is also deployed on major roads where it is important to keep traffic flowing, and parking is not permitted.
* Another major consideration is the significant investment local government has made in CCTV equipment and technology within the existing legal framework. Local government would have to cover these abortive costs as well as the additional cost of more on-street civil enforcement officers if use of the more cost-effective CCTV is curtailed.

**Jonathan Bray**

**Jonathan.bray@pteg.net** **/ 0113 251 7445**

**24 / 1 /14 – version three**