

**REPORT TO:** Cabinet

03 April 2019

**Lead Cabinet Member** Councillor Neil Gough

**LEAD OFFICER:** Mike Hill

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## **Parking Issues**

### **Purpose**

1. To consider recommendations to Cabinet regarding Council actions in relation to parking issues in the district.

### **Recommendations**

2. It is recommended that Cabinet:
  - a) notes the problems caused by illegal parking reported by parish councils
  - b) notes that the extension by Cambridgeshire County Council of its Civil Parking Enforcement (CPE) operation in Cambridge into South Cambridgeshire would be a possible solution to these problems, but that there would be significant costs, both to set up and to operate CPE in South Cambridgeshire
  - c) notes that the Council would be acting against statutory guidance if it were to offer to fund an operational deficit for CPE using local tax receipts.
  - d) writes to Cambridgeshire County Council noting the problems caused by lack of parking enforcement, both now and anticipated in relation to new developments, and urging the County Council, notwithstanding its financial constraints, to explore possibilities for extending CPE into South Cambridgeshire using 'existing funding' as per the statutory guidance .
  - e) writes to Cambridgeshire Constabulary formally requesting an exploration of options available to the police to improve parking enforcement in South Cambridgeshire, including the option of employing additional staff with external funding (potentially from individual parish councils most affected).

### **Reasons for Recommendations**

3. Problems caused by illegal parking in Great Shelford and Sawston have been reported to the Council, as can be seen in Appendix 1.

4. Although no systematic investigation has been carried out into parking problems in other parishes, a show of hands at the Cabinet and Parish Councils Liaison Meeting on 27 November 2018 indicated widespread concerns.
5. No up-to-date feasibility study for CPE in South Cambridgeshire has been undertaken. However, financial modelling for CPE in South Cambs from 2006, and a feasibility study for Huntingdonshire District Council from 2017 provide evidence supporting the conclusion that it is not likely that CPE in South Cambridgeshire would be self-financing. The model shows set up costs of £91,730, a year 1 deficit of £36,808, and thereafter an annual deficit of £25,252.
6. Updating the data for the feasibility costings by the relevant consultant would cost approximately £5,000 according to the County Council.
7. Statutory Guidance states that local authority parking enforcement should be self-financing as soon as possible and where it is not self-financing, it needs to be paid from within 'existing funding', and not by either national or local taxpayers, see Section 2.9 in [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609788/statutory-guidance-local-authorities-enforcement-parking-contraventions.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609788/statutory-guidance-local-authorities-enforcement-parking-contraventions.pdf).
8. At a South Cambs Policing Issues meeting on 24 January 2019 in Swavesey, the Police and Crime Commissioner reported that the mayor had been asked at a recent Combined Authority meeting, whether the Combined Authority could fund set up costs for CPE across the county. We have asked for clarification on this and are waiting for a response.
9. Unless and until CPE is brought in, parking enforcement remains the responsibility of Cambridgeshire Constabulary. Comments from Supt Laura Hunt to a discussion paper on parking issues (see para 11) indicate a willingness to explore options to increase parking enforcement.

## **Background**

10. CPE has been raised a number of times as a possible way forward to tackle parking issues in South Cambridgeshire. Police enforcement of parking is now relatively unusual in England where: 94% of districts have CPE.
11. The problems of parking in Great Shelford were raised by Mike Nettleton, chairman of Stapleford parish council with the Development Officer in May 2018. Subsequently, a meeting was set up for local Members for Stapleford and Sawston, Cllrs Sample, Fane and Milnes, and Inspector Matt Johnson for the police. At the request of the local Members, a Discussion Paper was produced which outlined the options available to mitigate the impacts of illegal on-street parking, together with considerations in order to inform Cabinet as to action (s), if any, for the District Council.
12. The Discussion Paper was sent for comment to the Cambridgeshire & Peterborough Police and Crime Commissioner's office and to Cambridgeshire County Council. Considered responses were received from Supt Laura Hunt for the police, and Sonia Hansen, Traffic Manager, Cambridgeshire County Council, who provided additional information and positive suggestions. These are included along with the Discussion Paper at Appendix 2.

13. A report was presented to Informal Cabinet on 6 April with recommendations which had been made as a result of a meeting on 11 February of the Development Officer, Cllrs Sample, Fane, Milnes and Gough. (Cllr Gough agreed to be Parking Issues lead on Cabinet at the previously mentioned Cabinet and Parish Councils Liaison Meeting on 27 November 2018). The recommendations in this report are essentially the same but were refined following comments from Informal Cabinet.

### **Considerations**

14. The Department for Transport expects that CPE should be self-financing, with costs of enforcement offset by income from parking fines and on-street or off-street parking charges.
15. In areas where there are significant opportunities to levy parking charges, CPE is likely to more than cover its costs, whereas in areas such as South Cambridgeshire where there are no opportunities to levy parking charges CPE is likely to run at a deficit.
16. It is likely that illegal parking will become a greater issue as the new towns of Northstowe and Waterbeach develop.
17. Pending a positive response from Cambridgeshire Constabulary (see para 2, recommendation (d)), the Council will, where possible from within existing staff resource and budget, seek to provide support and guidance towards
- (a) Trialling of a scheme in one of the parishes most affected
  - (b) Upon successful completion of the trial, helping other interested parties assess how they might move sustainably towards this model.

### **Options**

18. Cabinet could follow all, some or none of the recommendations, namely,
- a) note the problems caused by illegal parking reported by parish councils
  - b) note that Civil Parking Enforcement (CPE) by Cambridgeshire County Council is a potential solution to these problems, and that
    - i. there would be significant costs both to set up and to operate CPE in South Cambridgeshire
    - ii. Statutory guidance to local authorities on the civil enforcement of parking contraventions says that 'if their scheme is not self-financing, then they (authorities) will need to be certain that they can afford to pay for it from within existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.' We understand 'existing funding' to be surpluses from other CPE operations, eg those in Cambridge and Peterborough.
    - iii. set up costs might be met by the Combined Authority
  - c) make a formal request through appropriate channels to Cambridgeshire County Council to move forwards with a business case study for CPE in South Cambridgeshire including exploring existing funding options for meeting any operational deficit.

- d) Given that CPE would take time to set up, also make a formal request to Cambridgeshire Constabulary to investigate options for increased parking enforcement including the possibility of employing additional staff with external funding (potentially from individual parish councils most affected).

### **Implications**

19. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

#### ***Financial***

20. There would be no financial implications for the Council at this point in time.

#### ***Legal***

21. Statutory guidance from the Department for Transport regarding the expectation that any deficit from operating CPE is not funded by local taxpayers has been noted, (see 2b(ii)).

#### ***Staffing***

22. Staff time to work up formal requests to Cambridgeshire County Council and Cambridgeshire Constabulary could be accommodated within the current Sustainable Communities & Partnerships team. Whether or not project support as at para 16 could also be accommodated would depend on the detail and timing of any such project.

#### ***Equality and Diversity***

23. An Equality Impact Assessment would be undertaken for any project supported.

#### ***Consultation responses***

24. Responses to the Discussion Paper on Parking Issues at Appendix 2 have been received from Cambridgeshire Constabulary, Cambridgeshire County Council and Great Shelford parish council.

### **Appendices**

- 1 Parking issues in Gt Shelford and Sawston
- 2 Parking Issues Discussion Paper
- 3 Responses to the Discussion Paper

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