

From: Nick Chard, Cabinet Member - Environment, Highways and Waste
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To: Environment, Highways and Waste Policy Overview & Scrutiny Committee – 18th January 2011

Subject: The Management of Double Parking and Parking at Dropped Kerbs

Classification: Unrestricted

Summary: This report is to inform this Committee of the authorisation to adopt formal powers to enforce double parking and parking at dropped kerbs and to gain support from the Committee to give written approval to the 12 district authorities to commence the enforcement of double parking and at dropped kerbs for community use.

1. Introduction

- 1.1 Within Kent, the 12 District/Borough and City Councils are responsible for the practical application of parking policy and enforcement under 12 individual Agency Agreements.

2. Background Information

- 2.1 Changes to legislation, brought about by the introduction of the Traffic Management Act 2004 give powers to the appropriate authority to issue a penalty charge notice to any vehicle double parked or parked adjacent to a dropped kerb. The current agency agreements between Kent County Council and the 12 district authorities require KCC to give written permission to the district authorities prior to their commencing these powers.

3. Proposed use of new powers

- 3.1 There are three main aspects to the new powers.
- 3.1.1 *Parking adjacent to a dropped kerb at a crossing point (Dropped Kerbs for Community Use which are usually identified by the use of tactile paving):*
Such parking causes inconvenience for people trying to cross the road, in particular those pushing prams or using wheelchairs or mobility vehicles. It is recommended that Civil Enforcement Officers (CEO) issue a penalty charge notice (PCN) whenever they have reason to believe that this contravention is taking place.
- 3.1.2 *Double parking – defined as parking 50cm or more from the kerb:*
Double parking contributes toward congestion and inconvenience for other road users. It is recommended that CEO's issue a PCN whenever they have reason to believe that this contravention is taking place.

3.1.3 *Parking adjacent to a dropped kerb outside residential premises:*

It is recommended that CEO's do not issue PCN's in these locations as the legislation explicitly allows vehicles to be parked in these circumstances by or with the consent of the occupier, unless it is a shared driveway. The enforcement of private dropped kerbs may lead to a public expectation of a 24 hour enforcement regime and the subsequent removal of vehicles which cannot be achieved under the current enforcement processes.

- 3.2 It should be noted that the prohibition of parking at a dropped kerb at a crossing point includes where a footway, cycle track or verge has been lowered to meet the level of the carriageway; and it applies equally where the carriageway has been raised to the level of the footway, cycle track or verge.

4. Financial Implications

- 4.1 Additional CEO's will not be employed to undertake this enforcement and it will be carried out as part of normal day to day enforcement. There is therefore no additional cost in staff time. There may be a limited additional income through the issuing of PCN's but it is to be noted that parking enforcement is a necessary tool to ensure good traffic management and road safety, not to generate an income stream.

- 4.2 The penalty charge for these offences is set at £70, which is discounted by 50% if paid within fourteen days.

5. Equalities Implications

Enforcement of double parking and parking at dropped kerbs will assist those with visual or mobility impairment as this enforcement action will aim to remove inconsiderate parking to allow ease of access.

6. Recommendation

The Committee is asked to note that new powers to undertake civil parking enforcement at dropped kerbs and for double parking are formally adopted by Kent County Council. And that we give permission to the 12 district authorities to evoke parking contraventions in relation to vehicles parked adjacent to dropped kerbs with the exception of private driveways.

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