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**To: Scrutiny Coordination Committee**

**28 March 2018**

**Subject: School Parking Issues and Enforcement**

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**1 Purpose of the Note**

1.1 The purpose of the Briefing Note is to:

- Inform Members of the current problems and road safety concerns outside of schools caused by parked vehicles.
- To highlight the current arrangements for tackling the issues.
- To highlight the options available for dealing with the problem more effectively.

**2 Recommendations**

2.1 Scrutiny Coordination Committee is recommended to:

- 1) Note the increasing concerns caused by vehicles that are parked illegally outside of schools and the Council's enforcement strategy to combat this issue.
- 2) Support the options presented as a way forward in Section 5
- 3) Identify any further recommendations to the appropriate Cabinet Member

**3 Background**

- 3.1 The problems caused by vehicle parking outside of schools is a long-standing one. The fact that cars are parked does not necessarily mean there is a parking problem. It is only a problem if the parking is illegal or causing a danger to pedestrian or vehicle movement.
- 3.2 The problem caused by illegally parked vehicles outside of schools is one that many local authorities across the country have to contend with. It is also an issue that is widespread at many schools throughout Coventry.
- 3.3 School keep clear road markings (i.e. yellow zig-zag lines) are common place outside many schools and denote a safety hazard, these are usually placed across pedestrian entrances/exits to the school. A Traffic Regulation Order (TRO) is required to make the 'zig-zag' legally enforceable. The TRO is supported by signs that indicate 'No Stopping' on the zig-zags between specified times, this includes dropping off and picking up children from school. Without a TRO the Council is unable to enforce the restriction. Other restrictions are also used, such as double yellow lines (no waiting at any time) or a single yellow line preventing waiting at certain times.
- 3.4 In Coventry there are more than 130 primary and secondary schools and many of these have more than one entrance to the site. Only about one third of schools have a school Keep Clear which is covered by a pre-existing TRO. The remainder are therefore, currently legally unenforceable, although the Police are able to undertake enforcement action if they consider a vehicle is parked in a dangerous or obstructive manner without a TRO being in operation.

- 3.5 The majority of schools prohibit parents from parking on the school site. Consequently, the majority of schools regularly experience parking problems due to the lack of available parking in the vicinity of the school.
- 3.6 Coupled with the day to day parking problems caused by parents parking outside the school gates, some drivers inconsiderately park in front of private driveways thereby preventing residents from accessing their own property. Worse still, some drivers actually park on the resident's private driveway.
- 3.7 Local Authorities have a duty to tackle dangerous parking on the public road network. In Coventry, the function is carried out by the Council's Civil Enforcement Officers (CEOs).
- 3.7.1 The Council currently employs twenty-seven CEOs who work rotating shifts patterns during Monday to Sunday between 07:30am and 7:15pm. The CEOs are organised into three teams and at any one time the maximum level of CEOs in work is eighteen.
- 3.7.2 The limited staff resources deal with numerous parking issues across the city, including the problems outside of schools. Suffice to say that there are insufficient staff resources available to tackle all of the parking problems at all of the schools in the city.
- 3.8 The parking enforcement function operates under the Traffic Management Act 2004 (TMA 2004). The function transferred to the Council from the West Midlands Police in April 2005. However, the Police have retained powers to enforce dangerous and obstructive parking.
- 3.9 The TMA 2004, allows the Council to enforce some parking contraventions using "approved devices" such as Closed Circuit TV (CCTV) or Automatic Number Plate Recognition (ANPR) cameras, where enforcement is difficult or where enforcement by a foot patrolling CEO is problematic.
- 3.10 In 2015, Coventry City Council adopted the use of an ANPR enforcement car to complement the CEO resources and improve the effectiveness of parking enforcement outside of schools.
- 3.10.1 The ANPR car was trialled for a year and proved to be a very effective method of enforcement. Consequently, the Cabinet Member (Public Services) approved a recommendation to adopt it on an on-going basis.
- 3.10.2 In Coventry, the ANPR car together with the driver and the on-board computer system are provided to the Council by a 3<sup>rd</sup> party service provider at no direct cost to the Council. A commercial arrangement exists between the Council and the supplier based on the number of valid penalty notices that are issued by the ANPR car.
- 3.10.3 The ANPR car is currently only used to enforce the school zig-zags, where there is also a TRO. It isn't used to enforce any other parking restriction albeit that it could. As such it is deployed for a very limited period of the day (e.g. between 08:30 to 09:30am and 2:45 to 4:30pm) during the school term. Outside of these times the supplier uses the ANPR car to assist with other non-parking related initiatives.

#### **4 Current Situation**

- 4.1 Under the TMA 2004, the Council's CEOs have the power to enforce vehicles that are parked where they are obstructing dropped crossings in front of private driveways.
- 4.2 However, the CEOs will only ticket obstructive vehicles that have been reported to Parking Services by the resident. As and when Parking Services receive a complaint of this nature

from a resident, the CEO will be despatched to the area as soon as possible. Ultimately, though, the offending vehicle may have been moved before the CEOs arrive at the location. This is both frustrating to the resident and the CEOs and doesn't deter the driver from doing it again.

- 4.3 Regrettably the Council's CEOs do not have any powers to enforce cars that are parked inconsiderately on a resident's driveway (i.e. on private land) as this is not within their jurisdiction.
- 4.4 In terms of school parking enforcement, whilst the TMA 2004 gives the power to local authorities to issue penalty notices for parking contraventions that are detected by camera systems, the legislation stipulates that all camera devices (e.g. static CCTV cameras, static ANPR cameras or mobile ANPR cameras) that are used to enforce parking restrictions have to meet the strict requirements and standards that are set out by the Secretary of State.
- 4.5 Any camera system that is used in this way must be certified as an 'approved device' by the Vehicle Certification Agency (VCA). Consequently, there are only a very limited number of systems that can be used by Councils to enforce parking and traffic contraventions.
- 4.6 With that in mind, more innovative technologies and approaches, (e.g. the use of drone cameras to enforce parking or members of the public recording issues on their mobile phones), are options that are not available to the Council, hence they are not a part of the solution to the problem.
- 4.7 Furthermore, the use of static or re-deployable CCTV enforcement cameras fixed to street lighting columns outside of schools, is also impractical due to the cost of installing the necessary infrastructure and equipment.
- 4.8 As mentioned above, Coventry City Council adopted the use of an ANPR enforcement car to assist with the enforcement of the school parking problem.
- 4.8.1 The figures in the table below show the level of penalty charge notices (PCNs) issued to vehicles that were illegally parked outside of schools during the past few years.

	PCNs Issued		Total
	CEOs	ANPR Car	
<b>2017/18</b>	105	159	<b>264</b>
<b>2016/17</b>	87	715	<b>802</b>
<b>2015/16</b>	79	1107	<b>1186</b>
<b>2014/15</b>	126	43	<b>169</b>

- 4.8.2 The figures above show that during the past two years there have been considerably fewer PCNs issued compared to 2015/16 when the Council adopted the use of the ANPR car.

4.8.3 Regrettably the figures do not mean that more drivers are parking legally and that the situation is improving, they merely indicate that fewer drivers are being penalised for parking illegally.

4.8.4 As mentioned above, the ANPR car is owned and operated by a 3<sup>rd</sup> party supplier. During the past year, the supplier has chosen to deploy the asset differently due to commercial reasons and nowadays Parking Services has very little influence or direct control over how and when it is used. Amongst other things, this has resulted in:

- Parking Services having very limited use of the ANPR enforcement car.
- A detrimental impact on the enforcement of parking problems at schools.
- The perception that school parking enforcement is ineffective.

4.8.5 Due to the limited availability of the ANPR car, Parking Services have reverted to the traditional, but less effective approach of using the CEOs to patrol and enforce school parking. This isn't sustainable or a long term solution as the staff resources are limited and are needed to tackle other parking problems as well. Similarly, the Police also have very limited resources to put into this area.

4.9 Many schools have been proactive and have undertaken initiatives to help influence behaviours to alleviate the parking problems. Some of the initiatives include:

- Additional signs or 'safe parking' banners outside of schools to alert drivers to the dangers they cause.
- Publicity and social media campaigns.
- Community Scheme Watch where parents are 'named and shamed'.
- School children producing bespoke safety leaflets that are handed to drivers.
- Letters and newsletters to parents.
- Children patrolling the school gates in hi-visibility tabards and placing warning notices on offending cars.
- Campaigns to encourage parents to 'park and walk' or to use public transport.
- Providing shuttle bus services.
- Organising car sharing schemes.
- Developing a 'Parking Charter' that parents sign to promote safer parking.
- Multi-agency / stakeholder engagement (e.g. the Council, school, Police, Parent Teacher Associations etc.) to champion safer parking.

4.9.1 In Solihull, the local authority is trialling 'School Streets' a pilot project at 3 schools which limits the traffic in certain streets around the school at key times. This has been introduced as an Experimental Traffic Regulation Order, which is enforceable by the Police. The pilot scheme is currently in the evaluation period.

However, it must be remembered that we live with a 'car culture' and freedom of choice in schooling means some children now travel from a much wider area to school. Therefore, removing all vehicles from taking children to school seems to be an unrealistic aim and, if modal shift does not occur, may result in transference of the parking in to other nearby streets, unless there is an alternative location that can be used for a 'park and walk' initiative.

4.9.2 The number of different initiatives listed above suggests that there isn't just one solution to the problem and a panacea. Equally, there isn't a 'one-size fits all' solution as some initiatives may be successful in one area but not in another.

4.10 Ultimately, some parents continue to opt for the convenience of using the car and parking illegally close to the school gates where it is a danger to pedestrians, including young children. That said, the school parking problem continues to be a serious issue and a major challenge to enforce effectively both in Coventry and throughout many areas of the country.

## **5 Way Forward**

5.1 Officers will explore a number of options including:

- a) Alternative arrangements in regard to the use of an ANPR enforcement car through the existing service provider.
- b) The development of a business case to procure and operate our own in-house enforcement vehicle. With more control over the vehicle, Parking Services would maximise its use to include the enforcement of other parking restrictions where stopping / parking is banned (e.g. on the red-route, urban clearways, bus stops / bus lanes, taxi ranks). It could also be used to assist with the enforcement of residents' parking schemes where virtual permits are in use.
- c) A review of staff resource levels to better equip the service to deal with the parking problems more effectively.

5.2 In terms of other traffic engineering solutions, colleagues in Traffic Management will explore the option of introducing TROs on all Schools Keep Clear markings to make the restrictions legally enforceable. The process to make the Orders can be fairly lengthy and there is a considerable cost involved.

5.3 Officers in conjunction with key stakeholders and Elected Members will also consider introducing some of the tried and tested initiatives that have been implemented by other local authorities, together with other more innovative approaches where it is practical to do so.

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