



|                        |  |
|------------------------|--|
| <b>Report to</b>       | Communities Scrutiny Committee   |
| <b>Date of meeting</b> | 26 <sup>th</sup> June 2025   |
| <b>Lead Member</b>     | Lead Member for Transport and the Environment, Cllr. Barry Mellor          |
| <b>Head of Service</b> | Head of Planning, Public Protection and Countryside Services, Emlyn Jones. |
| <b>Report Author</b>   | Traffic and Transportation Manager, Mike Jones.                            |
| <b>Title</b>           | Parking Enforcement  |

## **1. What is the report about?**

- 1.1. To explain the Council's policies and procedures for designating parking restrictions, how these are implemented and how they are subsequently enforced.

## **2. What is the reason for making this report?**

- 2.1. Following a request from Communities Scrutiny Committee to examine whether the Council has effective policies and procedures in place for designating parking restrictions and for enforcement.

## **3. What are the Recommendations?**

- 3.1. That the Committee notes the contents of the report and provides observations on the Council's policies and procedures for the designation of parking restrictions and for parking enforcement.

## 4. Report details

### Parking restrictions

- 4.1. Parking restrictions control what parking and loading activity can and cannot take place at the roadside. They're mostly found in city, town and village centres where demand to park at the roadside often far exceeds the space available.
- 4.2. As well as demand for parking spaces (including blue badge parking), there will often be demand for loading bays to serve businesses, bus stops, taxi ranks and the need to keep areas clear of parked cars for road safety visibility reasons, such as near to junctions and pedestrian crossing points.
- 4.3. On-street parking bays usually have a maximum duration of stay which is intended to encourage a regular turnover of parking spaces, increasing the likelihood of motorists finding a space whatever time of day they arrive at.
- 4.4. As parking restrictions are usually already in place in such busy locations, it is unusual to be "starting from scratch" when considering parking restrictions in any given location. Changes to parking restrictions can come about following a request from a member of the public, often via their ward County Councillors. They can also be required as part of a new project that alters the road layout; as part of road safety remedial measures where collisions have previously occurred; or as part of a new development and changes to land use.
- 4.5. To begin with, proposals or requests for parking restrictions are usually discussed informally between officers and the local County Councillors to consider the potential advantages and disadvantages of the restrictions.
- 4.6. Although parking restrictions may solve one problem, they can often cause other unintended consequences. This is why they always need to be considered carefully. For example, removing parking to relieve traffic congestion, would be highly likely to result in an increase in traffic speeds. Similarly, parked vehicles are likely to be displaced by new restrictions, which could result in parking taking place in a more dangerous location than before.

- 4.7. The likely frequency of parking enforcement also needs to be considered when evaluating whether parking restrictions are the best option to solve a given problem, especially in more residential areas where enforcement is likely to be much lower compared with a town centre location.
- 4.8. As such, requests for parking restrictions are carefully considered and if there is merit for them being implemented, they will be put on our list of requests for parking restrictions. We generally try and group restrictions by geographic location in the interests of efficiency.
- 4.9. The implementation of parking restrictions firstly requires the making of a Traffic Regulation Order (TRO) which is a legal order. The making of a TRO follows a statutory process as laid out in *The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996*. This involves consultation with key stakeholders and the advertisement of the proposed restrictions by way of a public notice. Anyone can object to the making of a TRO, providing that they provide valid grounds for their objection. Objections can only be overruled by the Council through a Lead Member Delegated Decision, or through a Cabinet Decision. Only after the TRO is made can the associated road markings and traffic signs be introduced.
- 4.10. In terms of signage and road markings, it is important to try to minimise the amount of signs and lines required to the minimum statutory requirement, to avoid unnecessary clutter. In conservation areas, the Regulations permit us to use narrower, paler yellow lines to lessen their visual impact.

#### Enforcement

- 4.11. Parking enforcement was decriminalised in Denbighshire in 2004. This enabled Denbighshire to carry out parking enforcement within the County by employing staff that were initially known as "Parking Attendants". However, they were renamed as Civil Enforcement Officers in 2008, as a result of the government's implementation of the Traffic Management Act 2004. Prior to 2004, the Police carried out parking enforcement by employing Traffic Wardens.

- 4.12. The parking enforcement team is responsible for enforcing car parks as well as on-street parking restrictions through the issuing of Penalty Charge Notices (PCNs). The levels of fine are set by central government.
- 4.13. There are 6 staff members within the Council's parking enforcement team. This consists of 1 Senior Civil Enforcement Officer and 5 Civil Enforcement Officers.
- 4.14. The Senior Civil Enforcement Officer role is currently vacant as the previous postholder, Mr Stuart Thomas, very sadly passed away in December 2024. Stuart had worked in the parking enforcement team since (DATE). He is greatly missed by his colleagues in the enforcement team and across the Council as a friend, and for the enthusiasm and professionalism he brought to the role.
- 4.15. We are planning to recruit to the Senior role later this calendar year.
- 4.16. The parking enforcement team is a small team, responsible for covering the whole of the county, 7 days a week. It's thus important that we maximise the officers' impact through deploying them in a range of locations across the county, whilst ensuring that enforcement doesn't follow a regular pattern.
- 4.17. Appendix A provides a breakdown of PCNs issued across the county for financial years 2023-24 and 2024-25. The figures show PCNs issued within our car parks and PCNs issued for on-street parking contraventions.
- 4.18. There are statutory procedures in place for motorists who wish to appeal a fine, and these are handled by the Wales Penalty Processing Partnership which is hosted by Denbighshire County Council, providing services to Denbighshire and nine other Welsh local authorities.

## **5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?**

- 5.1. Parking restrictions are vital to ensure that parking is managed effectively, trying to keep roads safe use for all road users and ensuring a regular turnover of parking spaces to the benefit of local businesses.

## **6. What will it cost and how will it affect other services?**

6.1. The cost of enforcement is typically similar to the revenue earned from issuing PCNs. It is important to note that the legislation does not permit us to set targets for enforcement officers in terms of numbers of PCNs issued. Any surplus income must be used for related services such as car park maintenance.

## **7. What are the main conclusions of the Well-being Impact Assessment and what changes have, or will be made to the project or approach as a result of the assessment?**

7.1. No WIA produced as this is just a report on existing policies and procedures.

## **8. What consultations have been carried out with Scrutiny and others?**

8.1. None as this is a specific report requested by Communities Scrutiny Committee.

## **9. Chief Finance Officer Statement**

9.1. Not required as the report isn't proposing any changes to existing policies or procedures.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. The Council has duties under the *Traffic Management Act 2004* to ensure the smooth flow of traffic, and duties under the *Road Traffic Act 1988* to carry out measures to reduce and prevent accidents. Effective parking enforcement is an important component for fulfilling both of these duties.

## **11. Power to make the decision**

11.1. Section 7.4.2 of the Council's Constitution outlines Scrutiny's powers with respect to examining the impact of decisions and the application of policies.

Contact Officer: Traffic and Transportation Manager Tel: 01824 706959