
KCC Experimental Overnight HGV enforcement and clamping trial 2017.

To: Ashford Joint Transportation Board

By: James Hann - Health, Parking and Community Safety Manager

Date: 12th September 2017

Classification: For information

Ward: Across the District – Various

Summary:

Kent suffers from major issues as a result of HGV's parking in unsuitable locations. This causes distress to residents and results in environmental waste in many locations. While KCC are pursuing a number of small heavy good's vehicle (HGV) overnight parks in Kent it is clear that encouraging lorries to use the parks will be key in finding a permanent solution. Ashford has already implemented a clamping trial in the Borough, but this alone is not going to deliver countywide enforcement. Kent working with the Department for Transport (DfT) has designed a zonal scheme that could be expanded to other areas or a countywide scheme. Without increased overnight lorry parking capacity a wider scheme cannot be instigated. However, it is intended to introduce a pilot scheme to understand the implications.

A pilot scheme will be introduced on the A20 between Charing and the Drivers roundabout. The existing clamping trial will be retained for the existing industrial estates that have overnight lorry parking bans in Ashford.

1.0 Background

- 1.1. There has been a growing problem with HGVs parking overnight in various locations in the borough for many years. This has resulted in various restrictions being put in place to prohibit the parking of HGVs overnight. The first being a ban on the parking of HGVs between 20.00 and 07.00 at the Orbital Park and Ashford Business Park Sevington. This restriction has been enforced by Ashford Borough Council (ABC) since 2004.
- 1.2. The successful enforcement of these restrictions was hindered by the limited access to the registered keeper details of some foreign registered HGVs

- 1.3. To overcome the problems encountered when enforcing against foreign registered HGVs ABC adopted various strategies which included the appointment of collection agents who operate in mainland Europe and conducting joint enforcement operations with these agents and Kent Police. These operations were only successful in decreasing the parking problem for short periods. Total compliance with the waiting ban remained elusive.
- 1.4. In April 2015 together with KCC, ABC conducted a six-month clamping trial at various industrial estates where the overnight parking of HGVs had become a problem. Possible displacement parking was also monitored. The trial was successful in significantly reducing the numbers of HGVs that were parking overnight and whilst there was some displacement to other industrial estates in the borough there was no regular displacement into residential areas
- 1.5. The 2015 clamping trial was restricted by the constraints of the Traffic Management Act which only allowed persistent offending HGVs (three or more unpaid Penalty Charge Notices (PCNs)) to be clamped. This limited the effectiveness of clamping as a deterrent. The maximum amount that could be charged for the release of the clamp also did not fully cover the cost of clamping.

2.0 Lessons learnt from the 2015 HGV Clamping Trial and actions taken.

- 2.1 The 2015 trial showed that despite the restrictions of the Traffic Management Act that clamping was an effective additional deterrent; however some HGV drivers were choosing to pay their parking fines so as not to become persistent offenders and therefore risk being clamped.
- 2.2 It was apparent that the restraints placed on using clamping as a deterrent by existing legislation made the use of clamping unsustainable and highlighted the need for legislation to be changed.
- 2.3 KCC, various affected district councils and other organisations began campaigning and liaising with central government and the Department for Transport for better civil enforcement powers to more effectively address the growing problems caused by the overnight parking of HGVs. The need for additional off road parking facilities for HGVs was also reinforced by this trial.
- 2.4 The trial also enabled ABC to quantify a known problem of HGVs parking at various laybys and other locations along the A20 between Ashford and Charing. These areas being close to residential properties.

3.0 The proposed 18 month Overnight HGV parking ban and clamping trial.

- 3.1 As a result of the continued problems caused by HGVs parking overnight along the A20 between Ashford and Charing close to residential properties, KCC proposed an experimental overnight parking and clamping trial. This area was selected as there were identified problems related to safety at the

Godinton Lane/Sandyhurst Lane junction and because of the proximity to the existing clamping trial in Ashford.

- 3.2 The trial represents an opportunity to evaluate a new approach to enforcement and if successful could help with developing a countywide scheme. However it has to be recognised that while improved enforcement will solve the issues, enforcement by itself will not solve this overnight HGV parking problem until there is sufficient overnight parking capacity available
- 3.3 The scheme has been developed by working with the DfT so that it can reflect the unique issues faced in the county. The DfT have agreed to change the current clamping policy for HGV's so that a clamp can be introduced for first time offences and they will now consider increasing the clamp release fee although this will require a change to specific legislation.

The Overnight HGV clamping trial:

- 3.4 KCC will be writing the experimental Traffic Regulation Order (TRO). This Order will prohibit the overnight parking of HGVs along the A20 between and including Charing and the Drivers Roundabout, Ashford. The prohibition will also extend for some distance along adjoining roads to prevent displacement into adjacent villages.
- 3.5 KCC will also place all necessary signage at the entrance points to the restricted zone. Some repeater signs will also be placed in known locations affected by inconsiderate and dangerous parking along the A20.
- 3.6 The trial will be preceded by a significant period of advertising. ABC's Parking Civil Enforcement Team will also be issuing warning notices to any HGV parked in areas where enforcement will be taking place. These will be provided in multiple languages. Partner organisations including Eurotunnel, Dover Docks and all nearby truck stops will be fully briefed of the Order and its implications.
- 3.7 Existing areas where there is already an overnight waiting ban prohibiting HGV parking between 20.00 and 07.00 day will also be included in this trial. These areas are: The Orbital Park, Ashford Business Park Sevington, Wotton Road and Ellingham Industrial Estate.
- 3.8 **As well as being issued a PCN any HGV parking in any of the trial locations will be clamped. Unlike the 2015 trial they will be clamped on the first and on every subsequent occasion they park.**
- 3.9 A clamping operative will be appointed to clamp each HGV and to release the clamp on payment of the release fee and the reduced rate for the PCN issued. These fees remain the same as those charged during the 2015 clamping trial and will not fully cover the cost of clamping. This cost will be absorbed by KCC funding. Should this method of enforcement be successful a change in

legislation will be needed to increase the release fee to a recommended amount of £250 per vehicle.

- 3.10 The trial will start on Monday 30th October 2015. The initial launch will last a week and will be supported by Kent Police. ABC's Parking Civil Enforcement Team will be enforcing for the entire prohibited period during this week and subsequently will maintain high levels of enforcement during the trial.
- 3.11 The DfT has agreed that there will be no need to specify the weight of the HGVs prohibited from parking on the A20 however the weight limit of the existing restrictions is 5 ton.

Contact Officer:	<p><i>James Hann– Health, Parking and Community Safety Manager</i> james.Hann@ashford.gov.uk <i>Mike Cook – Civil Enforcement Officer Team Leader</i> Mike.Cook@ashford.gov.uk <i>Mike Cook – Civil Enforcement Officer Team Leader</i> <i>Lorna Day-Kent Parking Enforcement Manager</i> Lorna.Day@kent.gov.uk</p>
Reporting to:	<p><i>Sheila Davison – Head of Health, Parking and Community Safety</i> Sheila.davison@ashford.gov.uk <i>Andrew Westwood—Traffic Manager (KCC)</i> Andrew.Westwood@kent.gov.uk</p>

Appendix list	
Appendix 1	<i>Plans showing the extent of the A20 Restrictions.</i>
Appendix 2	<i>KCC count of HGVs parking showing locations</i>