

## **Experimental Overnight HGV Enforcement and Clamping Trial 2017**

To: **Joint Transportation Board**

By: **Health, Parking and Community Safety Manager**

Date: **Tuesday 12<sup>th</sup> December 2017**

Classification: **For information**

Ward: **Across the Borough – Various**

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### **Summary:**

Kent suffers from major issues because of HGV's parking in unsuitable locations. This causes distress to residents and results in environmental waste in many locations. While Kent County Council 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. KCC, 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. By introducing a pilot scheme the implications of such controls will be determined.

A pilot scheme, which involves clamping on the first offence, has been in operation on the A20 between Charing and the Drivers roundabout since 30<sup>th</sup> October 2017. The clamping trial is also in effect for the existing industrial estates that have overnight lorry parking bans in Ashford. This report summarises the first four weeks of the trial.

### **Background**

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.
2. The scheme has been developed by working with the DfT so that it can reflect the unique issues faced in the county. The DfT agreed to change the current clamping policy for HGV's so that a clamp can be introduced for first time offences and they will consider increasing the clamp release fee.
3. The trial is an opportunity to evaluate a new approach to enforcement and if successful could help with developing a countywide scheme. KCC and ABC recognise that while improved enforcement will solve some of the issues, enforcement by itself will not solve this overnight HGV parking problem until there is sufficient overnight parking capacity available.

4. An Experimental Traffic Regulation Order was written and sealed by KCC and came into effect on 30<sup>th</sup> October 2017, prohibiting the overnight parking of HGVs along the A20 between Charing and the Drovers Roundabout, Ashford for up to eighteen months. The prohibition will also extend for some distance along adjoining roads to prevent displacement into adjacent villages.
5. The existing areas where there was already an overnight waiting ban prohibiting HGV parking between 20.00 and 07.00 day were also included and these are: Orbital Park, Ashford Business Park Sevington, Wotton Road and Ellingham Industrial Estates. A location plan for the trial is available in appendix 1.
6. Due to the problems associated with HGVs parking up over the weekend, the ban was extended to include Saturday and Sunday daytimes in the above industrial estates.
7. KCC placed the necessary signage at the entrance points to the restricted zone. Some repeater signs were also placed in known locations affected by inconsiderate and dangerous parking along the A20.
8. The trial was preceded by a significant period of advertising. Partner organisations including Eurotunnel, Dover Docks and all nearby truck stops were briefed about the trial.
9. ABC's Parking Civil Enforcement Team also issued warning notices to any HGV parked in areas where enforcement would be taking place. These were provided in multiple languages.
10. An Operational Briefing Order was developed, including details of locations, contact details, location plans, risk assessments, etc.
11. A clamping operative was appointed to clamp the HGVs and to release the clamp on payment of the release fee and the fee for the PCN.
12. A Penalty Charge Notice (PCN) is issued (fee level £70, with a reduced fee of £35 if paid within 14 day) and a clamp placed on the driver's side of the vehicles. The release fee is £40, so a payment of £75 is required for release and payment of the PCN.
13. A Statutory Instrument restricts local authorities outside London to charging any more than a £40 release fee for each clamp, however, the most competitive of three quotes received was a fee of £150 to fit and release each clamp. The volume of clamps likely to be fitted was unknown as the latest pilot varies considerably from the original scheme introduced in 2015. The 2015 trial only permitted the Council to clamp persistent evaders and less than 10 clamps were placed during the six month trial.
14. The DfT is open to an increase in the statutory maximum of £40 for the release fee. If this can be increased promptly, it would enable the scheme to continue without additional financial burden. KCC and ABC have been in communication with the DfT to lobby for the Secretary of State for Transport to increase the release fee for this trial.
15. As a collaborative project the costs are being shared with KCC.

## Summary of the first four weeks of the trial

16. After four weeks of the trial 612 HGVs were clamped. Of these 256 were clamped whilst parking in contravention on the A20.

### *Week 1*

- The first two nights were busier than anticipated on both the A20 and the industrial estates, despite the general awareness raising and the issuing of warning notices for the three weeks before.
- The numbers of HGVs parking decreased dramatically as the week progressed on the A20 and the industrial estates.
- 144 HGVs were clamped during the first week, 57 of these on the A20.
- The initial launch was supported by Kent Police and ABC's Parking Civil Enforcement Team have been enforcing for the entire prohibited period and have maintained high levels of enforcement.
- There was a mixture on the A20 of both foreign and British registered HGVs, although foreign registered vehicles greatly outnumbered British registered vehicles.
- HGV drivers are given the opportunity to move.
- The majority of the drivers were cooperative, even if they had received a PCN and been clamped.

### *Week 2*

- 182 were clamped in week two, 78 on the A20
- Unlike week one where there was a significant reduction in the numbers of HGVs parked after Wednesday, week two saw sustained numbers of vehicles parking during week days, both on the industrial estates and on the A20.
- The weekend parking on both the A20 and on the four industrial estates remained very low. Weekend parking on the industrial estates was a significant cause of complaint to ABC and this has all but disappeared since the start of the trial.
- Whilst Ashford Truckstop gets full it does not remain closed for long as there is soon a turnover that releases spaces. While Ashford Truckstop's own figures show the facility being full by early evening and being "open" from 02.00 (on average), the app will show spaces as soon as they become available and vehicles allowed to enter, as soon as there is a space.
- Ashford Truckstop has reported a significant increase in parking on Saturdays.

### *Week 3*

- 142 vehicles were clamped in week three, 72 on the A20.
- On average 10 HGVs a day are clamped on the A20, although this is concentrated during on week days.

### *Week 4*

- 144 vehicles clamped in week four, 49 on the A20.
- Similar pattern of busy at the start of the week, before tailing off and a quiet weekend.

## 17. Displacement

- There was no discernible displacement into residential areas after four weeks.
- Displacement into Henwood and Cobbs Wood Industrial estates was not significant and there were fewer HGVs parking in these estates than normal on some nights.
- There was no displacement parking into other industrial estates in Ashford.

## 18. Clamping Service

- The clamping teams from London Parking Solutions were efficient, knowledgeable and a pleasure to work with.
- The clampers system of releasing the clamp and taking payment was very effective and where they can they take photos of the driver and the driver's documents as well as always taking photos of the clamped wheel and notices attached to the vehicle windscreen.

## 19. Civil Enforcement Officers

- Our staff have worked approximately 650 hours of overnight shifts over the first four weeks.
- This has been beyond their contractual hours in many cases and has been achieved by several of the staff volunteering to work extra late night shifts to maintain the level of enforcement cover.
- Other staff have been instrumental in ensuring the back office systems can cope with the volume of work created with the large number of vehicles clamped and Penalty Charge Notices issued.

## 20. Signage

- There were some complaints from drivers of the lack of enough repeater signs in the busy laybys in particular at the Hare and Hounds and on one side of the road on the A20 near Hothfield. These signs and their location have been reviewed by KCC and additional signage is being installed.

## 21. Appeals

- Nine appeals have been received by the end of week four, all of which state their grounds for appeal is the lack of signage in specific locations on the A20.

## 22. Incidents

- There were two incidents in the first week where occupants of vans drove by and protested to the actions of the enforcement and clamping teams. The clamping team were subjected to verbal abuse and glue sprayed over the window of their vehicle when they were releasing an HGV at about 09:30 one morning. Another van drove past whilst vehicles were being clamped in the Hare and Hounds layby and occupants shouted their disapproval.
- There were two incidents in the second week: one in Hall Avenue (Orbital Park industrial estate) where a Bulgarian driver became so upset that he threatened to set himself alight. The police were called; he calmed down and paid the PCN and to have the clamp removed.

- The second was at Sevington industrial park where a clamp was cut from an HGV; a witness from a nearby business stated that there was someone going around and offering to cut clamps off for money. The incident has been reported to the police.
- In the third week a driver refused to pay the release fee and tried to drive away with the clamp still attached. The lorry's wheel was damaged, as was the clamp and the police were called.
- No incidents in week four.
- The incidents above are provided, so that a transparent picture is given of the trial. However the vast majority of HGV drivers that have been clamped have not reacted in a negative manner towards the enforcement and clamping teams.

23. Of the 612 HGVs clamped in the first four weeks, 544 were foreign registered and 67 were British registered.

## **Finance**

24. The number of vehicles clamped in the first four weeks of the trial has been much higher than expected. The trial is being carefully monitored to control costs and risks and review the enforcement regime.

25. At the end of week four 612 vehicles had been clamped at a cost of £150 for each clamp, a cost of £91,800. The release fee is £40 less 12.5% (payment handling charge), so we receive from each driver £35. The difference between the cost of clamping and the income received from clamping stands at £70,300 at the end of week four.

26. This cost is split between ABC and KCC, meaning that at the end of week four the cost for the clamping is £35,190 to each authority. The cost of the signage (approximately £20,000) will be shared between the two authorities.

27. CEO enforcement costs are not included in the costs as these have not increased during the trial but shifts have been altered to accommodate the required enforcement periods.

28. ABC is proposing to access reserved funds relating to on-street parking to cover its costs associated with the pilot. A budget of £118,513 is available. This fund is available for on-street initiatives and to be agreed by KCC. KCC have stated that they support this approach.

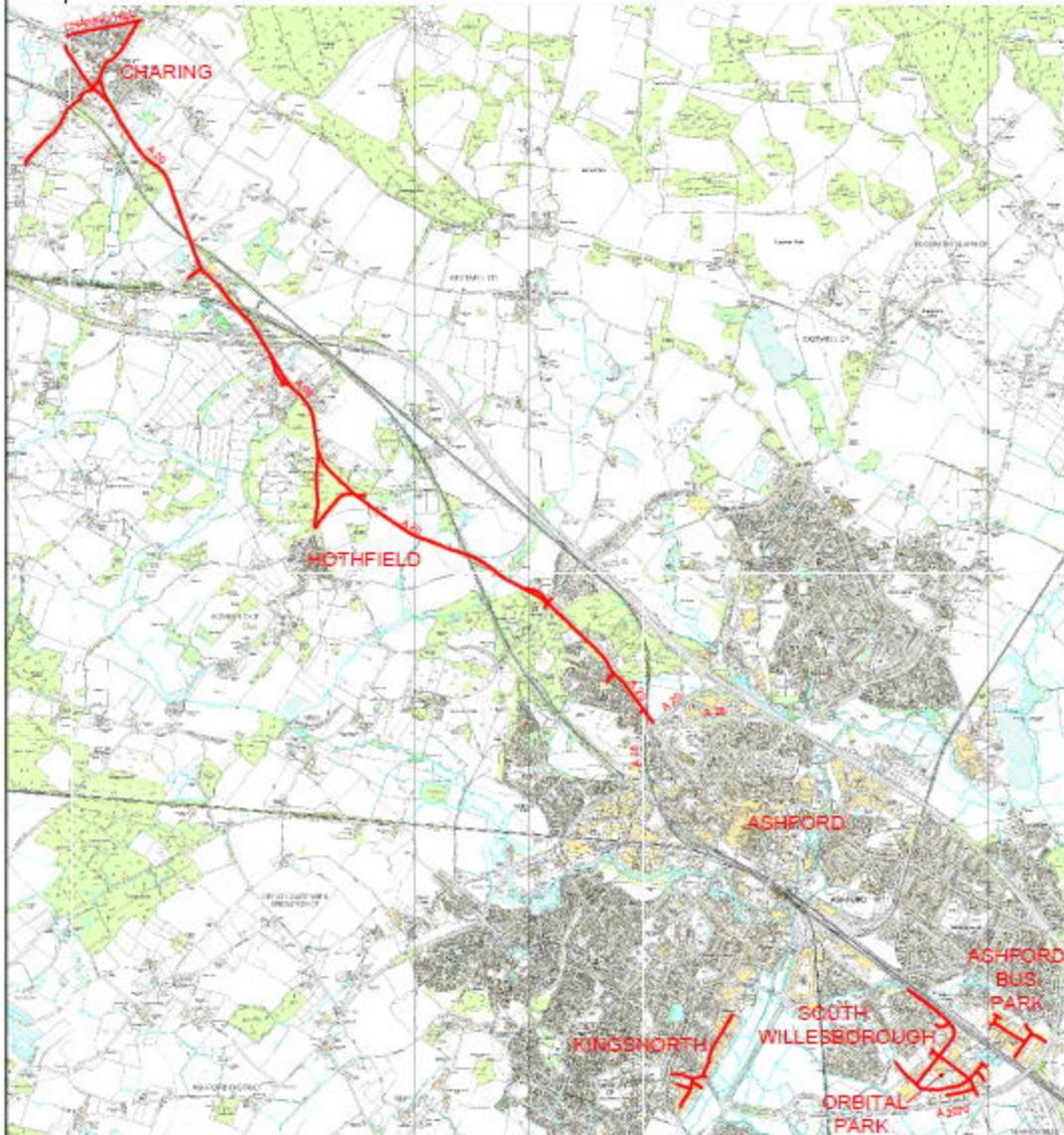
29. A summary of vehicles clamped in the first four weeks is provided below:

| Date              | Sevington Industrial Estate | Orbital Industrial Estate | Ellingham Way Industrial Estate | Wotton Rd Ind Est | A20        | TOTAL      | No. of Foreign Registered HGV's Clamped | No. of English Registered HGV's Clamped | No. Of PCN Appeals Received |
|-------------------|-----------------------------|---------------------------|---------------------------------|-------------------|------------|------------|---|---|-----------------------------|
| 30 Oct 2017 Shift | 5                           | 11                        | 2                               | 0                 | 11         | 29         | 24                                      | 5                                       | 0                           |
| 31 Oct 2017 Shift | 14                          | 27                        | 0                               | 0                 | 16         | 57         | 52                                      | 5                                       | 0                           |
| 1 Nov 2017 Shift  | 2                           | 5                         | 1                               | 0                 | 15         | 23         | 18                                      | 5                                       | 0                           |
| 2 Nov 2017 Shift  | 0                           | 0                         | 0                               | 0                 | 10         | 10         | 8                                       | 2                                       | 0                           |
| 3 Nov 2017 Shift  | 1                           | 5                         | 0                               | 1                 | 4          | 11         | 8                                       | 3                                       | 0                           |
| 4 Nov 2017 Shift  | 3                           | 7                         | 0                               | 0                 | 1          | 11         | 11                                      | 0                                       | 0                           |
| 5 Nov 2017 Shift  | 0                           | 3                         | 0                               | 0                 | 0          | 3          | 3                                       | 0                                       | 0                           |
| 6 Nov 2017 Shift  | 2                           | 7                         | 0                               | 0                 | 16         | 25         | 17                                      | 8                                       | 0                           |
| 7 Nov 2017 Shift  | 5                           | 7                         | 0                               | 0                 | 17         | 29         | 29                                      | 0                                       | 2                           |
| 8 Nov 2017 Shift  | 11                          | 27                        | 0                               | 0                 | 11         | 49         | 41                                      | 8                                       | 0                           |
| 9 Nov 2017 Shift  | 6                           | 10                        | 0                               | 1                 | 18         | 35         | 32                                      | 3                                       | 0                           |
| 10 Nov 2017 Shift | 4                           | 16                        | 2                               | 0                 | 8          | 30         | 27                                      | 3                                       | 0                           |
| 11 Nov 2017 Shift | 0                           | 4                         | 0                               | 1                 | 2          | 7          | 6                                       | 1                                       | 1                           |
| 12 Nov 2017 Shift | 1                           | 0                         | 0                               | 0                 | 6          | 7          | 7                                       | 0                                       | 1                           |
| 13 Nov 2017 Shift | 2                           | 5                         | 0                               | 1                 | 22         | 30         | 26                                      | 4                                       | 1                           |
| 14 Nov 2017 Shift | 8                           | 17                        | 0                               | 0                 | 10         | 35         | 33                                      | 2                                       | 0                           |
| 15 Nov 2017 Shift | 3                           | 9                         | 0                               | 0                 | 4          | 16         | 15                                      | 1                                       | 1                           |
| 16 Nov 2017 Shift | 7                           | 10                        | 0                               | 0                 | 15         | 32         | 30                                      | 2                                       | 1                           |
| 17 Nov 2017 Shift | 2                           | 5                         | 0                               | 0                 | 15         | 22         | 21                                      | 1                                       | 1                           |
| 18 Nov 2017 Shift | 0                           | 0                         | 0                               | 0                 | 6          | 6          | 6                                       | 0                                       | 0                           |
| 19 Nov 2017 Shift | 0                           | 1                         | 0                               | 0                 | 0          | 1          | 1                                       | 0                                       | 0                           |
| 20 Nov 2017 Shift | 3                           | 8                         | 0                               | 0                 | 6          | 17         | 15                                      | 1                                       | 1                           |
| 21 Nov 2017 Shift | 9                           | 14                        | 0                               | 0                 | 20         | 43         | 35                                      | 8                                       | 0                           |
| 22 Nov 2017 Shift | 2                           | 21                        | 1                               | 0                 | 13         | 37         | 33                                      | 4                                       | 0                           |
| 23 Nov 2017 Shift | 14                          | 14                        | 1                               | 0                 | 2          | 31         | 30                                      | 1                                       | 0                           |
| 24 Nov 2017 Shift | 2                           | 4                         | 0                               | 0                 | 2          | 8          | 8                                       | 0                                       | 0                           |
| 25 Nov 2017 Shift | 1                           | 1                         | 0                               | 0                 | 6          | 8          | 8                                       | 0                                       | 0                           |
| 26 Nov 2017 Shift | 0                           | 0                         | 0                               | 0                 | 0          | 0          | 0                                       | 0                                       | 0                           |
| <b>TOTAL</b>      | <b>107</b>                  | <b>238</b>                | <b>7</b>                        | <b>4</b>          | <b>256</b> | <b>612</b> | <b>544</b>                              | <b>67</b>                               | <b>9</b>                    |

## Summary

30. The number of vehicles clamped in the first four weeks was much higher than expected by ABC or KCC.
31. Positive points include:
- Lack of parking on the four industrial estates at the weekends.
  - Lack of vehicles parking in contravention of the Order in Ellingham and Wotton Road Industrial Estates.
  - 100% payment of all PCNs issued.
  - 100% payment of all clamp release fees.
  - Of the 612 vehicles only 7 vehicles have been clamped twice, suggesting that the message is getting out there, but it will take longer than expected before the majority of drivers are aware of the trial.
32. Work in progress
- Continued parking of HGVs in contravention of the Order on the A20.
  - Continued parking of HGVs in contravention of the Order on Orbital Park and Ashford Business Park, Sevington during weekdays.
  - Financial cost of the clamping.
33. ABC and KCC are currently requesting the DfT increase the clamping fee during the trial and an answer is expected imminently. This requires the approval of the Secretary of State.
34. It is suggested that the trial should continue at the current enforcement level but the scale of enforcement will need to be reviewed imminently and in the context of the current prescribed maximum clamping release fee.

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|----------------------|--|
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| <b>Appendix list</b> |  |
| Appendix 1           | Plans showing the extent of the restrictions.  |
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This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.

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| Rev | Revision Date | Purpose of revision | Drawn | Checked | Apptd |



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Project  
A20 Maidstone Road, Charing to Ashford and  
Orbital Park and South Willesborough

|                |                        |              |
|----------------|------------------------|--------------|
| Drawing status | <b>FOR INFORMATION</b> |              |
| Scale          | NTS at A4              | Do not scale |
| Drawing number | DFT/Lorry Signs/002    | Rev<br>0     |

Drawing title  
**Location Plan Enforcement Areas**