
KCC HGV PARKING UPDATE – EU EXIT HGV PARKING ENFORCEMENT

To: **Ashford Joint Transportation Board – XXXXX 2021**

By: **Tim Read, Head of Transportation, Kent County Council**

Classification: **Unrestricted**

Ward: **Across the Borough – Various**

Summary: **This report provides an update on the operation of the Kent County Council HGV enforcement operation of the Experimental Traffic Order which includes the Borough of Ashford.**

For Information

1.0 Introduction and Update

- 1.1 As part of the wider post EU exit transition period plans, Kent County Council (KCC) introduced an experimental traffic regulation order prohibiting any heavy goods or large goods vehicle which has a gross vehicle weight in excess of 5,000kg (5 tonnes) from parking anywhere within 7 districts and boroughs. The areas included are Ashford, Canterbury, Dover, Folkestone & Hythe, Maidstone, Swale and Thanet.
- 1.2 The restriction covers the whole of the Borough, created by a zonal parking ban, which applies 24 hours a day, 7 days a week. The Parliamentary under Secretary of State for Transport has allowed first time clamping of vehicles that contravene the restriction and a £150 clamp release fee, in addition to a Penalty Charge Notices (PCN).
- 1.3 A Statutory Instrument that restricts local authorities outside of London to not charge more than a £40 release fee for each clamp has been amended for a duration of 6 months, from 1st January 2021, specifically for KCC, in the 7 named districts and boroughs.
- 1.4 Hundreds of signs have been deployed around the 7 named districts and boroughs to define the zonal parking restriction, using entry and exit signage to inform drivers when they are entering and leaving the areas to which the restriction applies. Where HGV 'no parking' signs are in place for existing restrictions, these have been greyed out and a small repeater sign placed next to existing sign to ensure it is clear to the driver that they are in a restricted zone.
- 1.5 After a period of "soft" enforcement at the beginning of January (CEO's speaking to drivers and handing out over 500 multi-language warning leaflets). Enforcement by the application of a PCN and Clamp commenced on 11th January 2021. KCC's enforcement resource provides 24 hour a day, 7 days a week coverage.
- 1.6 For the first 16 weeks of the scheme (11th January – 2nd May), KCC have issued a total of 2832 PCNs and clamps. 861 of these have been applied within the Borough of Ashford, which accounts for 30% of the total to date in Kent.

- 1.7 Between 11th and 20th January 2021, Ashford Borough Council continued with their own enforcement operation and issued a total of 66 PCN and clamps during this time. All of these were issued overnight between 2200 and 0600.
- 1.8 Across the 7 named districts and boroughs, from the 2832 PCN and clamps issued, we have identified that 4% have been applied during the AM period (0600-1400), 19% during the PM period (1400-2200) and the remaining 77% overnight (2200-0600). We have also identified the distribution of clamps where 21% of contraventions has been committed by UK registered vehicles and 79% to EU/International registered vehicles.
- 1.9 During the first 16 weeks of the scheme, 66 appeals have been made to KCC against penalty charge notices issued to HGVs in contravention. These appeals have been processed with 54 rejected (82%), whilst 12 have been cancelled (18%). We have had 8 appeals to the Traffic Penalty Tribunal (TPT) which are currently awaiting hearings.
- 1.10 As enforcement has taken place over a 16-week period to date, it is clear that contraventions of the restriction predominantly occur on Tuesday thru Friday with less taking place Saturday thru Monday. Additionally, the level of repeat contraventions by the same registered vehicle is very low (less than 1%).

2.0 Consultation and Traffic Regulation Order

- 2.1 The advert for the Traffic Regulation Order was placed on 25 December 2020 and the consultation is live on KCC’s consultation webpage, with a closing date for comments on the 3 July 2021.
- 2.2 Engagement took place with Road Haulage Association and Logistics UK in December 2020, prior to the order coming into force in January 2021. All stakeholders were notified of the consultation in the standard manner.
- 2.3 302 responses have been received to date and are summarised as follows:

Support	93	30.79%
Object	209	69.21%

- 2.4 Most of the responses have included comments, by both those supporting the proposal and objecting to it. These will continue to be reviewed as part of the on-going consultation process.

Members can see a copy of responses upon request to KCC.

3.0 Corporate Implications

3.1 Financial and VAT

- 3.1.1 None

3.2 Legal

- 3.2.1 None.

3.3 Corporate

- 3.3.1 None

4.0 Recommendation(s)

4.1 KCC will provide a further update at the next Joint Transportation Board.

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5.0 Referencing

5.1 Traffic Signs & General Directions 2016