

Overnight HGV Enforcement and Clamping

To: Joint Transportation Board

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Classification: For information

Ward: Across the Borough – Various

Summary:

Kent suffers from issues because of HGVs parking in unsuitable locations. This causes danger, distress to residents and results in environmental waste in many locations. The Ashford clamping trial was a joint initiative between Kent County Council (KCC), Ashford Borough Council (ABC) and the Department for Transport (DfT).

The experimental HGV clamping trial operated between 30 October 2017 and 30 April 2019. It was extremely successful in reducing the number of HGVs parking in inappropriate locations within the Ashford borough. During the 18 month trial 2754 HGVs were clamped. The number of HGVs parked in Ashford borough has reduced by 61% with little displacement to neighbouring districts. The trial allowed first-time clamping of vehicles that contravene restrictions.

The permanent Traffic Regulation Order commenced in September 2019. This is part of a zonal parking ban that operates between 8pm and 7am and covers the A20 between Charing and Ashford, The Orbital Park, Sevington, Ellingham & Wotton Industrial Estates.

Background

1. There was a growing problem with HGVs parking overnight in various locations in the borough for many years. This resulted in a number of restrictions being put in place to prohibit the parking of HGVs overnight. The first ban prohibiting the parking of HGVs between 8pm & 7am the following day was put in place at the Orbital Park and Ashford Business Park Sevington in 2003. ABC piloted various enforcement initiatives to address this problem. These included the appointment of Trans European collection agents, various multi-agency enforcement operations and a trial in 2015 involving the clamping of persistent evaders.

2. All enforcement initiatives detailed above had limited success. The Experimental Traffic Regulation Order (ETRO) and the clamping trial were developed by working with the DfT so that it reflected the unique issues faced in the county. The DfT agreed to change the current clamping policy for HGVs so that a clamp can be introduced for first-time offences.
3. Throughout the trial the total number of HGV's clamped was 2754 of which 1449 were on the A20.
4. The Traffic Regulation Order (TRO) consultation took place between 15 April and 13 May 2019 to make the trial area permanent thereby allowing enforcement to continue. Following agreement at the Joint Transportation Board on 11 July 2019 the TRO was sealed by KCC and went live on 15 July 2019.
5. Currently legislation allows clamping after 3 or more outstanding Penalty Charge Notices with a maximum release fee of £40. Formal DfT approval was given to continue first-time clamping on vehicles that contravene restrictions and an increased clamp release fee to ensure costs can be covered with no additional impact on ABC finances. This is reflected in the wording of the TRO.
6. Due to covid-19 enforcement was suspended and did not take place from 13 March to 20 October 2020, following monitoring of the enforceable areas an increased number of HGV's were seen to park overnight, so enforcement was recommenced.
7. 1 January to 30 June 2021 – KCC enforced all HGV parking by setting up a temporary order across East Kent for the EU transition. The analysis of this period is still being compiled.
8. December 2021, the Ashford Truck stop moved into a new site nearby increasing their capacity from 350 to 660 spaces.

Current Position & Summary

9. Ashford Civil Enforcement Officer's (CEOs) have continued with enforcement, at 14 February 2022, 127 HGV's have been clamped across the five locations this year of which 35 were on the A20.
10. The Ashford Truck stop has seen an increase in use and reports they are at full capacity most weekday nights and are turning vehicles away.

11. There has been one reported incident with the clamp being cut off, but driver was later seen at the Inland Border Facility site and full payment was received as he left the site.
12. Since the beginning of 2022 there have been two appeals against the penalty charge notices issued to HGV's in contravention. All appeals have been rejected, one case has been taken to the next stage; Traffic Penalty Tribunal (TPT).

Future enforcement

13. A trial has been agreed to run from April 2022. The current contractor London Parking Solutions will issue the PCN and clamp the vehicle. No CEO's need to attend, giving more availability for daytime priorities that are being impacted at present.
14. At present we have no scope to change the rota for enforcement to be done on different nights due to the limitations of having a small team, the clamping company would be able to enforce other nights to ensure drivers are not aware when enforcement is taking place and no patterns occur.
15. We will have no additional costs working this way but will be saving the cost of the team and fuel that are not covered at present.
16. All appeals will still be dealt with internally by our own parking officers.

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Reporting to Alison Oates, Community Safety & Wellbeing Manager