

# Crime and Disorder Select Committee

A meeting of Crime and Disorder Select Committee was held on Thursday, 26th May, 2016.

**Present:** Cllr David Wilburn(Chair), Cllr Paul Rowling(Vice-Chair), Cllr Allan Mitchell, Cllr Mrs Sylvia Walmsley, Cllr Julia Whitehill, Cllr Barry Woodhouse

**Officers:** Joanne Roberts (Traffic and Network Safety Manager), Jamie Stephenson (Senior Neighbourhood Enforcement Officer), Graham Birtle (Scrutiny Officer), Jenna McDonald (Governance Officer)

**Also in attendance:** Cllr Julia Cherrett (SBC), Phil Hepburn (Hartlepool Borough Council), Sarah Harrington (Middlesbrough Borough Council)

**Apologies:** Cllr Paul Baker, Cllr Ken Dixon

## **1 Evacuation Procedure**

The evacuation procedure was noted.

## **2 Declarations of Interest**

There were no declarations of interest.

## **3 Minutes for signature - 3 March 2016**

The minutes of the meeting held on 3 March 2016 were signed by the Chairman as a correct record.

AGREED that the minutes were signed by the Chairman as a correct record.

## **4 Scrutiny Review of School Parking**

The Committee was presented with a report on the Scrutiny Review of School Parking.

An Enforcement Manager from Hartlepool Borough Council (HBC) and Middlesbrough Borough Council (MBC) attended the meeting to provide Members with facts, figures and experiences of Camera Car's that were used by each Council.

Phil Hepburn from Hartlepool Borough Council highlighted the following points:

- There were approximately 40 schools in Hartlepool which experienced access issues and congestion at various times of the day.

- In 2011 Hartlepool Borough Council was one of the first Local Authorities in the North East to purchase a CCTV vehicle due to enforcing by traditional methods becoming more impractical.

Prior to the camera car, two Enforcement Officers would attend school sites to address school parking issues however, once the Enforcement Officers were seen at the site, it was perceived that the officers would not return for a long period of time which therefore resulted in minimal compliance.

- The cost of the camera car itself was £40,000 which did not include hardware and administration costs.
- The camera car was purchased using Local Transport Plan (LTP) monies by Hartlepool Borough Council.
- Before using the car for issuing fines, Hartlepool Borough Council ensured that the the car was certified by all appropriate bodies.
- It was noted that the camera car could be operated in various modes which included attended and unattended. HBC chose to operate the vehicle unattended which resulted in evidence being gathered on a data stick which was then reviewed by a Civil Enforcement Officer (CEO). Once the CEO had reviewed the data, a decision was then made as to whether a contravention had occurred.
- HBC set out with five contraventions which included; bus stop clearways, school keep clears, cycle lanes, Zigzag markings and loading bays. It was noted that due to changes in legislation HBC now monitored only two contraventions which were bus stop clearways and school keep clears. It was highlighted that Bus Operators supported the approach taken for bus stops as it allowed better access. Members noted that there were no bus lanes in Hartlepool.
- Since the introduction of the camera car in 2011, HBC had issued approximately 6,000 PCNs as a result of the camera car enforcement.
- The Committee was informed that the camera car visited each school one out of every nine days.

Sara Harrington from Middlesbrough Borough Council highlighted the following points relating to the camera car used by MBC:

- It was noted that similar to HBC, the decision to purchase a camera car was influenced by the difficulties around enforcing by traditional methods.
- Due to being moved away from schools, motorists were now being displaced further away which resulted in more requests for waiting restrictions to be placed in residential areas which were not introduced due to the lack of resources.
- There had been a reduction in PCNs due to increased compliance however; this had a negative impact on residents due to displacement of cars.
- It was highlighted that before introducing the camera car, a thorough review was carried out by MBC which involved reviewing TROs, it was heard that the number of traffic signs increased as a result of the review.

Members raised the following points/questions:

- It was asked whether the revenue gained from the camera cars covered operating costs. In response, it was noted that as the initial recovery of the HBC camera car was paid, revenue gained did in fact cover the costs of running the

car. Members heard that the purpose of the vehicle was not to generate revenue but to deal with compliance, increase safety measures and to ease complaints.

The Committee was informed that the purchase of the MBC vehicle and the initial set-up was funded through the Local Transport Plan (LTP), the annual cost of the vehicle was £8,600 for software. The number of PCNs issued from the Middlesbrough camera car in 2015 was 560 which generated an income of around £18,000. It was explained that figures were likely to change due to an increase in compliance.

- The Committee raised concerns around the number of complaints that were likely to be made due to displacement. Members were assured that although the camera car could not enforce this issue, officers were able to issue PCNs on double yellow lines as part of their duties.

- Discussions took place around appealing PCNs issued as a result of the camera car. It was highlighted that it was the local authority's responsibility to provide adequate evidence of the offence however; this was occasionally appealed and therefore adjudicated. It was noted that the local authority was bound by the final decision made by the adjudicator of the case.

It was noted that when a PCN was issued a motorist had the right to challenge informally however if the challenge was unsuccessful, the motorist could submit a formal representation to the local authority which was then reviewed by a different officer. Members heard that if the formal representation was unsuccessful, the motorist had the right to appeal to the tribunal for the appeal to be reviewed by an independent adjudicator.

- The Committee was keen to understand the staff resources used for the running of the vehicle. It was explained that any member of staff could drive the vehicle however, only a CEO could decide whether a contravention had occurred. It was noted that Senior Supervisors were responsible for reviewing the data stick used in the camera car on a daily basis, this was absorbed into the officers daily duties.

- Members asked what the camera car was used for outside of school term time. In response, it was heard that that outside of term time, the car dealt with bus stop contraventions.

- With regard to the work which was required before introducing the camera car, it was noted that there was a substantial cost to the preparation which included road markings and road signs. It was highlighted that the total preparation cost was around £10,000 for HBC. The Traffic and Network Safety Manager explained that there would be no requirement for individual TROs as bus stop clear ways in Stockton could be covered by a blanket TRO.

- Following on from the discussion around displacement, Members raised concerns around the camera car being able to enforce zigzag contraventions only. It was noted that the camera car did not provide a solution to the problems Stockton was experiencing relating to school parking issues.

- It was asked whether the camera car could enforce dangerous parking on

corners. In response, it was noted that the car could not enforce this if there were no zigzag markings however, this was dealt with by Neighbourhood Enforcement Services as an obstruction, an immediate removal notice could be issued and the car could ultimately be seized.

- Members asked whether there had been any feedback from schools relating to the impacts of the camera car. Members were informed that feedback was received initially in addition to requests for more enforcement.

- The Committee was keen to receive an update on Operation Imperial which was discussed at the meeting on 28 April 2016. It was noted that schools were suggested to take part in the operation and the Neighbourhood Enforcement Team provided support to the Police. The schools selected were Ingleby Mill, Fairfield Primary, St Patrick's, Billingham South, and Whitehouse. Members heard that schools were visited as part of the operation however, no FPNs were issued. It was highlighted that the Police were in unmarked vehicles when visiting schools.

- Members received information on the number of accidents in the vicinity of schools involving children over the last three years. It was noted that there had been 2 secondary school age children involved as pedestrians, 3 primary school age children involved as pedestrians and 2 involved in car accidents. The information provided did not include an additional high profile incident in Ingleby Barwick (Lowfields Avenue) that had happened recently as information was not yet received from the police.

- With regard to Public Space Protection Orders (PSPOs), discussions took place around a sign used by another authority for PSPOs that looked similar to a traffic sign which was sent to the legal team which received comments from the Principal Solicitor whose advice was that any sign used should not look like a traffic sign, although information would need to be clear to motorists that they were committing an offence for which an FPN could be issued.

The Committee thanked the officers for attending the meeting. Members were invited to visit Hartlepool Borough Council to look around the camera car.

AGREED that the information be noted.

## **5 Work Programme**

Members gave consideration to the work programme 2016-17.

It was suggested that Exercising Dogs on Playing fields be considered as part of the Scrutiny Review of Dog Fouling/DNA Testing.

AGREED that the work programme be noted.

## **6 Chairs Update**

The Chairman of the Committee proposed a time change for future meetings to commence at 15.00pm.

AGREED that the Chairman circulate an email to all Committee Members.

