



Communities, City Management & Air Quality Policy and Scrutiny Committee

Date:	18 th May 2023
Classification:	General Release
Title:	Parking Service Update
Report of:	Jonathan Rowing, Head of Parking
Cabinet Member Portfolio	Portfolio (as listed at www.westminster.gov.uk/cabinet)
Wards Involved:	All
Policy Context:	...
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1. Executive Summary

- 1.1 In November 2022 Parking was an agenda item at a meeting of this Committee. At the time it was not possible to fully scrutinise the Parking service as it was in the final stages of a procurement exercise and various policies and fees were under review. It was therefore agreed that Members of the Committee would scrutinise the service in the June 2023 meeting and the November meeting was used to focus the topic of that scrutiny. This report covers those topics identified following that November 2022 meeting.

2. Key Matters for the Committee's Consideration

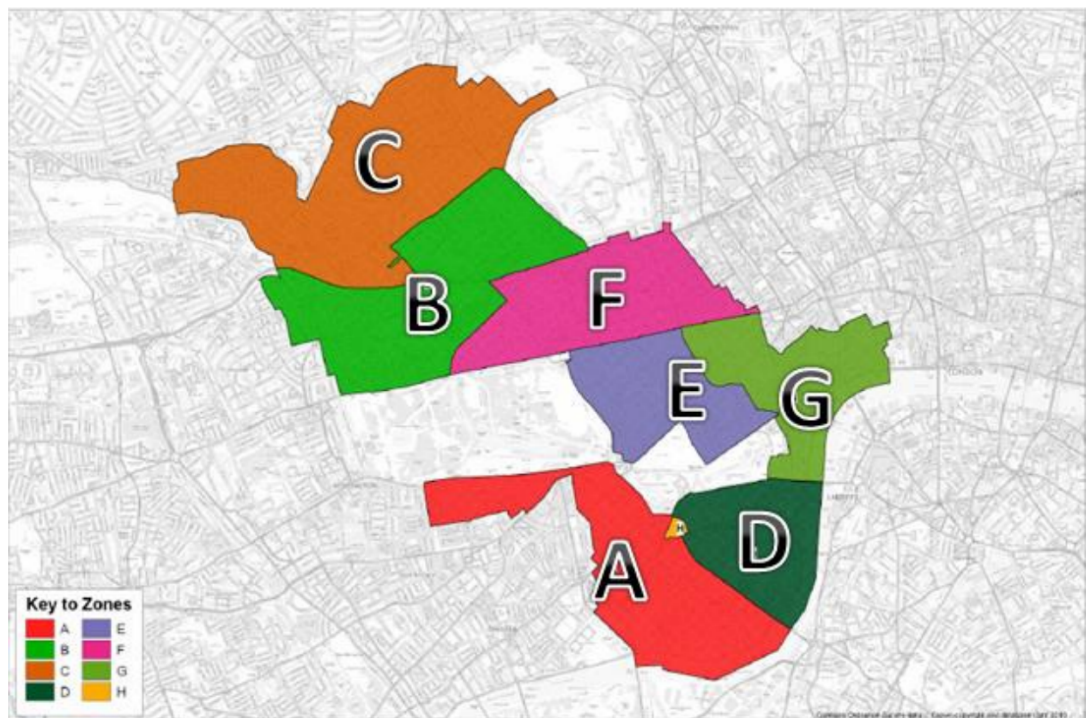
- 2.1 To review elements of the Parking Service as requested following the meeting of this Committee in November 2022 and to raise any questions of Officers or the Cabinet Member as appropriate.
- 2.2 In addition further consideration is suggested by the Committee on:
- Does the Committee believe the provision of parking capacity supports needs of our residents and road users?

- Does the Committee have any comments or concerns in relation to the performance of our Parking contractors?
- Does the Committee believe that Parking provision is future-proofed against changing needs/demand?
- What considerations do the Committee believe should be made if the City Council moves to include engine emissions in charging for Parking?

3. Occupancy Survey

3.1 Report Process

3.1.1 Nationwide Data Collection (NDC) were commissioned, by the City Council's consultant WSP in partnership with the City of Westminster, to undertake the 2022 detailed surveys of on-street car parking occupancy throughout the City of Westminster. This comprehensive survey included all on-street parking spaces in the City of Westminster; some 370 miles of parking restrictions in the Council's seven Resident Parking Zones (A-G).



Map 3.1.1- Map of WCC Parking Zones

3.1.2 The surveys measured the occupancy of parking space during different times of the week and at weekends. Data collection was completed in two phases to ensure the work was undertaken in neutral months, outside of school holidays.

The 2022 survey periods were;

- April to July
- Early to Mid-September

3.1.3 It should be noted that this is a snap-shot survey of occupancy during the survey periods. The data must be taken in conjunction with other reports and local understanding before any detailed positions are extrapolated from the figures provided.

3.2 Survey Background

3.2.1 The City of Westminster is the largest parking authority in the country. To inform how the network should be managed a City-wide parking occupancy survey is now commissioned approximately every five years. This is where the kerbside is monitored over an agreed number of survey 'time frames'.

3.2.2 The last Parking Occupancy Survey was carried out in 2018 and since then there have not been any significant changes in the hours of operation in the City's parking zones, although zone H no longer exists. As a result of its annual fees and charges review, the City Council introduced tariff increases in August 2019, January 2021 and April 2022, and since August 2019 has operated an emissions-based charging scheme for diesel vehicles city-wide, which applies a 50% surcharge on pre-2015 diesel vehicles paying to park.

3.2.3 However, since the last Occupancy Survey Report, a number of factors have had a significant effect on vehicle patterns and driver behaviour in the City: namely Covid and its various lockdowns, the City Council's Movement Strategy works in reaction to this which has heavily impacted the kerbside; the implementation of the UltraLow Emission Zone; and the expansion of the Congestion Charge Zone area.

3.2.4 Between the survey years (2018 and 2022) the most significant changes were:

- An overall decrease of 2,547 in the number of spaces available.
- A decrease in the number of theoretical spaces at single yellow lines of 2,548, and while there were no significant changes in residents bays, pay to park bays decreased by 232 and shared use bays increased by 42.
- The number of loading bays throughout the City has increased by 229 spaces, or over 100%, and the number of electric vehicle charging bays has increased by 40%.

3.2.5 The reductions in bays noted by the survey over the past 5 years are due to many factors. Often this is due to changes to the highway to better support active travel (walking and cycling etc), improve road safety, or due to pedestrianisation or other public-realm improvements. These changes can include wider footways, improved pedestrian crossings, or new build-outs that take the space previously used for car parking. The Council has been meeting local demands for the provision of on-street cycle hangers which also often replace a bay on street. No bay is removed for any reason without there being

a need for alternative kerbside uses and changes only occur after consideration of local capacity and demand.

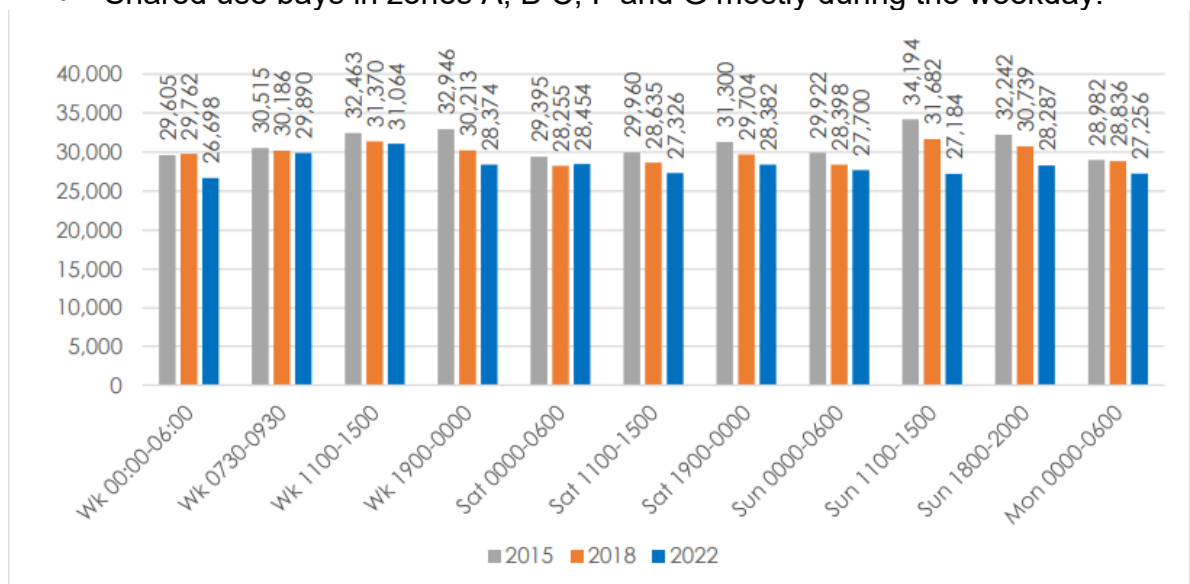
3.3 Survey Results Summary

3.3.1 The survey has generated a number of conclusions including:

- Typically some 28,000 vehicles (ranging from 26,000 to 31,000) were recorded parked on-street within Westminster, which is slightly lower than 2018.
- Across all zones the pay to park weekday daytime occupancy has increased and the average citywide pressure is over 80%.
- Changes in weekday demand for disabled (blue badge) bays which differs for each zone and a decrease in weekend demand for parking on single yellow lines in all zones.
- There were no significant changes in resident bay weekday demand, while Sunday demand decreased in three zones.
- For shared use bays there have been changes in weekend demand, but this differs for each zone, and weekday changes are only seen in zones A, F and G.

3.3.2 High weekday parking pressure continues to be recorded within areas of the City/parking zones during certain times of the day:

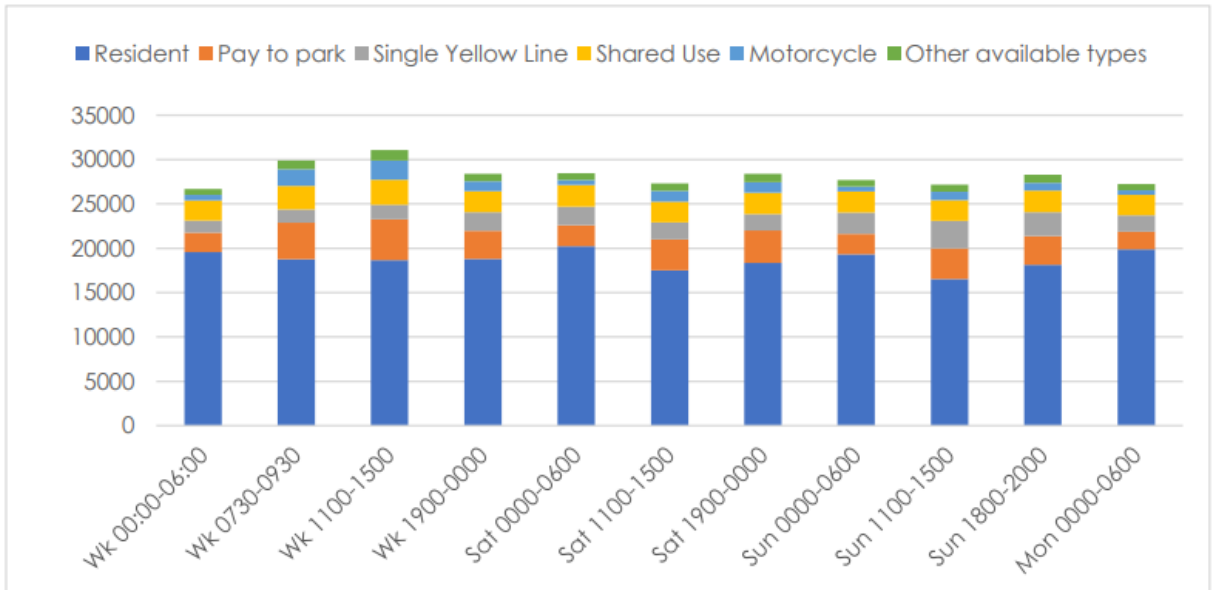
- Resident parking bays in zones B, C and F across the survey periods;
- Pay to park for bays in zones B, E, F and G, especially during weekday controls;
- Shared use bays in zones A, B C, F and G mostly during the weekday.



Graph 3.3.2- Total Citywide parking compared 2015/2018/2022

3.3.3 In zone F the demand for electric vehicle bays is high and the demand for loading bays in sub-zone C/B1 remains high. It should be noted the City has installed/converted a number of dedicated resident electric vehicle (EV) charging bays within resident bays to help alleviate the demand pressure on the general EV charging bays and to encourage continued take up of EV. At the

time of writing this was approx. 434 lamp-column charge-points for the exclusive use of EV resident permit holders, and their implementation continues.



Graph 3.3.3- Vehicles Parked by Type

3.3.4 In conclusion it is summarised that:

- Parking pressure persists on resident parking spaces in a number of areas of the City (primarily zones B, C and F);
- Weekend parking occupancy (especially Sunday) attracts almost as many vehicles as the weekday; and
- The quantity of parking at single yellow lines outside the hours of control appears to be relatively stable since 2018.

4 Parking Financial Management

4.1 Financial Background

4.1.1. Westminster's Parking Service is the largest in Europe providing over 47,000 parking spaces, catering for all road users and vehicle types. It is responsible for providing, managing, and enforcing on-street parking facilities and controls throughout the whole of Westminster that includes 1,990 streets and some 600 miles of kerbside.

4.1.2 The Parking Service is unusual as it is accounted for differently to other areas within the council. WCC is bound by legislation to re-invest any surplus made from parking services in prescribed transport related activities only, through the Parking Places Reserve Account (PPRA). Although the yearend surplus is no longer transferred to the PPRA, an annual memorandum is produced detailing how it has been reinvested on such areas as Public Realm enhancements, Highways Planning, Concessionary Fares and Home to School transport.

4.1.3 Parking income falls into 3 main categories:

- Enforcement charges from the issue of Penalty Charge Notices (PCNs) either

by Marshals on-street or traffic enforcement cameras. PCNs issued by Marshals within Westminster are set at either £80 or £130 depending on the severity of the alleged parking contravention. All Moving Traffic Contravention (MTC) PCNs issued via traffic enforcement cameras only are £130. The value of these charges are statutory and are set by London Councils.

- Parking Fees & Charges from the provision of Pay-to-Park on street, issue of Residents Permits, Trade Permits, Parking Dispensations and Suspension of Parking Bays. The level of these charges is discretionary and reviewed by WCC on an annual basis.
- Other – Both round trip (fixed) and flexible Car Club schemes are operated by ZipCar who pay WCC for the use of a number of parking bays within Westminster.

4.1.4 The parking income budgets are reviewed annually with incremental adjustments usually just made for approved Medium Term Planning (MTP) savings. The current 2023/24 income budget is shown below with a comparison to the 2022/22 budget and outturn

Income Stream	Approved Budget 2022/23 £'000	Outturn 2022/23 £'000	Variance 2023/24	Approved Budget 2023/24 £'000
Penalty Charge Notices	-19,492	-23,264	3,772	-19,692
Paid for Parking (Inc. Motorcycles)	-41,796	-38,958	-2,838	-44,326
Resident Permits	-4,562	-4,044	-518	-4,362
Trade Permits/Dispensations	-1,320	-1,175	-145	-1,390
Suspensions	-21,030	-21,563	533	-21,880
Car Club/Electric Vehicles	-1,170	-727	-443	-890
	-89,370	-89,731	361	-95,541

Table 4.1.4- Parking budgets 2022/23

4.2 Income Profiling & Monitoring

4.2.1 All main parking income streams are monitored with a report issued weekly to Parking managers, Executive Director for Environment & City Management, and Finance. The budget is profiled weekly depending on income stream:

- Penalty Charge Notices – Within weekly reporting the income relates to actual 'cash through the door' regardless of when the PCN was issued, and the weekly profile is based on previous year actuals.
- Paid for Parking/Motorcycles – Profiled using the last year actuals with adjustments made for movement of bank holidays and seasonal variations. Historically there is a fall in income during July and August due to less traffic coming into the city. There is then a marked gradual increase from September onwards and throughout the autumn until reaching a peak in the first weeks of December. After a slump during the Christmas and New Year period there is

usually another fall throughout the winter months depending on the severity of the weather.

- Residential Permits – Mostly based on previous year actuals but there are seasonal variations associated with main permit renewal periods throughout the year usually in July, September, and January
- Trade Permits/Dispensations – Usually based on previous year actuals.
- Suspensions – Given a that a significant value of suspensions income is derived from long-term commercial suspended bays it can be difficult to profile as it tends to differ considerably from year to year. A large chunk of suspension income received in February/March relates to bookings post new financial year, therefore suspensions is the only income stream where income received in advance is accounted for at year end. This generates a higher weekly profile for April-June, flattening out for the remainder of the year until reducing from January onwards to take into account prepayments for the following year.

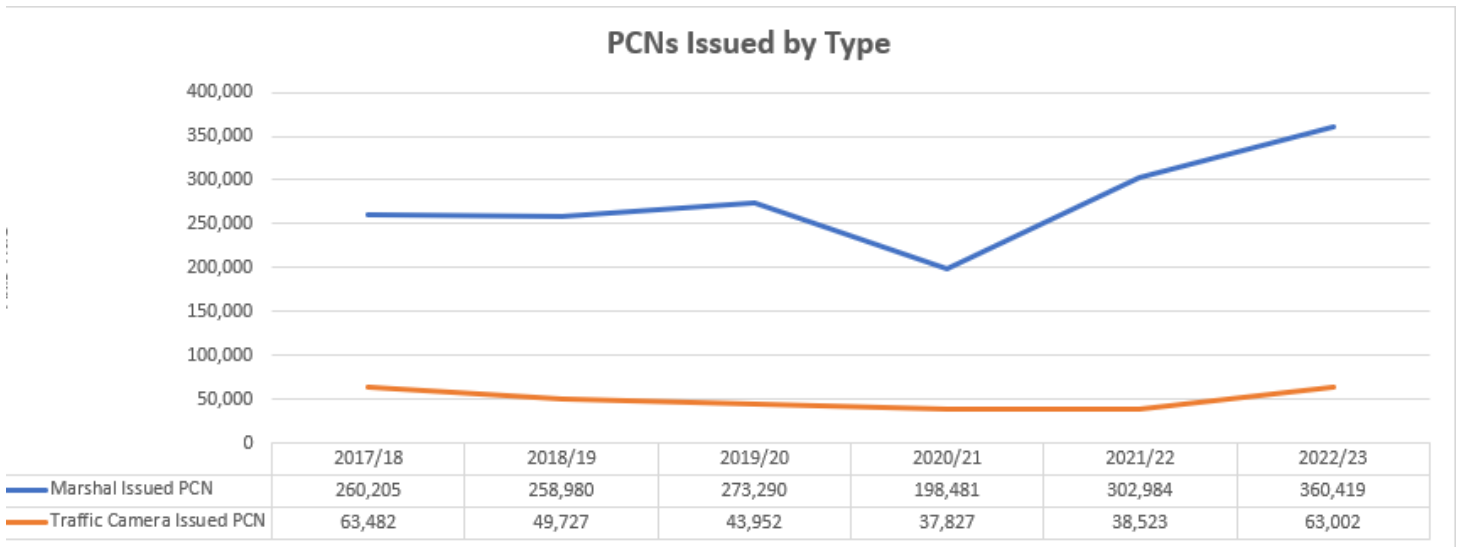
5 Penalty Charge Notices

5.1 Background

- 5.1.1 The City Council believes that educating and assisting road-users to park in a compliant manner is preferable to relying on punitive enforcement. However, issuance of Penalty Charge Notices (PCNs) is a necessary part of any Local Authority's parking regime.
- 5.1.2 PCNs can be issued by our Marshals (as Civil Enforcement Officers are known in the City of Westminster) or, for certain specific offences mainly associated with Moving Traffic Offences, by CCTV.

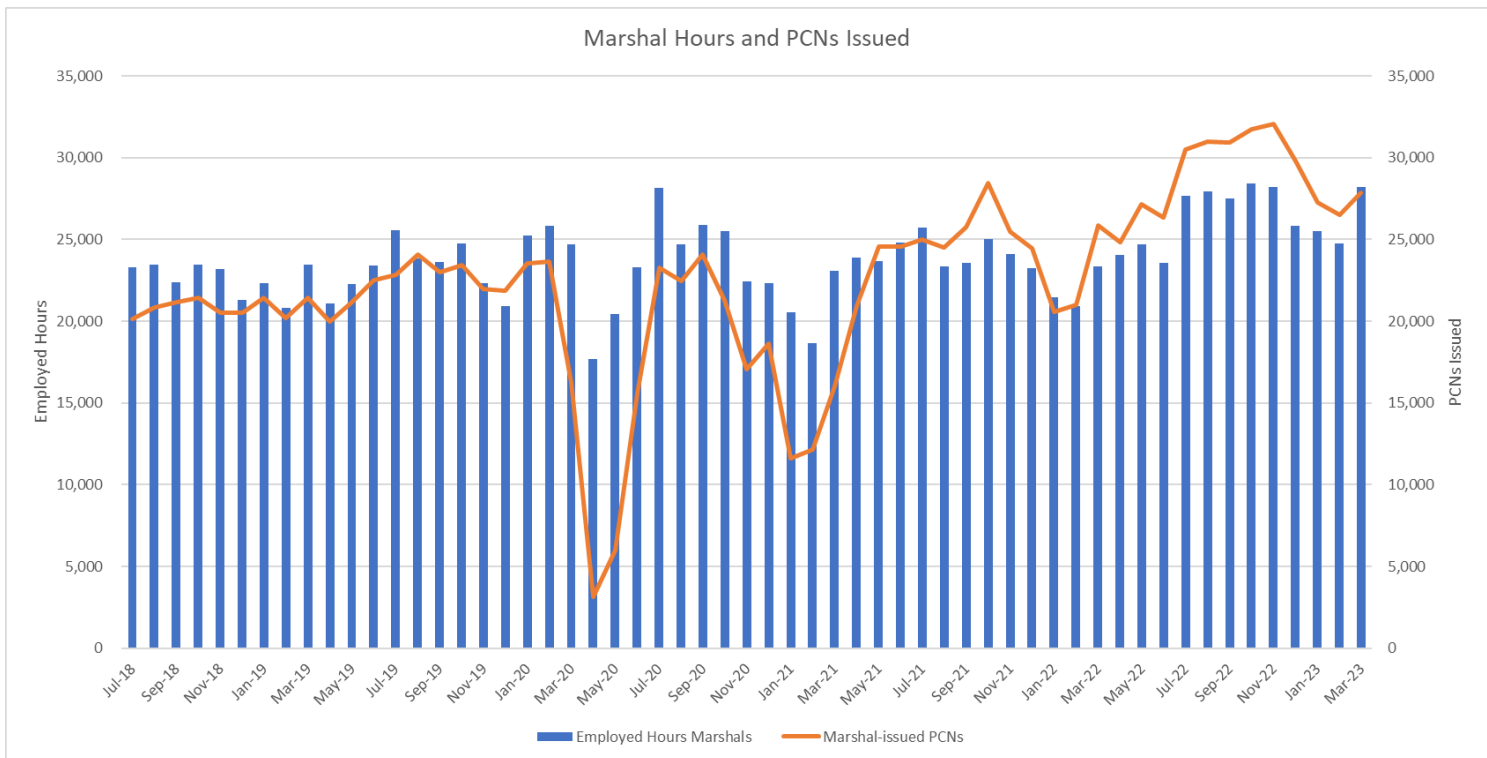
5.2 Metrics

- 5.2.1 The majority of WCC's PCNs are issued by Marshals as we have historically only installed cameras for Moving Traffic Offences using a risk-based approach to target key safety hotspots.
- 5.2.2 Following a dip due to COVID the trend for issuance of PCNs is increasing.



Graph 5.2.2- PCNs issued by year.

5.2.3 Smarter deployment of Marshals by our contractors and more efficient management of these staff enables more hours on street. This is also increasing the trend of PCNs issued as more staff on street in areas where there are compliance concerns leads to more opportunity to issue PCNs if required to support fair access to the kerbside and ensure safe movement of traffic.



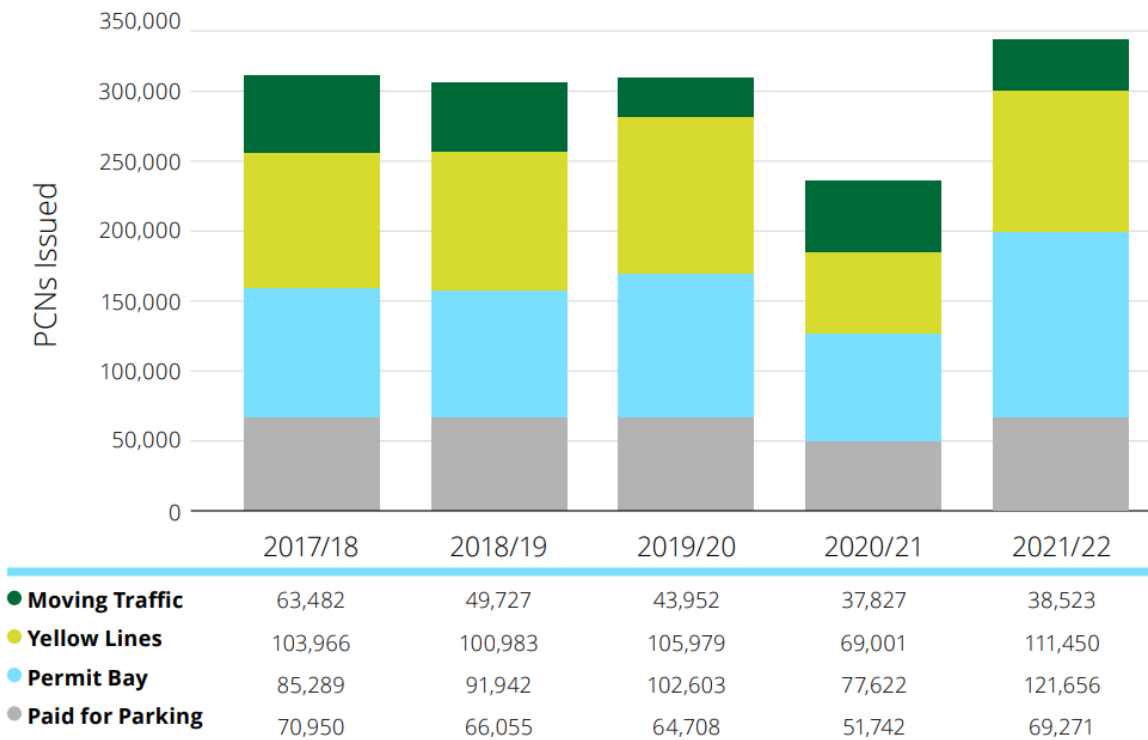
Graph 5.2.3- Marshal PCNs issued against Marshal Hours

5.2.4 The chart above shows Marshal hours and number of PCNs issued on the same scale, so that the relative position of the line compared to the bar demonstrates changes over time in this indicator of on-street efficiency. Where the line is above the bars, more PCNs have been issued than hours employed, indicating

that an average issue rate of more than 1 PCN per hour has been achieved since Q2 2021.

5.2.5 The majority of PCNs are issued in relation to parking in Permit bays (of all types) without necessary permissions, followed by those for parking on yellow lines at the wrong times or for the wrong reasons. NB- “Moving Traffic” PCNs in the graph below are those issued by CCTV cameras to vehicles making illegal movements- such as stopping in box junctions or making banned turns.

PCNs Issued by Contravention



Graph 5.2.4- PCN contraventions by type (all PCN’s issued)

5.3 Life-Cycle of a PCN

5.3.1 In line with regulations beyond the direct control of the City Council, PCNs issued on behalf of WCC attract a charge of £80 or £130; depending on the severity associated with the offence. These fees are set by national Government in negotiation with London Councils for the London Boroughs. Individual London Boroughs cannot change their fees alone. NB- there has been no approval to increase the charge applicable in London Boroughs since 2011.

5.3.2 For the first 14 days they are payable at a 50% discount. As a PCN remains unpaid it goes through the following life-cycle:

- PCN issued/CCTV footage captured.
- 14 days after PCN issued – Discount period expires and PCN amount increases by 50% to full cost.
- 28 days after PCN was served – Notice to Owner is served to the registered keeper (must be served within six months from the issue date of the PCN).
- 28 days after Notice is Owner is served (56 days total from PCN issue) – Charge Certificate is served to the registered keeper and PCN amount increases by further 50%.
- 14 days after Charge Certificate is served (70 days total from PCN issue) – PCN is registered with the Traffic Enforcement Centre and Order for Recovery is served to registered keeper and PCN amount is increased by a further £8 for court costs.
- 21 days after Order for Recovery is served (91 days total from PCN issue) – Council applies to the Traffic Enforcement Centre for authority to prepare a Warrant of Execution and bailiffs are sent to recoup costs.

5.3.3 The average overall PCN recovery rate for 2021/22 was 71.3%, which is a slight increase on the previous year, while the average paid value per PCN has remained at £78. Cancelled PCNs (incorrectly issued or cancelled after challenge) have been falling in recent years through improvements in training and more effective engagement.

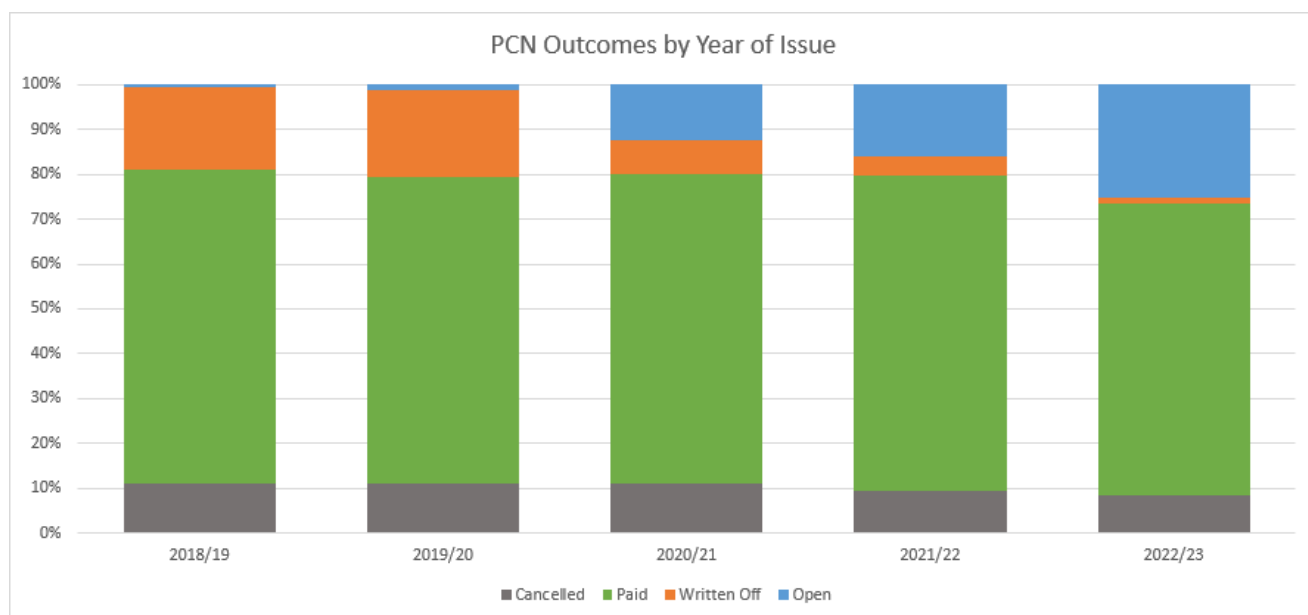
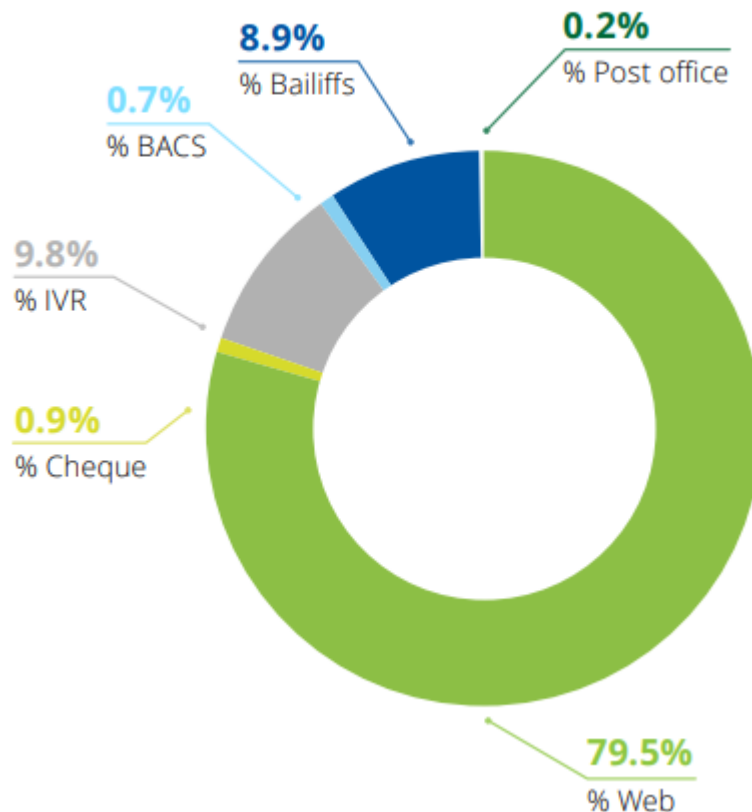


Table 5.3.3- PCN “outcomes” by year.

5.3.4 In terms of payment methods the latest complete data we have is for the 21/22 Financial Year. The quickest and most convenient way of paying for a PCN is by debit/credit card via the online parking portal on the Westminster website. This is evident by it accounting for 79.5% of all payments received which is a slight increase on 2020/21. Telephone payment (IVR) accounts for the other largest method with 9.8%. Although still an accepted payment channel, payments made by cheque and through post offices continue to decline.

PCN Payments Breakdown 2021/22



Graph 5.3.4- PCN payment channels

5.4 Debt Management

5.4.1 Westminster Parking Services requires our Parking Debt Management Contractor to deliver additional services beyond traditional post warrant enforcement. These services, provided at no cost to the Council, are aimed at improving recovery and reducing the amount of debt that is written off as uncollectable. There is also a focus on reducing the extent to which cases unnecessarily progress through to debt registration, for which the Council is charged a fee, and also to reduce the extent to which post warrant enforcement activity occurs. This approach allows us to secure early resolution of the debt (at lower cost to the debtor) and reduces the extent to which post warrant recovery occurs.

5.4.2 Although the debt contract has evolved over the years, it remains structured around early engagement with debtors prior to the issue of a warrant. Through the contract with Marston additional steps are taken, following the issue of the Charge Certificate, to validate the data we have on file and also to send additional letters to drivers alerting them to the outstanding debt. These letters, approved by the Adjudication Service, alert drivers to the debt in order to prevent unnecessary progression. Where new addresses are identified, cases are

reverted to allow drivers the opportunity to either engage the statutory appeals process or pay at the lower rate.

- 5.4.3 As part of Marston's commitment to Westminster they agreed to sub-contact a third-party debt recovery agency to support recovery during the lifespan of the warrant. Marston manage the relationship, and warrant batches that do not reach a 20% recovery level at the end of month 9 of the 12 month lifecycle will transfer to the new sub-contractor, Trace Enforcement Group Limited. Trace specialise in the recovery of outstanding debt to those that are difficult to locate. They use various approaches to test the accuracy of data held on file in order identify the location of debtors.
- 5.4.4 Marston have invested significantly in recognition of debtor vulnerability with dedicated welfare support, hardship and vulnerability teams who undergo specific training, developed with the support of the Money Advice Trust, the Samaritans and the Royal College of Psychiatrists, in order to support where debtors may be financially struggling or considered vulnerable. This can include a referral to local and national debt advice organisations, ensuring that customers are fast-tracked for appropriate support where necessary, as well as procedures to provide adaptable support towards resolution.

5.5 Foreign Debt

- 5.5.1 The statutory process for PCN enforcement does not make provision for the progression of debts to County Court registration and warrant issue where the debtor resides abroad. Therefore, PCNs issued to foreign registered vehicles are referred to a collection agency that specialises in the recovery of debt abroad. Foreign debt recovery was originally a stand-alone contract, although it has now formed part of the last two Parking Service Debt Management Contracts. Since 2018 nearly 70,000 cases have been referred with over £180K recovered.
- 5.5.2 The key obstacle in pursuing foreign debt is identifying keeper data from the respective countries of origin, as without their co-operation the debt can be untraceable. Not all countries are willing to provide this information, most notably France, Belgium and the majority of Middle Eastern countries. In the past we have explored alternate avenues of recovery, such as referral of debts to foreign courts. Whilst it did generate some payment, it ultimately did not result in full transition of the debt. This avenue was also restricted to European debt (as per the Lugano Convention), which would not aid in pursuing the rising volume of debts coming out of the Middle East.
- 5.5.3 Through the recent contract extension Parking are introducing a new operator, Parktrade, to work alongside European Parking Collections (EPC) in order to provide a more competitive approach to foreign debt recovery. EPC have historically monopolised this market, and we hope to see improved performance through the competition Parktrade's introduction will offer.
- 5.5.4 The number of PCNs issued to foreign-registered vehicles varies. The below table shows the "top 10" countries for unpaid PCNs issued (for the period 2018-

2022) that have had to enter our debt-management process and the associated success rate in resolution.

Country	Cases received	Pay rate
United Arab Emirates	13,423	1%
France	8,129	10%
Qatar	4,970	6%
Belgium	2,249	14%
Bulgaria	1,798	0%
Saudi Arabia	1,695	0%
Luxembourg	1,418	5%
Kuwait	1,355	2%
Monaco	932	0%
Russia	859	0%

Table 5.5.4- Debt Management cases for unpaid foreign PCNs (2018-2022)

6 Parking Suspensions

6.1 Background

- 6.1.1 Under our road regulation and traffic management powers, the Council is able to suspend parking bays and to impose a charge for doing so, even where no charge to park applies. A suspension can be granted for a variety of activities where temporary, dedicated access to the kerbside is required. This includes facilitating building works, skips, house or office moves, or weddings or funerals. In certain circumstances, it can also include alternative bay provision where bays become unavailable or are taken out of commission.
- 6.1.2 Since November 2015, the Council has operated a tiered charging structure for suspensions, whereby charges increase by suspension duration. This charging structure is a demand management tool and its purpose is threefold: a) to discourage and deter unnecessary suspensions; b) to attempt to reduce the number of parking bays that are taken out of commission; and where suspensions must take place, c) to reduce the length of time for which bays are suspended. Since its inception, replacing a single, flat daily charge, the tiered structure has been successful in these aims. A suspension obviously ‘reserves’ space for a particular activity, for a particular customer, and therefore deprives all others of utilising the space(s) for as long as the suspension remains in place. This is why we attempt to restrain demand, especially in terms of the duration of the bay being unavailable.
- 6.1.3 Whilst generally being at our discretion, the charges must be fully justifiable from a traffic management and kerbside perspective. They should cover the costs of providing and administering the service and cannot be set purely and intentionally as a means to raise revenue, although the generation of income is legitimate if it is merely incidental to the setting of charges for genuine reasons.

The service provided includes the administration of suspension bookings, the creation, installation, amendment and removal of suspension signage, enforcement against illegally parked vehicles and the relocation of vehicles who are blocking customers from utilising the suspensions they have paid for.

6.1.4 Our charges are not based on ‘lost’ pay-to-park revenue (i.e. the revenue that may have been received were the bay to be operational and not suspended) and the relevant legislation strictly forbids charges from being set on this basis.

6.2 Charges

6.2.1 The current charges for suspensions as documented on the Council website are as follows:

Suspension duration	Suspension charge for Zones A, C and D per space	Suspension charge for Zones B, E, F and G per space
Day 1	£51	£55
Days 2 to 5	£55 per day	£59 per day
Days 6 to 42	£84 per day	£90 per day
Day 43 onwards	£112 per day	£121 per day

Table 6.2.1- Current Suspension Charge matrix

6.2.2 However, in March 2023 the Cabinet Member for City Management and Air Quality agreed to a new model which charges with differentiation based on whether a street is classified as a Traffic Sensitive Street (TSS) or not by the City Highways Department using the power contained under section 64 of The New Roads and Street Works Act 1991.

6.2.3 The current kerbside permissions charging regime differentiates charges by parking zone only, but this is a blunt mechanism and doesn’t allow for the nuance of the proposed TSS model. The current model does not for example account for quieter streets in the ‘premium’ zones, nor for streets where traffic-flow pressures are high within wider ‘standard’ zones. The new model is accordingly based upon the status of the street itself, rather than the wider parking zone in which it is located. This model therefore enables a fairer and more comprehensive method of charging for permissions, and for the Council to better manage demands on its kerbside and to perform its statutory function of encouraging the safe and expeditious movement of traffic and the provision of suitable and adequate kerbside parking facilities for all road users.

6.2.4 This TSS methodology brings the service into line with other City Highways charges and aligns with wider Parking Policy Review objectives while helping to

deliver and build on the Council's Greener City and Climate Emergency Declaration commitments. Furthermore, the recommendation aligns with the City Council's Fairer Westminster policy objectives, in particular the Fairer Environment pillar due to its anticipated positive effect on congestion and air quality.

- 6.2.5 The new model as approved by the Cabinet Member for City Management and Air Quality will be introduced in September 2023 and have the following charges:

Permission Type	Non-TSS (1,135 streets)	TSS (854 streets)
Bay Suspension Day 1	£51.00	£61.00
Bay Suspension Days 2-5	£55.00	£66.00
Bay Suspension Day 6-42	£84.00	£100.00
Bay Suspension Day 43 onward	£112.00	£134.00

Table 6.2.5- Incoming Suspension Charge Matrix

- 6.2.6 In 2021/22 the City Council granted 32,710 bay suspensions. Suspension rates vary year on year but most years see around 60-65% of suspensions on TSS streets.

6.3 Suspension Process

- 6.3.1 Suspensions can be applied for by going online to www.westminster.gov.uk/parking and clicking on the parking suspension and dispensation tab. Full details of how to apply and the terms and conditions are displayed there. The current system used by the Council is being replaced by a new system procured as part of the wider Parking IT relet and this will go live in June 2023
- 6.3.2 The agents in the Parking Back Office will check the applications that have been processed to ensure that they are appropriate and adhere to the Council's policies and guidelines. The system we currently use will take payment from the customer once they have concluded their application (certain companies have accounts and we either generate monthly billing for them or take payment by BAC's). Once the application process is approved and completed the system will generate a job and this will produce a label on the print run within the set timeframes (at least ten days in advance for residents and shared use and specialist bays and two days on pay to park bays). The on-street team will then print the labels and assign them to the drivers who will proceed to install them and take photographic evidence for compliance reasons.
- 6.3.3 To improve customer service the Parking Engagement team will liaise with the suspension agents in the back office on any large scale applications and advise

on where to site alternative parking if needed. They will also visit the sites and monitor the works to ensure that the suspensions are being utilised correctly and will have them reduced or altered as applicable. Both teams will also react to information received via the public.

- 6.3.4 The customer can book as many bays for as many days as they require. If it is a long-term suspension it is split into manageable sections to ensure that the label is refreshed and still necessary. In many cases alternative parking for residents is provided by suspending nearby pay-to-park bays if more than 20 resident bays are suspended (this currently works out as 5 alternative bays for every 20 bays suspended) This is not the case in much of zone C where there are less pay-to-park bays and often any alternative parking would be a distance from the suspended Resident Parking. Any specialist bay requires alternative parking on a one-to-one basis (Diplomats, Doctors etc).
- 6.3.5 There is a turnaround time of 24 hours to remove an expired suspension sign (i.e. a suspension that expires at 23:59 on 16th May must be removed by 23:59 on the 17th May. The crews take photos of installations and take downs and these are stored on a hard drive and archived. On rare occasions signs are missed or are late being taken down but these are usually captured by the engagement team, highways and city inspectors and the public reporting them.

6.4 Unauthorised Suspensions

- 6.4.1 Parking Services actively take steps to identify unauthorised suspensions and then pursue them retrospectively. This includes a dedicated team of on-street staff and back-office operatives employed by our Parking contractors. During the two-year period from 2019/20 to 2020/21, the Council dealt with 2,594 verified unauthorised suspensions and investigated 5,288 potential cases.
- 6.4.2 Historically an unauthorised suspension, if identified and pursued to completion only attracted the same charge had the customer applied appropriately in the first place.
- 6.4.3 Unlike parking contraventions there is no legal basis to implement any sort of penalty charge for unauthorised suspensions. However, Parking Services can legally apply an administration charge for the retrospective work to attempt to recoup the unpaid charge(s), in addition to the standard cost of a suspension. Any such charge must be fully justifiable, from the perspective of the cost of providing this additional service.
- 6.4.4 In September 2022, the Cabinet Member for City Management and Air Quality agreed a proposal to introduce a £70 fee per unauthorised suspension. The fee was set in line with the identifiable costs of pursuing the average case. This new fee was introduced with the go-live of the new Parking systems in April 2023.

7 Traffic Management Orders

7.1 Background

- 7.1.1 To manage and regulate traffic the City Council makes use of Traffic Management Orders issued under the Road Traffic Regulation Act 1984 (often referred to as the RTRA). This includes the making of parking bays and provision of lines and markings. To be enforceable and legally installed Traffic Management Orders need to be produced in line with various statutory processes.
- 7.1.2 TMOs are produced by our consultants at WSP, under contract from the Highways team within City Highways. They work on behalf of the City Council and support activities across City Highways, including Parking.
- 7.1.3 A helpful report from WSP about all aspects of TMOs is attached as **Appendix 1**. The Committee's attention is drawn especially to section 3 and section 8 of the appendix.
- 7.1.4 As a general rule a change to Parking provision requiring a TMO requires payment of a fee of about £4-5,000 pounds. This pays for the time to draft and produce the TMO and to undertake the consultation.

7.2 Service Improvements

- 7.2.1 WSP now utilise a dedicated mail-service contractor to handle the mailing of consultations and handling of responses. This has freed up professional staff to focus on managing the technical TMO elements.
- 7.2.2 WSP are moving to the production of map-based Orders that are built and stored in a dedicated mapping system- currently ParkMap. This reduces production time especially for large area-based schemes such as broad zonal roll-out of EV charging bays.
- 7.2.3 Further work is being undertaken to make TMOs more visible graphically on map-based systems to Officers which will make collaboration simpler and reduce duplication of effort.
- 7.2.4 Officers are keen to explore how we can look to batch TMOs for small schemes together while maintaining legislative compliance and ensure transparency to residents and road-users. This would reduce costs of small changes and reduce timescales in some cases- though this does depend on the phasing and timing of the Orders against the work timelines.

8 General Parking Matters

8.1 Procurement

- 8.1.1 In April 2023 the Council completed its latest round of procurements. Contracts have been awarded as follows:

Title	Contains	Date Awarded	Awarded To
People and Resources	The contract provides a flexible pool of skilled resources for deployment to manage the kerbside space. The Council determines the level of Resources required and times of deployment, while the Service Provider manages these resources and the day-to-day operation	April 2023	Marston (Holdings) Ltd- (Marston is the parent company of NSL and the contract is awarded in their name. It is expected that the NSL name will be phased out).
Business Processing	Delivering Parking Services' back-office functions to manage full processing and issuing of all permissions, handling of PCNs and complaints, and issuing of Camera enforcement PCNs. All other back-office customer facing and support duties.	April 2023	Marston (Holdings) Ltd
Technology	Provision of the IT systems that support the issuing of PCNs and management of Permits and suspensions. Provision of handhelds devices. Owning the interface between providers.	May 2022 (with April 2023 go-live date)	Farthest Gate Ltd (trading as E-Street Solutions)
Cashless	Dedicated cashless parking software provider to manage the on-street paid-for parking activity.	April 2023	RingGo
Cameras	Dedicated contractor to provide camera systems to enable the issuing of Camera PCNs by the BP team.	April 2023	Marston (Holdings) Ltd
Removals and Relocations	Specific contractor to manage relocations and removals.	April 2023	APCOA
Debt Management	Full-service debt management with proactive management of potential cases.	November 2022 (4 year extension of existing contract)	Marston (Holdings) Ltd (The "parent" company of NSL and so not subject to rebranding)

Table 8.1.1- Parking contracts as awarded

- 8.1.2 The P&R, BP, Cameras, and Removals/Relocations contracts are all issued for a period of 4 years with potential to extend for any period up to a further 4 years.
- 8.1.3 In May 2022, the Technology contract was issued as a 5 year contract (plus long mobilisation period) and with potential to extend for up to 10 years. This duration enables long-term investment in service improvement and ensures that the technology system is not changing each time the Council reviews service providers.
- 8.1.4 The Cashless contract was issued as a direct award following the market's inability to support a successful conventional tender process. This problem has been experienced by most Authorities, especially in London, and is due to the unique nature of this sector. The issuing of a direct award was supported by the major sector companies consulted by the Council. The award issued was for

18months, during which the Council is working with the sector to consider alternative routes to market and potential changes of operational model.

8.1.5 Transition to the new systems and contracts has gone smoothly. While there have inevitably been a few minor issues the transition of data took place far quicker than feared and without any loss of information. Down-time for Permit applications/changes was limited to one weekend and PCN processing/issuing was affected for a few hours overnight. New contractors are working well together and Officers are positive about the future potential offered by the new systems/contracts.

8.2 Parking Charging Policy Review

8.2.1 In line with the Council's Fairer Westminster strategy and other environmental commitments, Parking Officers are looking at introduction of changes to the fees for paying to park or holding a Resident Permit.

8.2.2 The detail and actual charging rates for each scheme will be worked up after the principle has been considered by the Cabinet Member but it would be proposed that both schemes would operate on a similar basis, with the charges based on bandings associated with the pollution emitted from each vehicle. Such information is available from the DVLA and can be integrated into IT systems related to Permits and pay-to-park.

8.2.3 At the time of writing a Cabinet Member Report asking for a decision on whether to proceed with such charging has just been issued to the Cabinet Member for City Management and Air Quality.

8.2.4 Upon agreement of the principle, the details of both schemes will be worked up by Parking Services, following review of the latest vehicle usage data, and presented to the Cabinet Member for a further decision at a later date under separate cover. It is anticipated that implementation for either scheme would occur in this financial year (2023/24) and that the pay-to-park scheme will be introduced prior to that for Resident Permits; with Resident Permits changes being most likely be introduced at the very end of the FY.

8.2.5 The reason for the delayed lead-in time for resident permits is to help enable and better inform residents who may be looking to change their vehicle in the interim or who are considering giving up private vehicle ownership altogether in favour of more sustainable modes of transport, such as car club/car sharing schemes.

8.2.6 While yet to be determined and agreed by the Cabinet Member, the following principles would most likely be recommended to be included in the schemes –

- Everyone pays something for a permit with no permits to be issued free of charge- even for EVs.
- Everyone pays a fair rate to park in a pay-to-park bay.
- Simple banding so that charges are clear and easy to understand
- A Diesel Surcharge to apply on top of all bandings where applicable for pre-2015 diesel vehicles to further discourage the use of higher polluting vehicles

- No limit upon permit issue to households. Such a policy would be complex and burdensome to operate and would be inequitable, especially for shared, non-family households.

8.2.7 It is anticipated that wherever possible a proposed tiered charging regime will act as an incentive for motorists, especially those residing in Westminster, to make the best possible choice where vehicle ownership and usage is concerned.

8.2.8 It should be noted that driver behaviour is evolving and over the course of time it is expected that EVs and other cleaner, less polluting vehicles will become more popular and widespread. This needs to be borne in mind with any scheme that is introduced and close monitoring will be necessary. Whilst the schemes cannot be futureproof, their charging structures can be periodically amended to take account of this and to continue driving the desired behaviours.

8.3 Virtual Permits

8.3.1 Parking Services has traditionally issued physical, paper permits for its permit schemes. However, over the years the service had begun to rely on virtual/digital permits, for example in the issue of motorcycle permits for use in motorcycle bays, motorcycle resident permits for use in resident bays, for Trades Permits, Parking Identifier Badges and SYL dispensations. Virtual permits are configured onto the Marshals' handheld devices and the presence of a permit can be easily ascertained by a Marshal on-street.

8.3.2 Virtual Permits are suitable for any permit type that is vehicle registration mark (VRM)-specific, so for Westminster this includes Resident, Doctor, Teacher and Business permits. It does not include hospital permits which are non-VRM specific or WCC Housing-administered off-street estate parking permits. For operational reasons Westminster white disabled badges will remain paper-based.

8.3.3 On 1st April 2023, following approval from the Cabinet Member, the City Council moved to a fully virtual Permit operation. Any of the above-listed Permits that were issued, renewed, or replaced from this date were issued in a purely virtual format. This means that the change is not a "big bang" but will see Permits transition to virtual as they are renewed through the year.

8.3.4 Many London boroughs operate virtual permits as standard and it is a function that will help support the desired Parking Charging Policy changes. It will also help Parking Services achieve a modest c.£25k p/a operational saving in printing and admin costs, as well as reduce the potential for permit fraud.

8.3.5 Officers are liaising with neighbouring boroughs RBKC, LB Camden and LB Brent to ascertain the best way to mutually enforce boundary roads where we have reciprocal streets. All three of those neighbours operate virtual resident permits themselves already.

8.4 Electric Vehicle Charging

8.4.1 At the time of the EV Strategy launch in 2019, Westminster provided nigh on 200 on-street electric vehicle charge points (EVCP), with these being a mix of fast and rapid chargers, alongside a trial of Lamp Column Charge Points (LCCP) for residents. This was impressive for a local authority at that time, but, since the strategy was published, we have since added significantly more charging points to the City. By mid-summer we expect to have introduced 2,500 charge points on the public highway in Westminster, clearly proving the ambition the City has in assisting the full transition to EV.

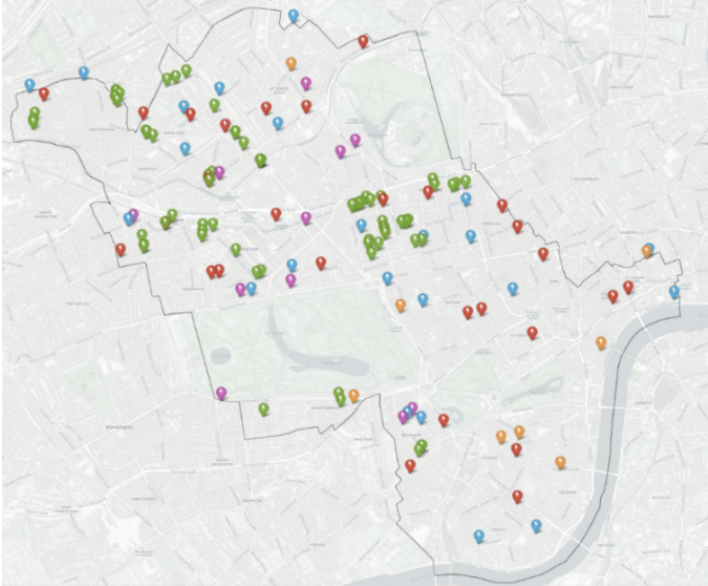


Figure 8.4.1 The spread of approx. 200 EVCP in Westminster, Summer 2019

8.4.2 The provision of EVCPs across the City has grown massively with a focus so far on those within resident bays aimed at overnight charging of resident vehicles. A recent analysis of the charge point spread showed that 98.5% of those who made a charge point request via the council's webform lived within a 3 minute walk of a charge point but this will have been further improved upon this past year

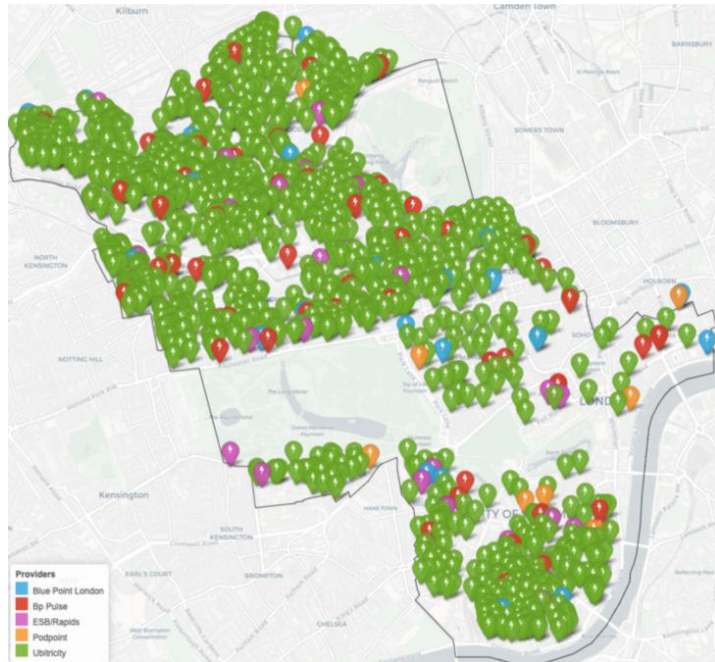


Figure 8.4.2- The spread of approx. 2,500 EVCP, Summer 2023

8.4.3 The City Council's current spread of EVCP is growing all the time but at the time of writing was reported as:

Date	5.5kW LCCP	7-22kW Fast charger	50kW rapid charger	Total charge points
Summer 2019	91	102	6	199
Summer 2023	2,260	224	31	2,515

Table 8.4.3- breakdown of EVCP by type.

8.4.4 Continuing to expand at the previous rate is not possible with current technology. Only certain lamp columns can support introduction of LCCPs and blockers to charging points can also include the presence of vaults/basements, existing utility infrastructure, and the proximity of listed buildings/assets.

8.4.5 For this reason the coming year 23/24 is to focus on the expansion of targeted improvements. Officers are working with private sector partners and our contractors to expand the offering of rapid chargers and to update aging legacy charge points to make them more effective and able to serve more vehicles.

8.4.6 The main installation programme this year will consist of up to 40 new on-street 50kW DC rapid chargers. All will be positioned in on-street locations and made accessible to the general public and will more than double the current rapid charger provision. Rapid chargers are very high profile and receive the most interest from EV users, as shown in the results of our comms surveys and

utilisation rates (average rate around 50% at present – shows a clear appetite for more on the network). They are not only sought after by fleets, who want the least downtime when charging, but also residents who frequently ask that we install more.

8.4.7 The service has a KPI to maintain a provision of 1 charge point for every 8 resident ECO Permits (this is the type of Resident Permit including EV and Hybrids). There are now close to 6,500 ECO permits in circulation and we are well placed to meet this ratio of 8:1. There were 2,069 charge points in Westminster at the end of Q4 (March 2023) which resulted in a ratio of 3.16:1 (EV to charge points) so we are currently well in advance of this target.

Projected Number of ECO Permits and Required Infrastructure
Based on an Estimated 8 Vehicles per Charge Point

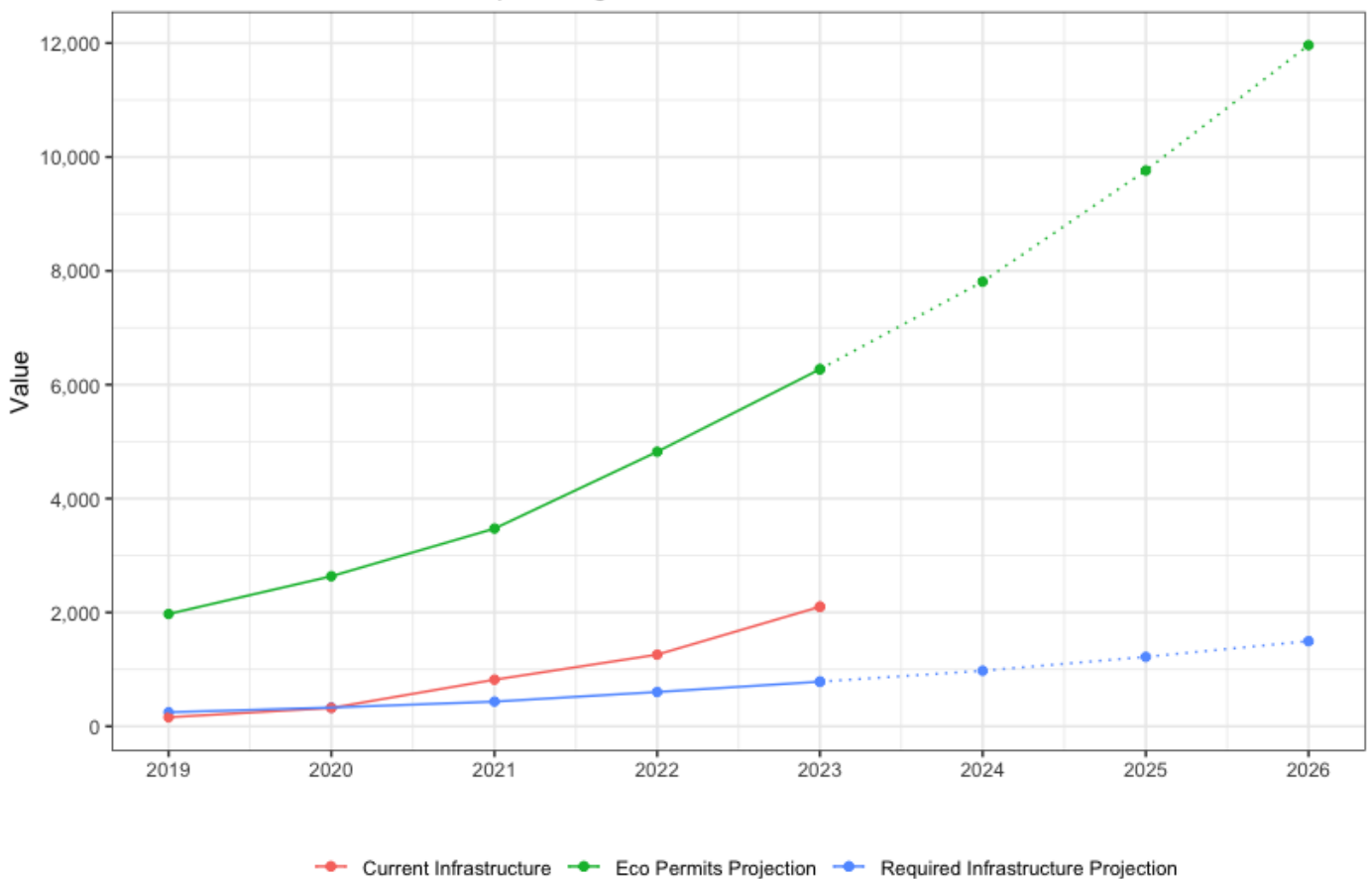


Figure 8.4.7: The projected EVCP provision needed to meet future ECO Permit uptake

If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Report Author
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Traffic Management Orders

Version 1, 23rd May 2023

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1 1. Introduction

- 1.1 As highway authority, Westminster City Council has the power and duty to regulate traffic on roads within the City of Westminster and on its housing land through the introduction of various traffic management and highway improvement measures, many of which cannot be implemented without making a statutory Traffic Management Order (called Traffic Regulation Orders outside London).
- 1.2 A brief description of the various types of Traffic Management Orders (TMOs) and their processes, carried out on behalf of the City Council, are outlined below.
- 1.3 Please note that highways on the Transport for London Road Network (TLRN) are outside the authority of the City Council, although it can make TMOs on their roads with their consent.

2 2. Traffic Order Types and Purposes

- 2.1 Under the provisions of the Road Traffic Regulation Act 1984 (RTRA), local authorities can implement Traffic Orders to regulate, restrict or prohibit the use of a road or any part of a road by vehicular traffic or pedestrians, at all times or during specified periods.
- 2.2 Traffic Orders can only be made for certain purposes as set out in the RTRA, e.g. for facilitating the passage of vehicles, improving the amenities of the area through which the road runs, etc.
- 2.3 There are several common types of Traffic Orders:

Type	Variant	Relevant Powers under the RTRA	General Purpose
Permanent	Standard	6, 32, 45, 63	For most schemes that seek to improve traffic flow or provide kerbside facilities on a permanent basis
	Anti-Terrorism	6, 22C	For schemes where the overriding necessity is to protect people and properties from the dangers associated with terrorism on a permanent basis
Temporary	Standard	14(1)	For road works or other temporary dangers to vehicles and pedestrians
	Emergency	14(2)	For emergency road closures such as for a burst water main or collapsed road surface
	Anti-Terrorism	14(1) or (2), 22C	For the purpose of temporarily mitigating damage or danger connected with terrorism
Experimental	Standard	9	For schemes where it is difficult to model and predict how effective the design will be – an Experimental Order can be curtailed or abandoned without formal notification if necessary
Special Event	Standard	16C	For events such as fun runs, marathons, filming or street parties
Speed Limit	Standard	84	For applying a speed limit that is different to the standard speed limit on an urban road, or single or multi-carriageway road.

- 2.4 All Traffic Orders should give due consideration to equalities and human rights implications. This is particularly notable if a Traffic Order restricts traffic from entering a road.
- 2.5 A Traffic Order provides the legal framework for the civil enforcement of the contraventions of most parking and moving traffic controls and is a vital instrument in the appeals process. In other words, traffic and parking contraventions are most usually a breach of a Traffic Order.
- 2.6 The restrictions or prohibitions imposed by a Traffic Order must be supported by approved traffic signs placed under the provisions of the Traffic Signs Regulations and General Directions 2016. However, not all signs require a Traffic Order (examples include Keep Left / Right signs, box junctions, bus stop clearways, with-flow mandatory cycle lanes, “school keep clears” with upright signs, and STOP signs).
- 2.7 The statutory procedures for making Permanent and Experimental Traffic Orders are set out in the Local Authorities’ Traffic Orders (Procedure) Regulations 1996. The statutory procedures for making Temporary TMOs (see part 6 below) are set out in the Road Traffic (Temporary Restrictions) Procedure Regulations 1992. While there is national guidance on section 16A

Special Event Orders, there are no statutory procedures, so the consultation and notification processes are a matter of City Council policy.

3 3. Permanent Orders

Permanent Traffic Orders require a minimum statutory 3-week consultation period. Consultation must include press notices and engagement with emergency services and other statutory bodies, but also typically includes the placing of street notices and letters despatched to local residents and businesses.

3.1 Parking Places

3.1.1 All roads within the City of Westminster (excluding the Transport for London Road Network (TLRN) and The Royal Parks' roads) fall within one of seven controlled parking zones (CPZs).

3.1.2 The parking places covered by the CPZ "parent" Traffic Orders include:

- residents' parking places (for use by residents' permit holders);
- pay-by-phone parking places (for visitors who have paid to park);
- shared-use parking places (for use by residents' permit holders and visitors who have paid to park);
- dual-use parking places (typically for use by visitors during the daytime and residents' permit holders at other times).

3.1.3 A residents' permit holder can park in any designated residents' parking place within the boundary of the CPZ within which they live, but each zone within the City of Westminster is further divided into sub-zones, where the hours of control and parking charges are specifically tailored to meet the demands within a specific area.

3.1.4 The "parent" Traffic Orders also prescribe the charges and regulations for use at each parking place (such as the hours of control, maximum parking period, method of payment, manner of standing, etc.) as well as various exceptions and exemptions. Parking charges are amended by a notice issued under section 35C or 45A of the RTRA depending on whether the parking places are off-street or on-street.

The City Council must give 21 days' notice before new charges come into operation.

3.1.5 Each time a parking place is introduced, removed or varied, or the conditions relating to its use are revised, an amendment to the "parent" Traffic Order is made.

3.2 Waiting and Loading Restrictions

3.2.1 It is City Council policy to introduce double yellow line "at any time" waiting restrictions at locations where parking outside of controlled hours (i.e. on single yellow lines) is a hazard. This is intended to improve safety across pedestrian dropped kerb crossing points and at junctions to prevent the obstruction of driver and pedestrian sight lines.

3.2.2 The "parent" Traffic Order details all streets and lengths of streets where waiting and loading restrictions are applicable, including their hours of operation and various exemptions.

3.3 Dedicated Parking Places

- 3.3.1 Throughout Westminster, there are dedicated types of parking places for specific users:
- 3.3.2 **“Blue Badge” Disabled Persons’ Parking Places:** “Blue Badge” bays operate “at any time” but are limited to a maximum stay of 4 hours between 8.30am and 6.30pm. They are primarily located close to amenities such as libraries, theatres and shopping facilities, etc., for the use by “Blue Badge” holders.
- 3.3.3 **“White Badge” Disabled Persons’ Personal Parking Places:** The national “Blue Badge” scheme that provides a range of parking concessions for disabled people does not apply in Westminster (and other parts of Central London) because of traffic congestion and the high demand for parking. In order to have maximum access to parking facilities in the City of Westminster, the City Council operates a “White Badge” scheme. Residents who are “White Badge” holders, can apply for a dedicated parking bay outside their home for their sole use. “White Badge” bays operate at all times.
- 3.3.4 **Diplomatic Parking Places:** In accordance with the terms of the Vienna Convention, the City Council is obliged to provide dedicated diplomatic bays, in liaison with the Foreign and Commonwealth Office, for the use by ambassadorial and diplomatic vehicles. Diplomatic bays operate at all times.
- 3.3.5 **Doctor Parking Places** are provided in the vicinity of certain medical practices in the City of Westminster to enable doctors to attend to emergencies quickly. Bays are only provided if there are no available off-street parking facilities. The doctor parking place scheme operates on a permit basis, for which there is a charge, and the bays are mostly operational during the working day only.
- 3.3.6 **Hospital Vehicle and Police Vehicle Parking Places** are provided close to certain hospitals and police stations respectively where there is limited off-street parking provision. These bays are dedicated for use by hospital and police service staff who are considered by their respective employers to be eligible for a permit. The City Council charges for the issue of such permits.
- 3.3.7 **Loading Bays** are provided solely for the purpose of loading and unloading. These are usually time limited and operate at various times of the day. Loading bays may be provided for all vehicle types or only for goods vehicles and may be combined with other parking places for dual-use operation. An example of this would be a loading bay combined with a taxi rank so that loading is permitted during one part of the day and ranking is permitted at the other times.
- 3.3.8 **Taxi ranks:** As well as the appointment by Transport for London of taxi ranks throughout the City, the City Council makes a TMO for each one to ensure that penalty charge notices can legitimately be issued to other vehicles which park in them and contravene the parking controls.
- 3.3.9 **Car Club Parking Places** are dedicated short-term car rental services that allow members to access locally parked cars. Car clubs offer an alternative model to private car ownership for individuals and businesses reducing the need for private parking and can help more Londoners give up their cars while allowing for occasional car travel within London.
- 3.3.10 **Electric Vehicle (EV) Charging Parking Places:** The City Council currently utilises several types of dedicated EV bays for use by both residents and visitors (including taxis).

3.3.11 **Cycle Stands / Hangars, London Cycle Hire Docking Stations and E-Scooters Parking Places:** Storage facilities for bicycles and e-scooters can be provided on the carriageway or footway. The City Council chooses to designate carriageway cycle parking places using TMOs under the provisions of sections 6 and 63 of the RTRA. However, footway cycle parking places are introduced or amended without a TMO.

3.4 Prescribed Routes

3.4.1 Prescribed Routes Orders are made for moving traffic restrictions and prohibitions such as one-way workings, banned turns, compulsory turns, Pedestrian Zones, width restrictions and certain height restrictions. They are usually enforced through the use of CCTV.

3.5 Bus and Cycle Facilities

3.5.1 Traffic Orders are made for the introduction of bus priority measures, such as bus lanes and bus gates. While there is no longer a requirement to make a Traffic Order for the installation of a bus stop clearway, if a clearway is being introduced or amended as part of a scheme that includes Traffic Orders for other highway changes then it is common practice to seek stakeholder views on the clearway changes as part of the Traffic Order consultation exercise.

3.5.2 Traffic Orders are also made to introduce certain measures to assist cyclists in the City of Westminster such as mandatory contra-flow cycle lanes and contra-flow cycle “gaps”.

3.6 Speed Limits

3.6.1 Speed Limit Orders are made to vary the speed limit on a length of road so that it is different from the national speed limits. With the exception of certain trunk roads and private roads, all roads within the City of Westminster are subject to a 20mph speed limit.

4 4. Anti-Terrorism Traffic Orders (ATTROs)

4.1 An ATTRO is introduced in order to mitigate the risks or dangers associated with terrorism. This type of Traffic Order typically introduces prohibitions on vehicle and / or pedestrian movements or restrictions on waiting (similar to a Prescribed Routes Order or a Waiting and Loading Restrictions Order, as the case may be).

4.2 ATTROs can be made by the City Council only at the request of the Commissioner of the Metropolitan Police – a task which is usually delegated to the Assistant Commissioner Specialist Operations.

The request from the Metropolitan Police must be in writing, setting out what restrictions are needed and why they are necessary, within the context of the safeguarding of people and / or property from the risks and dangers associated with terrorism.

4.3 ATTROs may be made temporarily for a specific event or occasion, or they may be made permanently. Any permanent ATTRO is subject to public consultation unless doing so could undermine the purpose of the scheme. The making of any ATTRO should be done in line with the latest Centre for the Protection of National Infrastructure guidance, or any other guidance document produced by HM Government. The City Council has previously made ATTROs for Downing Street and the Palace of Westminster, amongst others.

ATTROs cannot be made experimentally.

5 5. Experimental Traffic Orders

- 5.1 Experimental Traffic Orders (ETOs) are made in circumstances where it is desirable to gauge the effects of traffic measures before they are implemented permanently. ETOs can remain operational for up to **18 months**.
- 5.2 An ETO can be modified or suspended quickly under section 10 of the RTRA if it is considered necessary for safety reasons or to improve traffic flow or amenity; however, any modification cannot include an **addition** (such as introducing new restrictions or parking bays, or moving the trial measures to a new location) – this means a modification will normally be a **diminishment** of the effects or extents of the ETO.
- 5.3 There is no statutory requirement to conduct a full public consultation prior to implementing an ETO. However, there is a requirement to consult the emergency services and specific statutory bodies and key stakeholders prior to implementing an ETO. In addition, ETOs can introduce unfamiliar or controversial measures so consideration should be given to consulting locally affected residents and businesses as well as local residents' associations in advance of implementation, taking into account all reasonable concerns.
- 5.4 Responses from the public and other stakeholders are accepted throughout the duration of an ETO. The minimum valid length of a trial that is hoped to be made permanent, if deemed successful, is six months. If the trial is modified or part-suspended then this minimum period restarts from the date of the modification or suspension, i.e. there must be a minimum of six months uninterrupted public consultation on a trial before it can be made permanent. Furthermore, as the maximum duration of an ETO is 18 months, this means that no further modifications can be made to a trial after 12 months of operation in order to ensure there are at least six months of uninterrupted public consultation before the trial ends.
- 5.5 After a minimum of six months' operation and well before the end of the trial, the City Council will consider all responses submitted by stakeholders. If it is considered appropriate to make the measures permanent, then Permanent Traffic Orders can be prepared and advertised as "made" without the requirement for further consultation.

6 6. Temporary Traffic Orders

- 6.1 Under section 14 of the RTRA, the City Council may temporarily restrict or prohibit the use of a "road, or of any part of it, by vehicles, or vehicles of any class, or by pedestrians" for works, safety reasons or for street cleansing. This is achieved through the production of a Temporary Traffic Order (TTO) or section 14(2) Notice.
- 6.2 The effects of a TTO or section 14(2) Notice can include road closures, banned or compulsory turns, one-way workings, speed limits, waiting and loading restrictions, and suspension of parking places or of certain provisions related to parking places.
- 6.3 A TTO is appropriate where a road closure or other temporary restrictions can be **planned in advance**. A TTO requires a Notice of Intent to be published at least 7 days before the Order is made. A Notice of Making should be published within 14 days of the making date of the TTO. Street notices and letters to residents and businesses should also be considered.

TTOs do not require public consultation but statutory bodies should be notified in advance so that they can make the necessary arrangements (such as diversion of bus routes).

6.4 A TTO will last for up to 18 months unless the City Council publishes its intention beforehand for a specific longer period to apply. The Notice of Intent for TTOs with an extended duration must be published 21 days before the TTO is made.

6.5 A section 14(2) Notice is produced in response to an emergency to resolve an immediate danger to the public, such as a burst water main or a road collapse. Section 14(2) Notices by their nature cannot require consultation; however, statutory bodies should be notified as soon as possible after the notice has been issued. If an emergency requires follow-up works then the s14(2) will be operational until a TTO can be advertised and brought into operation.

7 7. Special Event Orders

7.1 Special Event Orders and Filming Orders are made under section 16A of the RTRA. These types of Traffic Orders are used to introduce temporary restrictions of the same types that can be implemented under a Temporary Traffic Order for events such as fun runs, marathons, filming or street parties.

7.2 Special Event Orders cannot last more than three days and cannot affect the same road twice within a calendar year without the consent of the Secretary of State for Transport. Please see section 2.7 above with regards to consultation / notification of special events.

8 8. The Spirit of Traffic Order and Signing Legislation

8.1 Traffic Orders are the legislative glue between traffic signs and traffic enforcement. They not only set out the restrictions but are an indication that a reasonable level of public consultation has taken place (where this is required).

8.2 For those schemes that have unique requirements, a guiding principle when the relevant legislation is not explicit is the application of “reasonableness”. Some examples of questions that should be asked for challenging schemes include:

- Would a motorist / cyclist / pedestrian be able to reasonably ascertain what is required of them? A restriction on a vehicle or person in a Traffic Order should be clearly indicated on-street. In most cases this will mean there should be an associated approved traffic sign or signs.
- Who would most likely be affected by a change to the existing traffic management on a street? These individuals or groups should be consulted before a Traffic Order is made.
- If consultation with certain individuals or groups is required but the timescale for responses is not set out in statutory legislation, ask what is a reasonable period for them to submit responses? Could a key residents or business-owner be away for a week or suffering from a temporary illness / injury? Is the relevant officer for a key stakeholder organisation or service on leave? There is an argument for any unprescribed / informal consultations to also last for three weeks in order to demonstrate that steps have been taken to ensure those affected by a scheme have had reasonable opportunity to comment.

- If the design of a scheme is changed following a consultation to appease certain individuals / groups – could this change now cause difficulties for others who did not raise concerns in the original consultation? A further formal or informal consultation may be necessary to give those affected the opportunity to submit their views.