

Experimental Overnight HGV Enforcement and Clamping Trial 2017

To: Joint Transportation Board

By: Community Safety & Wellbeing Service

Date: 12th March 2019

Classification: For information

Ward: Across the Borough – Various

Summary:

Kent suffers from major 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 is a joint partnership between Kent County Council (KCC), Ashford Borough Council (ABC) and the Department for Transport (DfT). The overnight clamping trial is part of a zonal parking ban which operates between 8pm and 7am and covers the A20 between Charing and Ashford and four industrial estates in the borough. The trial allows first time clamping of vehicles that contravene restrictions and the Penalty Charge Notices (PCN) include a £150 clamp release fee.

The experimental HGV clamping trial has been extremely successful in reducing the number of HGVs parking in inappropriate locations in the Ashford District. To date just under 2,500 HGVs have been clamped as part of the trial. The number of HGVs parked in Ashford borough has reduced by 61% with little displacement to neighbouring districts.

The clamping trial was introduced on 30 October 2017 and will expire on 30 April 2019.

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 a number of restrictions being put in place to prohibit the parking of HGVs overnight. The first ban prohibiting the parking of HGVs between 20.00 and 07.00 the following day was put in place at the Orbital Park and Ashford Business Park Sevington in 2003. ABC has piloted various enforcement initiatives to address this growing problem. These have included the appointment of Trans European collection agents, various multi-agency enforcement operations and a trial in 2015 involving the clamping of persistent evading HGVs.
2. All enforcement initiatives to date have had limited success. This Experimental Traffic Regulation Order (ETRO) and clamping trial 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 HGVs so that a clamp can be introduced for first time offences.

3. The Experimental Traffic Regulation Order was written and sealed by KCC and came into effect on 30th October 2017 for eighteen months, prohibiting the overnight parking of HGVs along the A20 between Charing and the Drivers Roundabout Ashford and included existing Industrial Estates where there was already an overnight waiting ban. The prohibition also extends for some distance along adjoining roads off of the A20 to prevent displacement into adjacent villages.
4. 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.
5. The trial was preceded by a significant period of education and advertising. Warning notices in multiple languages were issued by our Civil Enforcement Officers to HGV's parked in areas where enforcement would be taking place.
6. A Statutory Instrument that restricted local authorities outside of London to not charge any more than a £40 release fee for each clamp was amended for the duration of this trial only. The DfT in December 2017 agreed to allow the release fee to be increased to £150.00 in order to cover the costs being incurred by ABC to remove each clamp

Summary of the trial to date.

7. Our officers have continued to patrol and enforce on a regular basis on the A20 and in the four existing locations where an HGV overnight ban is in place. Our officers have also continued to monitor possible displacement HGV parking on other Industrial Estates and nearby residential areas, this has continued to stay low and the trial has had no impact on displacement to other areas.
8. The numbers of HGV's parking on the A20 and all other areas have reduced significantly over the trial period. However it must be noted that October and November, in particular, there are significantly more HGV's on the road network due to increased deliveries to businesses in preparation for the festive period and an increase was seen across these months.
9. Weekend parking in all locations continues to stay low and the increased uptake in parking at the Ashford Truck Stop especially at weekends continues.
10. We continue to work closely with the clamping company, London Parking Solutions. Despite the numbers of HGV's reducing, we are still regularly clamping HGV's in all locations. The total HGV's clamped to date (7th March 2019) is 2497 of which 1270 have been on the A20.

11. To date there have been 36 appeals against the penalty charge notices issued to HGV's in contravention. All appeals have been rejected except 3 where 2 HGV's had broken down and 1 provided medical evidence. None have been taken to the next stage of Tribunal.
12. The number of HGV's issued a PCN and been clamped more than once is 22, this represents less than 1% of the overall number of HGV's clamped.
13. KCC undertook overnight lorry parking surveys in September 2018. There has been a dramatic reduction in on-street parking in the Ashford Borough since the trial was introduced. The surveys show a 61% decrease in inappropriate parking in the Ashford Borough between September 2017 and September 2018 with very little displacement to other areas (Maidstone and Folkestone and Hythe).

Update Ashford Truckstop, Sevington

14. The Ashford Truck stop has reported that they were at full capacity 25 out of 31 nights during January and the 6 remaining nights were near to full capacity. The updated position is that the truck stop is likely to increase by a further 200 spaces by the end of March 2019.

Next Steps

15. The ETRO ends on the 30th April 2019. KCC and ABC wish to make the trial areas permanent. We are currently seeking formal DfT approval 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 KCC & ABC finances.
16. In agreement with ABC, KCC are planning to undertake a Traffic Regulation Order (TRO) consultation this month (March 2019) to make the trial area permanent to ensure continuation of enforcement. However this is dependent on the response from DfT.

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