



ALEXANDRA PARK AND PALACE JOINT MEETING OF THE STATUTORY ADVISORY AND CONSULTATIVE COMMITTEES

15 March 2021

Report Title: Traffic Enforcement Pilot Scheme, Alexandra Palace Way

Report of: Emma L Dagnes, Deputy CEO

Purpose: To advise, seek feedback and comment from Committee members on the traffic enforcement pilot scheme being introduced on Alexandra Palace Way.

Local Government (Access to Information) Act 1985

N/A

1. Recommendations

1.1 To consider and note the content of this report and provide any recommendations to the Trustee Board.

2. Executive Summary

2.1 Alexandra Palace (AP) Way is a Private Road forming part of Alexandra Park and Palace Charitable Trust (APPCT) property. It connects the East side of the Palace grounds to the West, and spurs off into multiple car parks across the site see Site Map at Appendix 1. The road provides a strategic route with over 8,000 vehicles passing along AP Way on average each day (surveyed over 8 days in 2019) with approximately 80% of this being through traffic. The road also hosts 4 bus stops on each side of the road for the W3 route.

2.2 During the summer of 2018 AP Way experienced high levels of '*Wilful Obstructions*' of the road including vehicles mounting pavements along the South Terrace and blocking emergency ingress/egress routes. The initial intervention was to deploy weighted red and white traffic barriers along the pavement routes to maintain separation of pedestrians and vehicles and, as far as possible, to block drivers from mounting the pavement and continuing to drive into the park. Whilst the barriers have provided the intended protections, we acknowledge that they impact on the setting of the Park and Palace.

2.3 In the first weeks of the Pandemic, during spring 2020, Alexandra Park and Palace experienced a significant increase not only in daily footfall but also night time anti-social behaviour.

This included cars using AP Way as a race track, multiple car obstructions on the road and temporary abandonment (as their occupants met in large groups in the park). The volume per night at times could well exceed 50 vehicles. This effectively reduced AP Way to a single lane road requiring vehicles including the W3 bus service to drive in the opposite lane against the flow of oncoming traffic.

- 2.4 In response the Charitable Trust invested its scarce resources in heavy duty road blocks, deployed across the estate where appropriate, and instigated rolling road closures on weekends to manage the anti-social behaviour and protect the Park and Palace from damage and misuse, while maintaining emergency services access to Palace buildings.
- 2.5 The rolling road closures are not financially viable to continue, and the APPCT team have been investigating other options that can be introduced without the need for planning permission or traffic management orders.

The Trust intends to implement a pilot scheme, which will be monitored by the Trust over 12 months to assess whether the intervention is achieving the required outcomes of reducing obstructions on the road, anti-social behaviour, dangerous driving, surrounding street impact.

With effective enforcement, as set out in this report, the Trust may be in a position to remove some of the temporary barriers and prevent the risks to pedestrians that these wilful obstructions cause.

This pilot scheme is a separate initiative to the on-going work relating to introduction of car park charging for onsite car parks. Car parks will continue to operate on a donation basis and be managed by traffic marshals until charging is introduced in the spring.

This pilot scheme is also separate to the management of any abandoned vehicles on any Alexandra Park or Palace property, which is managed against an established and tested standard operating procedure.

- 2.6 In February this report was sent to SAC/CC members advising that the scheme could be in place before the meeting and inviting early comments. So far no objections have been received and the responses that have been received have been in support of the scheme.

3. Alexandra Palace Way Obstruction of Road Enforcement (Pilot Scheme)

- 3.1 Trained traffic marshals will patrol AP Way at critical times identified by the AP operational team. Wardens will inform drivers if they are in violation of the restrictions to help prevent breaches occurring. However, if drivers refuse to move their vehicles or abandon their vehicles in contravention of the restrictions, the traffic marshals will issue Penalty Charge Notices (PCN) using a Mobile App. To avoid potential confrontation and risk to the safety of the wardens, no physical tickets will be issued.
- 3.2 Signage designed to meet the BPA (British Parking Approved) regulations will be attached to pre-existing infrastructure along AP Way. Dot Matrix signage (see

examples in Appendix 2) will be deployed at either end of AP Way informing drivers of the enforcement in place.

- 3.3 Any vehicles in contravention of restrictions (as displayed on signage) would be dealt with by the issue of a PCN with a proposed fine level of £100, reduced to £60 if paid within 14 days. Payment can be made online by debit or credit card, cheque, postal order or direct bank transfer.
- 3.4 The registered keeper of the vehicle would be sent an initial PCN, followed by a reminder and then a final reminder (three in total over a 60-day period). After this, the case would be passed to Debt Recovery (DR) to try to settle the payment, who will add a fee on top of the £100 PCN charge. If still unpaid, the case would be reviewed and possibly taken to court, with consent from the Alexandra Palace Executive.
- 3.5 The proposed scheme complies with the BPA Approved Operator Scheme Code of Practice for the control and enforcement of parking on private land and unregulated public car parks, whilst also complying with the BPA charter for parking. Our current traffic management supplier would provide trained and competent operatives to carry out enforcement in a polite and appropriate manner as a customer facing agent of the Trust.

4. Risks

- 4.1 The safety of our staff and contractors, onsite is of the highest priority. Our traffic management supplier has extensive experience of traffic enforcement and will undertake all appropriate assessments for the safety of staff. A number of mitigations, which will not be disclosed in this public report for reasons of operational security, will be in place alongside the deployment of wardens. Standard Operating Procedures will be updated to reflect the pilot scheme.
- 4.2 Reputational risk of poorly executed PCNs or appeals process. The traffic management operatives will be trained and working within the regulations and industry codes of conduct. However, the Alexandra Palace Operations Team will be consulted in the escalation process of any PCN and will, therefore, be forewarned and can advise accordingly as a notice escalates.
- 4.3 However, as the spaces along AP Way will remain blocked by the concrete barriers, it must be highlighted that there are no permitted/legitimate stopping or parking spaces along AP Way. This means that any vehicle in contravention of the restrictions, as set out on the signage, will be at risk of being issued with a PCN if they fail to adhere to the restrictions.

5. Legal Implications

- 5.1 Trained traffic marshals are authorised to issue a Parking Charge Notice (PCN) to any motor vehicles parked in contravention of the Parking Regulations.
- 5.2 The Protection of Freedoms Act 2012 was passed by Parliament to return to the British public 'freedoms' they feel other legislation has eroded or removed over time. The Act deals with a wide range of issues and one of those is the ban on immobilising

(‘clamping’), or removing (‘towing away’), without lawful authority, vehicles that are parked on private land.

- 5.3 The Act also introduced the concept of ‘keeper liability’ for vehicles parked on private land. However, for this, there had to be an independent appeals service, provided by funding from the parking industry. That independent service is known as Parking on Private Land Appeals or POPLA. Any individual who feels that the appeals process has rejected their representation unfairly can refer the case to POPLA.
- 5.4 The Council’s Head of Legal & Governance (interim) has been consulted in the preparation of this report, and in noting that the proposed pilot is said to comply with industry standards, and that specialist officers will be used to carry out enforcement, has no comments.

6. Use of Appendices

Appendix 1 - Site Map

Appendix 2 - Signage and Dot Matrix Examples *(to demonstrate a Dot Matrix signage, the wording may differ)*